

# APPEAL OF DENIALS EXHIBITS A-K

FILED  
07-09-2024  
CIRCUIT COURT  
DANE COUNTY, WI  
2018CV003122

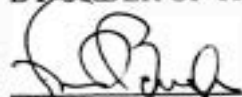
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# Exhibit A

## **Decision and Order Denying James Fetzer's Motion for Relief from Judgment**

Judge Frank Remington  
(June 20, 2024)

BY ORDER OF THE COURT

  
Frank Remington  
Circuit Court Judge

6.20.24  
Date

**FILED**  
**JUN 20 2024**  
DANE COUNTY CIRCUIT COURT

STATE OF WISCONSIN

CIRCUIT COURT  
BRANCH 8

DANE COUNTY

LEONARD POZNER,  
Plaintiff,

v.

Case No. 2018-CV-3122

JAMES FETZER,  
Defendant.

**DECISION AND ORDER  
DENYING JAMES FETZER'S MOTION FOR RELIEF FROM JUDGMENT**

**INTRODUCTION**

James Fetzer published fake stories accusing Leonard Pozner of fabricating his child's death certificate. Pozner sued for defamation and, in 2019, a jury awarded him \$450,000. Now, five years later, Fetzer complains that the verdict was the product of a vast conspiracy to commit fraud. As a result of my participation in the supposed fraud, Fetzer asks me to sanction myself then order a new trial. I liberally construe Fetzer's rambling papers to seek relief from judgment under Wis. Stat. § 806.07, then deny Fetzer's motion because it does not establish any grounds for relief.

## DECISION

### I. Liberally construing his papers, Fetzer seeks relief from judgment.

Before turning to his argument, I recognize that Fetzer represents himself. Courts liberally construe pro se litigants' filings. *bin-Rilla v. Israel*, 113 Wis. 2d 514, 520-21 (1983). However, "we have long required pro se litigants, just like those with an attorney, to act reasonably in defense of their rights." *State ex rel. Wren v. Richardson*, 2019 WI 110, ¶24, 389 Wis. 2d 516, 936 N.W.2d 587. This means that "while we construe pro se petitions, motions, and briefs to make the most intelligible argument we can discern, we do not impute to pro se litigants the best argument they could have, but did not, make." *Id.*, ¶25.

I next apply this standard to determine what sort of relief Fetzer seeks. On its face, Fetzer's motion seeks three principal remedies: he asks (1) that the 2019 judgment against him "must be vacated," (2) that both myself and two of Pozner's attorneys be "sanctioned and subject to suitable penalties," and (3) "the case remanded for trial on the merits." Fetzer Mot., dkt. 599:26. Fetzer cites no legal authority that might entitle him to any of these remedies. Liberally construing his papers, however, it is clear that Fetzer alleges a wide-ranging conspiracy to commit fraud upon the court. *Id.* at 1 ("The extrinsic fraud was by FEMA, the media, and the Obama administration ...."). As best I can tell, the purpose of Fetzer's new papers are to submit evidence on which I should find the existence of a fraud upon the court and then grant relief from the 2019 judgment against him. I therefore construe the papers as a motion for relief from judgment.

### II. Legal standard for relief from judgment.

Wisconsin Stat. § 806.07(1) allows relief from judgment "upon such terms are just ...." To prevail, the moving party "bears the burden to prove that the requisite conditions existed." *Connor v. Connor*, 2001 WI 49, ¶28, 243 Wis. 2d 279, 627 N.W.2d 182. After proving a reason for relief,

the movant must also show the motion was made “within a reasonable time ....” Wis. Stat. § 806.07(2). “Any credible evaluation of a motion’s timeliness will necessarily consider the reasons for the moving party’s delay as well as the prejudice visited upon the non-moving party.” *State ex rel. Cynthia M.S. v. Michael F.C.*, 181 Wis. 2d 618, 627, 511 N.W.2d 868 (1994).

In addition to the enumerated reasons for relief in § 806.07(1), the plain statutory text of § 806.07(2) also authorizes “an independent action, based on fraud upon the court, to set aside a judgment.” *Dekker v. Wergin*, 214 Wis. 2d 17, 20, 570 N.W.2d 861 (Ct. App. 1997) (citing *Walker v. Tobin*, 209 Wis. 2d 72, 79, 568 N.W.2d 303 (Ct. App. 1997)). Although the statutory text authorizes an “independent action,” courts have treated fraud upon the court as grounds for a motion for relief from judgment. See 11 Wright & Miller, *Federal Practice & Procedure Civ.* § 2868 (3d ed. 2024) (“A party is not bound by the label used in the party’s papers. A motion may be treated as an independent action or vice versa as is appropriate.”); see *Bankers Mortg. Co. v. United States*, 423 F.2d 73, 78 (5<sup>th</sup> Cir. 1970) (explaining the history of the “independent action”); see also *Nelson v. Taff*, 175 Wis. 2d 178, 187, 499 N.W.2d 685 (Ct. App. 1993) (Wisconsin courts may rely on federal cases interpreting analogous rules).

A movant claiming fraud upon the court must prove five elements:

- (1) a judgment which ought not, in equity and good conscience, to be enforced;
- (2) a good defense to the alleged cause of action on which the judgment is founded;
- (3) fraud, accident, or mistake which prevented the appellant in the judgment from obtaining the benefit of his claim;
- (4) the absence of fault or negligence on the part of appellant; and
- (5) the absence of any remedy at law.

*Dekker*, 214 Wis. 2d at 21 (alterations omitted).

### III. Fetzer's motion fails under either procedure.

Although it appears Fetzer actually seeks relief under the "independent action" procedure in § 806.07(2), I begin by examining Fetzer's motion to see whether he can prove he is entitled to relief from judgment for any of the reasons set forth in § 806.07(1). Fetzer says a series of frauds occurred during this litigation in 2019, the proof of which was contained in a book he wrote in 2015. Fetzer Br., dkt. 599:19. For example, borrowing his words, Fetzer says the fraudulent complaint was "so manifestly defective that even a first-year law student would have rejected it ...." Fetzer Br., dkt. 599:17. But if these frauds occurred in 2019, and if Fetzer knew about them either because they were obvious to a first-year law student or because Fetzer had already written a book on the topic, then § 806.07(2) required Fetzer to explain some reason why his five-year delay in bringing a motion for relief from judgment was reasonable. He offers no such explanation, so I deny Fetzer any relief from judgment under § 806.07(1).

I turn, next, to the independent action procedure for relief from judgment in § 806.07(2). This inquiry goes nowhere because, beyond Fetzer's repeated use of the phrase "fraud upon the court," he addresses none of the elements of an independent action for relief from judgment. See generally Fetzer Br., dkt. 599. While I have liberally construed Fetzer's motion to seek relief under this section, I cannot develop an argument for him. *Richardson*, 2019 WI 110, ¶25. In any event, an independent action based on fraud could never entitle Fetzer to relief unless he acted "seasonably" and "without inexcusable negligence in the action." *Dekker*, 214 Wis. 2d at 22 (quoting *Lawn v. Kipp*, 155 Wis. 347, 371 (1914)). Here, to repeat, Fetzer professes his belief in a massive conspiracy to commit fraud but, to the extent his new motion is not already precluded by previous litigation, Fetzer has sought no relief for five years. As a result, even if I believed that

"FEMA, the media, and the Obama administration" defrauded this court, I would still deny Fetzer's motion because he inexplicably waited too long. *See, e.g., id.* at 19 (dismissing independent action under § 806.07(2) after plaintiff "failed to act in a timely or prudent fashion to protect his own interests ....").

**ORDER**

For these reasons,

IT IS ORDERED that James Fetzer's motions for relief from judgment are denied.

**This is a final order for purpose of appeal.**

# Exhibit B

## **MOTION TO OPEN JUDGMENT PURSUANT TO EXTRINSIC FRAUD AND FRAUD UPON THE COURT**

James H. Fetzner, Ph.D.

(June 17, 2024)



FILED  
06-17-2024  
CIRCUIT COURT  
DANE COUNTY, WI  
2018CV003122

STATE OF WISCONSIN                      CIRCUIT COURT                      DANE COUNTY

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LEONARD POZNER,

Plaintiff,

vs.

Case No. 18CV3122

JAMES FETZER,

Defendant.

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**MOTION TO OPEN JUDGMENT PURSUANT TO  
EXTRINSIC FRAUD AND FRAUD UPON THE COURT**

NOW COMES James H. Fetzer, Ph.D., pro se, to Open the Judgment of \$1.1 million dollars in awards entered against him by Extrinsic Fraud and Fraud upon the Court practiced upon him. The extrinsic fraud was by FEMA, the media, and the Obama administration by presenting Exercise L-366 conducted on 12/13/12 as a real-time (LIVE) mass shooting in which 20 children and six adults were killed. The Fraud upon the Court was by committed by Officers of the Court, including Leonard Pozner attorneys, Genevieve M. Zimmerman (WI#1100693) and Jacob Zimmerman (MN#0330656), who (separately and jointly) perpetrated Fraud upon the Court by falsely alleging a death that did not occur and suborning perjury by presenting in support the deposition testimony of an impostor witness; and by Dane County Circuit Court Judge Frank Remington, who disallowed Dr. Fetzer from challenging the extrinsic fraud by setting aside his extensive and detailed evidence that the purported death had not occurred but was based upon a staged event, which the

mainstream media and the federal government had declared to be a real event to promote the government's gun-control agenda, on the basis of which he granted Summary Judgment to Plaintiff (Exhibit A); by sanctioning Dr. Fetzer when he sought to expose the identity of the impostor witness, thereby denying him a real contest in the hearing of case No. 18 CV 3122, *Pozner v Fetzer, et al.*; and by denying the existence of disputed facts when they were pervasive and fundamental to the case, on appeal at 2021 WI App. 27, 397 Wis. 2d 243, 959 N. W. 89 (Wis. Ct. App. 2021), WI Sup Ct, cert denied, and by the U.S. Supreme Court, cert denied; and, in support thereof, Dr. Fetzer states as follows:

#### **JURISDICTION**

1. This case is brought under the rule announced in the case of *United States v Throckmorton*, 98 U. S. 61 (1878) that Fraud upon the Court may be brought at any time in any court when a party has been prevented from presenting a valid defense.<sup>1</sup>
2. It would be "manifestly unconscionable" for this decision to stand; indeed, case No. 18 CV 3122, *Pozner v Fetzer, et al.*, seems to be a perfect example of Fraud upon the Court as SCOTUS intended (Donald Griffin Jr., *Equitable Relief from Judgments Obtained by Fraud, Intrinsic and Extrinsic*, 36 Marq. L. Rev. 198 (1952).
3. It entails the Violation of Constitutional Rights Under Color of Law as defined

<sup>1</sup> *Bulloch v United States*, 763 F2d 1115, 1121 (10<sup>th</sup> Cir. 1985); *Appling v State Farm Mutual Automobile Insurance Company*, 340 F3d 769, 781 (9<sup>th</sup> Cir 2003).

Under 18 U.S.C. § 241 and § 242 by denying Dr. Fetzer his 7<sup>th</sup> Amendment Right to a Trial by Jury, and his 14<sup>th</sup> Amendment Right to Equal Protection because the Summary Judgment protocols of WI vary widely from those of other states, such as TX.

5. And pursuant to the Wisconsin Code of Judicial Conduct as set forth in Ch. 60 of the Wisconsin Supreme Court (<https://www.wicourts.gov/sc/rules/chap60.pdf>) and to Wisconsin Statute 806.07(2)k "This section does not limit the power of a court to entertain an independent action to relieve a party from judgment, order, or proceeding, or to set aside a judgment for fraud on the court".

#### **PARTIES**

6. James H. Fetzer, Ph.D., Plaintiff, resides at 800 Violet Lane, Oregon, WI 53575.
7. Leonard Pozner, purported father of Noah Pozner, who was present at the Sandy Hook crime scene, was photographed with his son prior to his son's alleged murder on December 14, 2012. That photograph has appeared worldwide. The last known Connecticut address for this Leonard Pozner is 261 South Main Street, #332, Newtown, CT 06470. See the picture published on 02 May 2017 in *The Guardian* in an article authored by Hadley Freeman (attached hereto as Exhibit B.)<sup>2</sup> Notice this photograph is "Courtesy Leonard Pozner".

#### **THE EXTRINSIC FRAUD**

<sup>2</sup> <https://www.theguardian.com/us-news/2017/may/02/sandy-hook-school-hoax-massacre-conspiracists-victim-father> (last viewed 2-17-24)

8. On December 14, 2012, The U.S. Federal Emergency Management Agency conducted a Site Activation Call-down Drill. The drill was listed on the CT FEMA schedule as Exercise L-366 and distributed with a map from FEMA Headquarters in Bridgeport, CT, to Sandy Hook Elementary School in Newtown, CT (Exhibit C). The Exercise Plan explains that it will be conducted on 12/13/12 beginning at 8:00 AM and end at 11:20 PM to be evaluated on 12/14/12 as a real-time (LIVE) event (Exhibit D). This mock FEMA drill (in which no one died) was converted into a fraud against the American people and its judicial system with the claim that 6 adults and 20 children had been killed and two adults injured.
9. Further proof comes from the Affidavit of Brian Davidson, Private Investigator licensed in Texas of October 28, 2022, who conducted a review of the Connecticut State Police files and not only found proof that the Sandy Hook event was not a mass murder but that the site was not even an operating school (Exhibit E).
10. These findings are confirmed by other official documents of the US government, including the FBI Consolidated Crime Report for 2012, which shows no murders or non-negligent manslaughters in Newtown during 2012. Since Sandy Hook is a subdivision of Newtown, the FBI Report confirms that there were no murders of non-negligent manslaughters in Sandy Hook during 2012 (Exhibit F).

#### **FRAUD UPON THE COURT**

11. The fraud against the court began between February 7, 2013 and December 11, 2014, when Donna L. Soto, administrator of the Estate of Victoria L. Soto (case # 13-00070), Nicole Hockley, co-administrators of the estate of Dylan C.

Hockley (case # 14-0564); William Sherlach, executor of the estate of Mary J. Sherlach (case # 13-00062); Leonard Pozner, administrator of the estate of Noah S. Pozner (case # 14-0589); Gilles J. Rousseau, administrator of the estate of Lauren G. Rousseau; David C. Wheeler, administrator of the estate of Benjamin A. Wheeler (case # 14-0567); Neil Heslin and Scarlett Lewis, co-administrators of the estate of Jesse McCord Lewis (case # 13-0048); Mark and Jacqueline Barden, co-administrators of the estate of Daniel G. Barden (case # 14-0577); and Mary D'Avino, administratrix of the estate of Rachel M. D'Avino (case # 13-0036) opened probate estates in the State of Connecticut, Court of Probate, Region #22 Probate District, for the above alleged decedents.

12. On January 26, 2015, the fraud on the court was continued by the filing by Donna L. Soto, Administrator of the Estate of Victoria L. Soto, Nicole Hockley, co-administrators of the estate of Dylan C. Hockley; William Sherlach, executor of the estate of Mary J. Sherlach; Leonard Pozner, administrator of the estate of Noah S. Pozner; Gilles J. Rousseau, administrator of the estate of Lauren G. Rousseau; David C. Wheeler, administrator of the estate of Benjamin A. Wheeler; Neil Heslin and Scarlett Lewis, co-administrators of the estate of Jesse McCord Lewis; Mark and Jacqueline Barden, co-administrators of the estate of Daniel G. Barden; and Mary D'Avino, administratrix of the estate of Rachel M. D'Avino, of a complaint for damages against Bushmaster Firearms

International, LLC, et al., in the Superior Court of Connecticut at case number UWY-CV-15-60520025-S.

13. The Plaintiffs alleged that the persons they represent were murdered on the morning of December 14, 2012, at Sandy Hook Elementary School, Newtown, CT.
14. On April 14, 2016, by unpublished opinion, Ct. Superior Court Judge Barbara N. Bellis granted the Defendants' Motions to Dismiss. Her decision was overruled on appeal and the case remanded for trial. *Soto, et al v. Bushmaster Firearms International, LLC, et al.*, 331 Conn 53, 202 A. 3d 262 (2019), *cert denied*, 547 U. S. 1111, 126 S. Ct. 1913.
15. On July 27, 2020, Remington Outdoor Company, Inc. and its subsidiaries and affiliates, which included Bushmaster Firearms International, LLC, filed for bankruptcy in the United States Bankruptcy Court for the Northern District of Alabama, at case number 20-81688-CRJ11.
16. Neither the *Jones v Heslin* nor the *Soto v Bushmaster* cases were decided by a trial by jury on the merits. To the contrary, they were decided on preliminary motions. The citation by the WI Appellate Court in the decision against Dr. Fetzer was a furtherance of the extrinsic fraud practiced upon the court and Dr. Fetzer.
17. On September 10, 2021, Dr. Fetzer filed a Motion to Intervene in the case of *Soto, et al v Bushmaster, et al* (Exhibit G).



18. On September 20, 2021, Remington filed its objection to Dr. Fetzer's Motion to Intervene in *Soto v Bushmaster* (Exhibit H).

19. On September 22, 2021, Judge Bellis denied the Fetzer Motion to Intervene.

20. On September 24, 2021, Fetzer filed a Motion to Intervene in the Remington bankruptcy to present evidence that nobody died at Sandy Hook (Exhibit I).

21. On September 27, 2021, without objection from attorneys for the Remington Creditors committee to the Fetzer Motion to Intervene, the Bankruptcy Court denied the Fetzer Motion.

22. On May 16, 2022, the Plaintiff's withdrew the *Soto v Bushmaster* case as settled.

#### **FRAUD UPON THE COURT IN DANE COUNTY**

21. The Complaint (November 27, 2018) attached a death certificate for a party (cited as "N.P.") alleged to have died during a mass shooting at Sandy Hook Elementary School in Newtown, CT, on December 14, 2012 (Exhibit J).

22. The *complete* death certificate attached to the Complaint was not the same as the *incomplete* death certificate for which Dr. Fetzer was being sued, which Pozner himself had given to Dr. Fetzer's research colleague, Kelley Watt; yet the Complaint asserted that they were "not materially different" (Exhibit K).

23. Dr. Fetzer's Answer (January 2, 2019) enumerated multiple grounds on which the authenticity of this or any other death certificate for parties at the alleged shooting was disputable, including an aerial photograph of the parking lot of the school at Sandy Hook on December 14, 2012, reveals that there were no blue and white signage or parking spaces for the handicapped as required for

an open facility under state and federal laws and regulations implementing the Americans with Disabilities Act, and confirms the school was not open on December 14, 2012, and questioned the identity of Plaintiff Leonard Pozner, whom Dr. Fetzer suspected to be a legal fiction fronting for Reuben Vabner, a party whom he believed (and continues to believe) played a key role in orchestrating the FEMA exercise as mass murder (Exhibit L).

25. During the Scheduling Conference (March 11, 2019), Judge Frank Remington complimented Pozner's attorneys for a "carefully crafted Complaint" that was limited to the truth or falsity of the death certificate (Exhibit M, pages 49-50), issuing his ruling that *"Whether or not Sandy Hook ever happened or not is not relevant to this – the – the truthfulness or the accuracy of the death certificate ... Whether or not Sandy Hook happened is for another day and another place"*:

"Whether or not Sandy Hook ever happened or not is not relevant to the – the – truthfulness or the accuracy of the death certificate. Now I understand the – the defendant's overall theory in believing that it never happened, and I'm not going to take the bait and let this case go down that – that path and into that rabbit hole.

"Whether or not Sandy Hook ever happened is for another day in another place. The only question for me is to guide the parties into engaging in discovery that either proves the death certificate was – was true, was real, was accurate and legitimate or not."

26. During the Telephone Motion Hearing of April 18, 2019, Judge Remington bifurcated the case to *disallow* Dr. Fetzer concurrent discovery regarding his three counterclaims for Abuse of Process, Fraud and Theft by Deception, and Fraud on the Court, thereby precluding Dr. Fetzer from further investigation of the identity of the Plaintiff Leonard Pozner (Exhibit N).

27. On April 22, 2019, following research on the observation of Kelley Watt, to



whom Pozner had provided the death certificate published in Dr. Fetzer's book—that Noah Pozner bore a striking resemblance to his purported older half-brother, Michael Vabner—Dr. Fetzer moved for expanded DNA testing to include not only Leonard Pozner and Noah Pozner, but Reuben Vabner and Michael Vabner as well, based upon evidence demonstrating that Noah Pozner was a fiction made up of photographs of Michael Vabner as a child. This would have laid to rest or confirmed Dr. Fetzer's suspicions about the identity of the Plaintiff, but Judge Remington denied the motion, although it included detailed proof that Noah Pozner was a fiction made up of photos of his presumptive older half-brother and therefore is not dead, presumably relevant to the authenticity of Noah Pozner's death certificate (Exhibit O).

28. On May 21, 2019, Dr. Fetzer participated in the Oral Deposition of Wayne Carver, M.D., the Medical Examiner for the State of Connecticut, whose role was central in conveying to the public the false impression that the Sandy Hook FEMA exercise L-366 had been a real shooting (Exhibit P).

29. It was therefore unsurprising when Dr. Fetzer presented many indications that Sandy Hook had been a FEMA exercise rather than a mass murder, such as the sign, "EVERYONE MUST CHECK IN", Porta-Potties in place, bottled water (and pizza) at the firehouse, many wearing nametags on lanyards, and even parents bringing children to the scene, all copiously documented in *Nobody Died At Sandy Hook* (Exhibit P, pages 54-75).

30. When Dr. Fetzer presented three Noah Pozner death certificates—the one published in Dr. Fetzer's book (Exhibit J within P, with no file number), the

one attached to the Pozner Complaint (Exhibit K, with a handwritten file number), and the one obtained by co-defendant Dave Gahary from the State of Connecticut (Exhibit L, with a partially printed file number), Dr. Carver responded to the latter of the three and said, "Well, first of all, this was—I have no idea what it is" (Exhibit P, page 81, lines 7-8).

31. On June 17, 2019, Dr. Fetzer participated in the Oral Deposition of a party who was introduced by Pozner's attorneys as Leonard Pozner, the father of the decedent Noah Pozner, during which Dr. Fetzer presented evidence that Noah Pozner was a fiction created out of photographs of Michael Vabner, the younger son of Reuben Vabner, when he was a child; that a passport posted on the website of Leonard Pozner was counterfeit (which is a federal crime); and other proof of fraud upon the Court (Exhibit Q).
32. During the Oral Hearing (June 17, 2019), Jake Zimmerman introduced a new (fifth) death certificate for Noah Pozner (Exhibit 2, sealed by the court), which had not been provided to Dr. Fetzer prior to the Oral Hearing. Indeed, Attorney Zimmerman then argued that it had been the one Pozner had given to Kelley Watt, but where the bottom town certification and side state certification had been removed to fabricate the one published by Dr. Fetzer (Exhibit R, pages 50).
33. Dr. Fetzer protested this new death certificate was not the one for which he had been sued and when Judge Remington asked him if it, too, were a fake, he replied, "Well, it is on multiple grounds!" (Exhibit R, page 51)
34. Judge Remington asked Dr. Fetzer if he could feel the embossed seal on the

new document, which was partially shredded (because of the thinness of the paper used to create it). Judge Remington was ready to rule when Dr. Fetzer observed he had not yet been allowed to testify yet (Exhibit R, pages 44-65).

35. During his testimony, Dr. Fetzer patiently reviewed the differences between the four death certificates (Exhibits 4-7) and that reports of two (2) forensic document experts (Larry Wickstrom and A.P. Robertson) introduced prior to the hearing had concluded that *all four are fake* (Exhibit R, pp. 114-164).

36. Even though Pozner did not have an expert supporting the authenticity of any of the (now five) death certificates, Judge Remington ruled that Dr. Fetzer's experts were "not persuasive", saying that he didn't "think they were helpful", while finding Dr. Fetzer liable for defamation of Leonard Pozner (Exhibit R, pages 164-171).

37. The Court asked Dr. Fetzer to include his "Oral Hearing Briefing Notes" as an exhibit. (Exhibit S).

38. In his Decision and Order on Post-Verdict Motions, Judge Remington asserts that Dr. Fetzer now claims that "he qualifies as a media defendant", which he said he had not raised before; and that "The undisputed facts show that Noah Pozner's death certificate was (and is) authentic" and that "no reasonable factfinder can conclude that Dr. Fetzer acted with ordinary care when he published the statements claiming the death certificate was fake" (Exhibit T).

#### **DEPOSITON BY IMPOSTOR**

39. Prior to the Oral Hearing, a video deposition was taken featuring a second Leonard Pozner who said he was the father of Noah Pozner and appeared as a

witness against Dr. Fetzer on May 28, 2019. (See Dr. Fetzer's Affidavit of June 10, 2019, summarizing his questioning of the witness (Exhibit Q). The witness Pozner is in a business suit on the left in Exhibit A of the Affidavit of Wolfgang Halbig of December 13, 2023 (Exhibit W).

40. Having participated in the deposition of the Leonard Pozner who appeared as the Plaintiff in the WI case against Dr. Fetzer, Dr. Fetzer attests that the Pozner in the business suit in Exhibit A attached to the Affidavit of Wolfgang Halbig dated December 13, 2023 (attached hereto as Exhibit W) is the person who appeared as the Plaintiff against him (Exhibit X).
41. The address and real name for this Leonard Pozner is unknown but the address of his attorney of record, Jacob Zimmerman, is known: The Zimmerman Firm, LLC, 1043 Grand Avenue #255, Saint Paul, MN 55105; jake@zimmerman-firm.com. (See case No. 18 CV 3122, *Pozner v Fetzer, et al.*)
42. Comparison of the crime scene Leonard Pozner with the Leonard Pozner whom Dr. Fetzer deposed in Madison, WI, establishes that they are not one and the same but are two different persons.
43. The Leonard Pozner who was photographed on September 21, 2023, while being issued a speeding ticket, is the same Leonard Pozner who appeared in Court in Florida. See paragraph 6 of Affidavit of Wolfgang Halbig (Exhibit W.)
44. The Leonard Pozner sitting in an automobile while getting a speeding ticket with a current address that is known. He resides at 155 Court Avenue, Unit 2510, Orlando, FL 32801, formerly of 261 South Main Street, #332, Newtown,

CT 06470. This picture (of this Leonard Pozner in casual clothes) is not identified by exhibit number in the Halbig Affidavit but is attached as Photograph Three to the Affidavit of Wolfgang Halbig (Exhibit W).

45. Dr. Fetzer asked Brian Davidson, P.L., to verify or falsify the conclusions of Wolfgang Halbig. Davidson's Affidavit of June 15, 2024 (Exhibit Y) confirms that Speeding Ticket Pozner (whom Halbig identified as the same person who appeared in his Florida Court case as Leonard Pozner) is the same person who appeared in Dane County as Leonard Pozner on May 28, 2019 (Exhibit Y).
46. By multiple lines of proof, Davidson proves that that person (call him "Expert Witness Pozner") is not the same person as the Crime Scene Pozner from Sandy Hook and that Noah Pozner is a fiction made up out of photographs of Michael Vabner as child (Exhibit Y).
47. Dr. Fetzer believes the Crime Scene Leonard Pozner is Reuben Vabner, whose younger son, Michael, was the photographic source for the fictional Noah, and that Benjamin Vabner, the older son of Reuben Vabner, has become the Expert Witness in these Sandy Hook lawsuits, keeping it all in the family (Exhibit Z).

#### **CONTEMPT OF COURT**

48. On May 13, 2019, while Dr. Fetzer was unrepresented by legal counsel, he agreed to a confidentiality order having been told that it would not inhibit or affect his use of the deposition to defend himself in this lawsuit.
49. Because Dr. Fetzer suspected that the Leonard Pozner who was deposed in my case was not the Leonard Pozner at the crime scene, he sought out Wolfgang

Halbig as an impeachment witness and had the Leonard Pozner video deposition sent to him.

50. The Court found Dr. Fetzer's send of the Pozner video deposition had been a violation of the confidentiality agreement. Judge Remington required him to deliver his copy of the video deposition to his lawyer and restricted his use of it to prove that the Pozner who testified was an expert witness and the one at the crime scene was a crisis actor. Dr. Fetzer argued (to no avail) that, since the crime scene Pozner's photo had been published millions of times around the world, concealment here made sense *only if they were not the same person*.
51. The court found that Dr. Fetzer's distribution of the Pozner deposition video had violated the confidentiality agreement and sanctioned him for \$650,000. This was a material denial of the preparation of his legal defense and in violation of the extrinsic fraud standard announced in the *Throckmorton* case cited above.
52. Upon receipt of the Affidavit of Wolfgang W. Halbig dated December 13, 2023, Dr. Fetzer had new evidence of why the Court had taken drastic measures to prevent his use of the video deposition by Leonard Pozner. It was to prevent his discovery of evidence of the existence of two different Pozners as documented in the Halbig Affidavit, which the parties had to conceal from public recognition.
53. Without a trial by jury in the case of *Pozner v Fetzer, et al.*, before the Wisconsin Circuit Court--or in any other court in which the assertion was made that *adults and children died and were injured at Sandy Hook*—Remington Outdoor, Inc. was forced into bankruptcy to take away the ability of the American people to



purchase the Bushmaster semi-automatic weapon and ammunition from the largest gun manufacturer in the United States. Remington Outdoor, Inc. has now been splintered into insignificant pieces.

#### APPEAL DENIED

54. On March 18, 2021, the State of Wisconsin, Court of Appeals, District IV, issued its opinion that the sanctions of \$650,000 and damages of \$450,000 against Dr. Fetzer were entered based on its mistaken presumption of prior judicial findings:

“There is no reasonable doubt regarding the following facts:

“On December 14, 2012, a mass shooting occurred at Sandy Hook Elementary School in Newtown, Connecticut.<sup>3</sup> Tragically, twenty-six people were killed, including six staff members and twenty children who were aged six and seven. See, e.g., *Jones v. Heslin*, No. 03-19-00811-CV, 2020 WL 1452025, at \*1, \*4 (Tex. Ct. App. Mar. 25, 2020) (stating “Neil Heslin’s son ... was killed in the Sandy Hook Elementary School Shooting in December 2012” and rejecting the substantial truth doctrine as a basis to dismiss Heslin’s defamation claim related to statements disputing Heslin’s assertion that he held his deceased son in his arms); *Soto v. Bushmaster Firearms Int’l, LLC*, 202 A.3d 262, 272 (Conn. 2019) (“On December 14, 2012, twenty year old Adam Lanza forced his way into Sandy Hook Elementary School in Newtown and, during the course of 264 seconds, fatally shot twenty first grade children and six staff members, and wounded two other staff members.”). Pozner’s six-year-old son, N., was one of the children killed during the Sandy Hook shooting.”

2021 WI App. 27, 397 Wis. 2d 243, 959 N. W. 89, (Wis. Ct. App. 2021), page 3.

55. Remarkably, in the following paragraph, the Court of Appeals acknowledged the enormous disparity between the facts asserted by the Plaintiff and by the Defendant:

“Fetzer, a Wisconsin resident, takes the position that the Sandy Hook shooting was an “elaborate hoax” which, according to Fetzer, was staged by government authorities with the “agenda to deprive U.S. citizens of their rights pursuant to the Second Amendment of the U.S. Constitution.” Fetzer takes the position that no one was killed during the Sandy Hook shooting and that part of the “elaborate hoax” included the fabrication of a

“fictional]” person “called [N.]” Before and during this litigation, Fetzer has asserted that Pozner is a “fraud,” “liar,” “hypocrite,” and “con-artist,” and he has accused Pozner of concealing his true identity. Fetzer has also accused Pozner of “engaging in a massive cover-up” with regard to the Sandy Hook shooting. Fetzer is an editor of the book *NOBODY DIED AT SANDY HOOK: IT WAS A FEMA DRILL TO PROMOTE GUN CONTROL* (2d ed. 2016), and is the co-author of chapter 11 of that book, which is titled “Are Sandy Hook skeptics delusional with ‘twisted minds’?”

Clearly, the facts asserted by the parties to this case could hardly have been in greater dispute.

#### **ARGUMENT**

As emphasized by Rule 60 of the Wisconsin Supreme Court, in particular, Section SCR 60.03 (1), a judge must act at all times in a manner that promotes confidence in the integrity and the impartiality of the judiciary. That this was not satisfied in case No. 18 CV 3122, *Pozner v Fetzer, et al.*, was manifest from the its initiation, beginning with the Complaint (Exhibit J). Dr. Fetzer was being sued over an *incomplete* death certificate published in a co-edited book, *Nobody Died At Sandy Hook* (Exhibit K), yet the Complaint attached a *complete* death certificate, while asserting they were “not materially different”. This was such a blatantly false claim that Judge Remington should have rejected it as invalid on its face; however, he not only treated it as valid but subsequently described it as “carefully crafted”.

The concept of materiality revolves around the importance of information in a given legal context and its potential impact on the rights, obligations, or decisions of the parties involved. By accepting a grossly defective Complaint and accepting it as valid, Judge Remington violated Dr. Fetzer’s right to be subject to an objective and impartial hearing in a Court of Law. The blatancy of the impropriety was so great that it cannot have been accidental or inadvertent. This Complaint was so



manifestly defective that even a first-year law student would have rejected it and was submitted in violation of SCR 20:3.1, Meritorious claims and contentions.

The legal strategy being followed by Judge Remington and Pozner's attorneys became transparent with the introduction of the fifth and latest version, which was supposed to have been the version provided to Kelley Watt, which her own Affidavit contradicts (Exhibit V). The one provided by Pozner to Kelley Watt was the same one Dr. Fetzer published in the book. Since Kelley Watt's Affidavit was in the Court records and Judge Remington on multiple occasions asserted he "had read everything", he had to know it was false to claim that the one published had (initially) been the scan of an authentic original (the 5<sup>th</sup> version) from which the state certification on the side and town certification on the bottom had been removed (presumably by Dr. Fetzer). No evidence was presented for this preposterous theory, which both the Court and Pozner's attorneys had to have known to be false (given Kelley Watt's affidavit).

It was also a violation of SCR 20:3.4 to introduce a new document during the hearing that had not been made available in advance. Even though it was a sleight-of-hand (or a "shell game", as Dr. Fetzer called it at the time), it still fails because there was a file number on the 5<sup>th</sup> version, but there was no file number on the Fetzer-published version. So even trimming the state and town certifications would not have been enough.

No doubt that's why the Court sealed it. Following the hearing, Dr. Fetzer visited Judge Remington's Room at the Dane County Courthouse in Madison and examined it with a magnifying glass. His conclusion—that it's a cheap fake—

would be confirmed by any forensic document expert. But then Judge Remington does not find their reports to be “helpful”—as though they were not judicially determinative in cases involving questions of document authenticity that are unrelated to Sandy Hook and Dr. Fetzer’s published book.

The death certificates—in all versions (which turn out to be five)—declare the decedent Noah Pozner, died at Sandy Hook Elementary School, December 14, 2012, of “multiple gunshot wounds” (see, for example, Exhibits J and K). The official narrative asserts that 26 people were killed, including six staff members and 20 children, aged six and seven, including Noah Samuel Pozner. Dr. Fetzer’s evidence now includes the new CT FEMA Schedule (Exhibit C), the FEMA Manual for the event (Exhibit D), the new Affidavit of Brian Davidson, P.I. (Exhibit E), and the FBI Consolidated Crime Report for 2012 (Exhibit F).

While the FEMA Manual (Exhibit D) and the FBI Consolidated Crime Report for 2012 (Exhibit F) were both included in Dr. Fetzer’s book, *Nobody Died At Sandy Hook* (2015; 2<sup>nd</sup> ed., 2016), they were set aside by Judge Remington and not viewed as admitted evidence on behalf of Dr. Fetzer. For the purpose of this MOTION TO OPEN JUDGMENT PURSUANT TO EXTRINSIC FRAUD AND FRAUD UPON THE COURT, all four of the exhibits—(C), (D), (E) and (F)—could properly qualify as new evidence that has not been previously considered by the Court in this case. The evidence that Dr. Fetzer sought to introduce was ruled irrelevant to the truth or the accuracy of the death certificate for Noah Pozner and therefore inadmissible.

Under these circumstances, how could Dr. Fetzer’s evidence *not be relevant to*

*the truthfulness or the accuracy of the death certificate?* Judge Remington's ruling was not just legally absurd but (literally) logically impossible. *This was a question of fact for a jury, not a judge, to decide.* There is a finite class of 26 alleged victims, including the purported decedent, the authenticity of whose death certificate was the crucial fact to be ascertained during the proceedings. What more profound proof of bias and prejudice could we have in this case than to exclude Dr. Fetzer's specific and detailed proof that nobody died at Sandy Hook?

The extrinsic fraud was thereby transformed into Fraud upon the Court. This was a crucial step in Judge Remington's plan to facilitate Summary Judgment by eliminating disputed facts and avoid a jury trial, further advanced by bifurcating the case during a Telephone Motion Hearing on April 18, 2019, to deny Dr. Fetzer discovery for his Counterclaims of Abuse of Process, Fraud and Theft by Deception, and Fraud upon the Court, which (almost certainly) would have led to the discovery of further proof of Extrinsic Fraud and of Fraud upon the Court (Exhibit N).

Further refutation of Judge Remington's Post-Verdict decisions and orders is that even Wayne Carver, M.D., Medical Examiner for the State of Connecticut, could not identify the third of three Noah Pozner death certificates shown to him for the purported decedent, "Noah Samuel Pozner", as a true and correct state-certified death certificate, which provides more proof of pervasive bias and lack of objectivity against Dr. Fetzer by Judge Remington in the commission of Fraud upon the Court (Exhibit R, pages 89-91).

Given the extensive and detailed evidence Dr. Fetzer presented during

the Oral Hearing in this case (Exhibit R) and the Court of Appeals (IV) summary descriptions of the positions of the parties in this case, Judge Remington's post-verdict order, in which he declares (Exhibit T, pages 1-2),

"The court will deny both motions. As discussed before, Dr. Fetzer's primary argument against the court's entry of a partial summary judgment is that he qualifies as a "media defendant". But not only did Dr. Fetzer fail to raise (the) media-defendant issue until now, he has also failed to articulate how he qualifies as one in his post-verdict materials. The omissions are enough for the court to reject the argument. The court would conclude that Dr. Fetzer acted with negligence when making (or publishing) his statements. The undisputed facts show that Noah Pozner's death certificate was (and is) authentic, and no reasonable factfinder can conclude that Dr. Fetzer acted with ordinary care when he published the statements claiming that the death certificate was fake.

boggles the mind as a grotesque misdescription of the case before his own Court.

Both claims are wrong. Dr. Fetzer had explained his background and his media credentials prior to the Oral Hearing in Defendant's Response to Plaintiff's Opposition to Defendant's Motion to Reconsider (Exhibit U). More obviously, Dr. Fetzer was being sued over three sentences in a book that he had co-edited and for another in a chapter of another. Plaintiff's Complaint itself already established that he was a "media defendant" (Exhibit J), upon which further elaboration follows.

Kelley Watt had submitted an Affidavit (April 23, 2019) affirming that the scan published in Dr. Fetzer's book was the same as the scan that was shared with her by Pozner, which neither Judge Remington nor Pozner's attorneys acknowledged (Exhibit V). Her Affidavit might also be regarded as new evidence as well, since it was not previously considered or else there would have been disputed facts. Both Judge Remington and Pozner's attorneys were blatantly violating their obligations

as Officers of the Court not to practice deception or make false claims in a Court of Law (SCR 20.3.3 Candor toward the tribunal).

And when there are five different versions of a death certificate—one of which even baffled the Medical Examiner for the State of Connecticut—and two forensic document experts agree with Dr. Fetzer in their conclusions that all four of the versions prior to the Oral Hearing are fake—when Dr. Fetzer has even examined the fifth with a magnifying glass and confirmed that it, too, is fake—could it be more obvious that this case was driven by politics *with a predetermined conclusion* rather than by evidence and law? How, after all, could the facts in this case have been in greater dispute?

In relation to the claim that I am a “media defendant”, an issue that Judge Remington claims Dr. Fetzer only raised post-verdict, in his prior Defendant’s Response to Plaintiff’s Opposition to Defendant’s Motion to Reconsider, and for Protective Order for Case 2018 CV 003122 (Document 215 dated 06-14-2019), Dr. Fetzer laid out an 8-page explanation of his background and his credentials as an investigative journalist (including some for which he was paid), his last submission prior to the Oral Hearing. Judge Remington might dismiss his failure to rule Dr. Fetzer was a “media defendant” since it was not submitted in the form of a motion.

But how could Judge Remington possibly argue that he did not know that Dr. Fetzer was a “media defendant” when he was being sued for three sentences in a book he had co-edited (to which he had contributed multiple chapters) and for a single sentence in another book (to which he had contributed multiple chapters) as well (Exhibit J)? There are small lies (“white lies”) and relatively minor deceptions and



deceptions but, in the context of this case, for Judge Remington to falsely assert Dr. Fetzer's standing as a media defendant was in doubt or Dr. Fetzer had not raised an issue when it was implied by the Complaint on which the proceedings in his Court were taking place leaves no room to doubt his commission of Fraud upon the Court.

Judge Remington's further declaration—"The undisputed facts show that Noah Pozner's death certificate was (and is) authentic, and no reasonable factfinder can conclude Dr. Fetzer acted with ordinary care when he published the statements claiming that the death certificate was a fake"—further impugns his own integrity the "undisputed facts" were manufactured by systematic elimination (by excluding proof that nobody died at Sandy Hook, precluding discovery on Dr. Fetzer's three counterclaims (including that of Fraud upon the Court) and by ignoring detailed evidence of death certificate fakery Dr. Fetzer presented during the Oral Hearing, which was substantiated by the reports of two forensic document experts, Larry Wickstrom and A.P. Robertson, as proof that Dr. Fetzer's four assertions were true.

Remarkably, at the conclusion of the Oral Hearing, the Court dismissed both of their Reports as "someone else's opinions" and "I just don't think they were helpful" (Exhibit R, pages 163 and 165). How unreasonable, given they were the conclusions of not one, but two, forensic document experts (who were not opposed by any Pozner expert) and that appeals to forensic document experts remains the standard judicial practice throughout the United States to ascertain the authenticity of documents.

Judge Remington manufactured the outcome of "no disputed facts" to circumvent the jury trial to which Dr. Fetzer was entitled. The Scheduling Conference was used

as the occasion to excluded extensive and detailed proof the Extrinsic Fraud (that Sandy Hook had been a FEMA exercise) outlined in his Answer (Exhibit M). That was not enough so Judge Remington used the Telephone Motion Hearing to further restrict Dr. Fetzer's ability to defend himself by separating his Counterclaims for Abuse of Process, Fraud and Theft by Deception, and Fraud upon the Court for another day and another place (Exhibit N).

Even when focus was restricted to the authenticity of the death certificate, the Court committed the fallacy known as *special pleading* (by citing only evidence favorable to your side), also known as *the method of selecting and exclusion* (by selecting evidence that supports a pre-determined point of view and eliminating the rest) at which Judge Remington proved to be quite adept, even to the point of excluding the reports of two forensic document experts. Could there be any more direct and compelling evidence of Fraud upon the Court than what transpired in case No. 18 CV 3122, *Pozner v Fetzer, et al.*?

The affidavits of Wolfgang Halbig (Exhibit W) and Brian Davidson (Exhibit Y) explain why Dr. Fetzer was prevented by a court order from the possession or the distribution of the video deposition, whereby his defenses were prohibited and denied by the trial court. That was done to protect the Fraud upon the Court from discovery by Dr. Fetzer, which Judge Remington sidetracked via bifurcation so that Dr. Fetzer's Counterclaims for Abuse of Process, Fraud and Theft by Deception, and Fraud upon the Court could not be effectively pursued. Now that their occurrence is known, including suborning of perjury by Genevieve M. Zimmerman (WI#1100693)

and Jacob Zimmerman (MN#0330656), the unwarranted sanctions and judgments against Dr. Fetzer must be vacated and the case be remanded for a new trial.

The Pozner at the traffic stop, who appeared in the Florida court and who gave a video deposition in *Pozner v Fetzer et al.*, are the same but differ from the crime scene Pozner. Pozner's attorneys knew there was more than one Leonard Pozner, especially when they filed a motion to prevent the distribution of his photograph. The reason has become obvious from new evidence presented here: as Exhibits W and especially Y have established, there is more than one Leonard Pozner, which Dr. Fetzer suspected but was not allowed by the Court to pursue at the time Judge Remington granted the Pozner Motion for Summary Judgement.

The Court entered a summary judgement against Dr. Fetzer rather than submit the facts to a jury as required by due process when there are disputed facts and a jury demand. There were disputed facts and there was a jury trial demand. This departure from the rule that summary judgment, which may only be granted when there are no disputed facts, an outcome that was deliberately manufactured by Judge Remington in support of (what appears to have been) a predetermined conclusion. Perhaps most distressing to Dr. Fetzer was that the Court of Appeals (District IV) endorsed this miscarriage of justice when it declared, "There is no reasonable doubt regarding the following facts", endorsing the official narrative of Sandy Hook and the applicability of Summary Judgment, when the positions of the parties could not have been more opposed.

Judge Remington repeatedly asserted, "Juries determine facts, Judges apply the



law", but that was no more true of the Court of Appeals than with the Circuit Court. The factual ignorance of the Court of Appeals extended beyond citing cases that had been decided on procedural grounds (when no Sandy Hook case has been decided on its merits) and accepting the assertion by Neil Heslin (of holding his dead son in his arms), when—as ever serious student of Sandy Hook is aware—Dr. Carver told the world (during his press conference) that the parents were not allowed to come into contact with their deceased children but were identified on the basis of photographs.

That made sense because many of them only existed in the form of photographs. But if the parents were not allowed to come into contact with their dead children—as the Connecticut State Medical Examiner declared during a wide-publicized press conference following the alleged mass shooting—how could Neil Heslin have held is dead son in his arms? Because of its ignorance regarding the facts of the case, the Court of Appeals (IV) blandly accepted an incoherent statement of facts and disregarded Dr. Fetzer's copiously documented case as though it were what was "unreasonable", when precisely the opposite was the case.

The fraud has been extended by the production of a documentary, *"The Truth vs. Alex Jones"* (2024), which Dr. Fetzer has analyzed and found to included evidence that it was a hoax, which Dr. Fetzer would be glad to share by formal request. Alex Jones' verdict, like the others cited here, was not sent to a jury for a decision on its merits but was decided by the judge on the basis of an alleged failure of discovery. The Extrinsic Fraud and Fraud upon the Court that are proven to have occurred clearly justify reopening of the awards against Dr. Fetzer in *Pozner v Fetzer, et al.*

**REMEDY REQUESTED**

This Petition urges acceptance both in the interest of justice and to afford the Wisconsin judicial system the opportunity to preserve its integrity, to correct the Extrinsic Fraud and Fraud upon the Court, and to return this case for a jury trial it so clearly warrants and, in the process, to preserve the Constitutional rights and freedoms enjoyed by the American people by protections guaranteed by freedom of speech and the right to a trial by jury.

Circuit Court for Dane County, WI, Case No. 18 CV 3122, *Pozner v Fetzer, et al.*, affirmed on appeal at 2021 WI App. 27, 397 Wis. 2d 243, 959 N. W. 89, (Wis. Ct. App. 2021), WI Sup Ct, cert denied, must be nullified based upon Extrinsic Fraud and Fraud upon the Court, perpetrated by the Plaintiff's Attorneys, Genevieve M. Zimmerman (WI#1100693) and Jacob Zimmerman (MN#0330656), which was facilitated by Dane County Circuit Court Judge Frank Remington. The \$1.1 million in sanctions must be vacated, the participants in this fraud sanctioned and subject to suitable penalties, and the case remanded for trial on the merits. To allow this to stand would make a mockery of the judicial system.

Respectfully submitted,

/s/ James H. Fetzer, Ph.D.

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Submitted June 17, 2024.

# Exhibit C

## **Request for Relief from Judgment or Order**

James Fetzner, Ph.D.  
Pro Se Defendant  
(June 24, 2024)

FILED  
06-24-2024  
CIRCUIT COURT  
DANE COUNTY, WI  
2018CV003122

STATE OF WISCONSIN

CIRCUIT COURT

DANE COUNTY

LEONARD POZNER,

Plaintiff,

vs.

Case No. 189CV3122

JAMES FETZER

Defendant

**REQUEST FOR RELIEF FROM JUDGMENT OR ORDER**

Now comes James Fetzer, Ph.D., Pro se, the Defendant asking the Court to set aside the Decision and Order of Judge Frank Remington on June 20, 2024, and permit this case to proceed (Exhibit 1). All previous submissions in Case No. 18CV3122 are incorporated and adopted for the purpose of this request.

The Wisconsin Rules of Civil Procedure Chapter 801 have already been satisfied in this case since this matter commenced by the Pozner Complaint filed on November 27, 2018 (Exhibit J of MOTION TO OPEN JUDGMENT PURSUANT TO EXTRINSIC FRAUD AND FRAUD UPON THE COURT, filed on Jun 17, 2024).

Wisconsin Rules of Civil Procedures Chapter 802 have not been followed since the Court dismissed the case before the Plaintiff had even filed an answer to Defendant's complaint based on new claims.

802.01 Pleadings allowed; form of motions. (1) PLEADINGS. There shall be a **complaint** and an **answer**; a **reply** to a counterclaim denominated as such; an answer to a cross claim, if the answer contains a cross claim; a 3rd-party complaint, if a person who was not an original party is summoned under s. 803.05, and a 3rd-party answer, if a

## DECISION

### I. Liberally construing his papers, Fetzer seeks relief from judgment.

Before turning to his argument, I recognize that Fetzer represents himself. Courts liberally construe pro se litigants' filings. *bin-Rilla v. Israel*, 113 Wis. 2d 514, 520-21 (1983). However, "we have long required pro se litigants, just like those with an attorney, to act reasonably in defense of their rights." *State ex rel. Wren v. Richardson*, 2019 WI 110, ¶24, 389 Wis. 2d 516, 936 N.W.2d 587. This means that "while we construe pro se petitions, motions, and briefs to make the most intelligible argument we can discern, we do not impute to pro se litigants the best argument they could have, but did not, make." *Id.*, ¶25.

I next apply this standard to determine what sort of relief Fetzer seeks. On its face, Fetzer's motion seeks three principal remedies: he asks (1) that the 2019 judgment against him "must be vacated," (2) that both myself and two of Pozner's attorneys be "sanctioned and subject to suitable penalties," and (3) "the case remanded for trial on the merits." Fetzer Mot., dkt. 599:26. Fetzer cites no legal authority that might entitle him to any of these remedies. Liberally construing his papers, however, it is clear that Fetzer alleges a wide-ranging conspiracy to commit fraud upon the court. *Id.* at 1 ("The extrinsic fraud was by FEMA, the media, and the Obama administration ..."). As best I can tell, the purpose of Fetzer's new papers are to submit evidence on which I should find the existence of a fraud upon the court and then grant relief from the 2019 judgment against him. I therefore construe the papers as a motion for relief from judgment.

### II. Legal standard for relief from judgment.

Wisconsin Stat. § 806.07(1) allows relief from judgment "upon such terms are just ...." To prevail, the moving party "bears the burden to prove that the requisite conditions existed." *Connor v. Connor*, 2001 WI 49, ¶28, 243 Wis. 2d 279, 627 N.W.2d 182. After proving a reason for relief,

Nonetheless, based on prior evidence submitted by the parties in this matter, including evidence submitted in Defendant's extant complaint, many disputes of material fact are known, including the following tables of the more glaring disagreements in addition to the violations of due process identified above.

**DUE PROCESS IMPROPRIETIES**

<i>No.</i>	<i>Due Process Fairness</i>	<i>Conduct of the Court</i>
1.	The parties agreed to a jury trial on the merits.	A jury trial on the merits was requested (Exhibit J) but denied; the Court insisted on a damages trial which returned a punitive \$450,000 judgment—having sidestepped a trial on the merits totally. Decision and Order on Post-Verdict Motions (Dec. 12, 2019)
2.	Discovery on the merits and damages are fundamental elements of trial by jury	Defendant was denied discovery on counterclaims and damages due to bifurcation resulting in the unfair damages judgment. Telephone Motion Hearing (Apr. 18, 2019) Exhibit N
3.	In normal course, hearings with the parties are required before judgments are entered	Summary Judgment and Order were entered (a) before Plaintiff's answer, (b) before Defendant's reply, and (c) before a hearing. Decision and Order, Jun. 20, 2024 (Exhibit 1)
4.	In normal course, hearings with the parties are required before judgments are entered	Motions to Seal and Order to seal were entered without a hearing. Order on Motion to Seal or Redact a Court Record (Ju. 22, 2024) Exhibit 4
5.	Complaints of fraud must be plead with particularity	The Court Opinion made light of the detail submitted as if to imply that the particularity requirement to show fraud was somehow inappropriate. Decision and Order, Jun. 20, 2024 ("Fetzer's rambling papers.") Exhibit 1

**DISPUTES OF MATERIAL FACT**

<i>No.</i>	<i>Plaintiff's Claim</i>	<i>Defendant's Claim</i>
1.	Sandy Hook was real with 26 dead. Exhibit J.	Sandy Hook was a FEMA L366 "course" Planning for the Needs of Children in Disasters

		<p>managed by Contact Christopher Ackley in Bridgeport CT just 18 miles from Newtown CT. Nobody died. Crisis actors were employed. Exhibit L</p> <p>This Court disallowed material evidence proving the FEMA teaching drill. Exhibit M</p>
2.	<p>Death certificate was complete with file number, town, and state certifications was claimed to be "not materially different from published version." Exhibit J.</p>	<p>Published death certificate was incomplete with no file number and neither town nor state certification. Exhibit K</p>
3.	<p>No experts were provided to authenticate death certificate. Only the words of unqualified attorney were provided and must be considered unremarkable. Exhibit J</p>	<p>Two uncontested expert witnesses verified complete and incomplete versions were both fake.</p> <p>Court acted <i>stare sponte</i> to ignore these experts as "not helpful," thus biasing the inquiry. Exhibit R</p>
4.	<p>The witness deposed by Plaintiff named "Leonard Pozner" was never verified as a real person.</p>	<p>Defendant posited that "Leonard Pozner" was an imposter fiction and was denied discovery to verify it due to the bifurcation of the case by the Court. Telephone Motion Hearing (Apr. 18, 2019) Exhibit N</p>

### **STANDARD OF REVIEW**

#### **SUMMARY JUDGMENT**

Summary judgment is appropriate when there is no material factual dispute and the moving party is entitled to judgment as a matter of law. *Germanotta v. National Indem. Co.*, 119 Wis. 2d 293, 296, 349 N.W.2d 733 (Ct. App. 1984). Summary judgment methodology is well established. *See, e.g., Lambrecht v. Estate of Kaczmarczyk*, 2001 WI 25, ¶¶ 20-24, 241 Wis. 2d 804, 623 N.W.2d 751. *See also Green Spring Farms v. Kersten*, 136 Wis. 2d 304, 315, 401 N.W.2d 816 (1987).



### DUE PROCESS

The Wisconsin State Constitution and U.S. Constitution provide virtually identical procedural due process and equal protection safeguards. *County of Kenosha v. C. & S. Management, Inc.*, 223 Wis. 2d 373, 588 N.W.2d 236 (1999), 97-0642. See also *State v. Ehlenfeldt*, 94 Wis.2d 347, 355, 288 N.W.2d 786 (1980) (the procedural due process requirement of fair notice).

Exercise of selectivity in enforcement does not create a constitutional violation. A violation occurs when there is **persistent selective and intentional discrimination** in the enforcement of a statute in the absence of a valid exercise of prosecutorial discretion. A defendant has the initial burden to present a prima facie showing of discriminatory prosecution before being entitled to an evidentiary hearing. *State v. Kramer*, 2001 WI 132, 248 Wis. 2d 1009, 637 N.W.2d 35, 99-2580. (Emphasis added.)

See *Carey v. Piphus*, 435 U.S. 247, 259 (1978). “[P]rocedural due process rules are shaped by the **risk of error inherent in the truth-finding process** as applied to the generality of cases.” *Mathews v. Eldridge*, 424 U.S. 319, 344 (1976). (Emphasis added.) This may include an obligation, upon learning that an attempt at notice has failed, to take “reasonable followup [stet] measures” that may be available. *Jones v. Flowers*, 547 U.S. 220, 235 (2006).

**Hearing.** “[S]ome form of hearing is required before an individual is finally deprived of a property [or liberty] interest.” *Mathews v. Eldridge*, 424 U.S. 319, 333 (1976). “Parties whose rights are to be affected are entitled to be heard.” *Baldwin v. Hale*, 68 U.S. (1 Wall.) 223, 233 (1863).

**Impartial Tribunal.** Just as in criminal and quasi-criminal cases, an impartial decision-maker is an essential right in civil proceedings as well. “The neutrality requirement helps to guarantee that life, liberty, or property will not be taken on the basis of an erroneous or distorted conception of the facts or the law. . . . At the same time, it preserves both the appearance and reality of fairness . . . by ensuring that no person will be deprived of his interests in the absence of a proceeding in which he may present



his case with assurance that the arbiter is not predisposed to find against him.” *Goldberg v. Kelly*, 397 U.S. 254, 271 (1970); See also *Marshall v. Jerrico*, 446 U.S. 238, 242 (1980); *Schweiker v. McClure*, 456 U.S. 188, 195 (1982).

#### **FRAUD**

“802.03(2) (2) Fraud, mistake and condition of mind. In all averments of fraud or mistake, the circumstances constituting fraud or mistake **shall be stated with particularity**. Malice, intent, knowledge, and other condition of mind of a person may be averred generally.” Wisconsin Statutes & Annotations, 802. Civil procedure — pleadings, motions and pretrial practice, 802.03 Pleading special matters. (Emphasis added).

#### **RELIEF SOUGHT**

The Court should set aside the Judgment and Order of June 20, 2024, as well as the Seal Judgment and Order of June 22, 2024.

The Court should allow this litigation to proceed and refrain from further *sta sponte* summary judgment motions at least until the discovery phase has been fully completed.

The Court should stay indefinitely any proceeding to attempt to collect on the damages ruling.

Respectfully submitted,

*/s/ James H. Fetzer, Ph.D.*

---

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*Pro Se Defendant*  
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Oregon WI 53575  
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Submitted June 24, 2024

**CERTIFICATE OF SERVICE**

I, James Fetzner, Ph.D. hereby certify that per Clerk procedures, a copy of the **REQUEST FOR RELIEF FROM JUDGMENT OR ORDER** was served on the Plaintiff by Wisconsin Court e-filing on June 24, 2024.

*/s/ James H. Fetzner, Ph.D.*

James H. Fetzner, Ph.D.  
*Pro Se Defendant*  
800 Violet Lane  
Oregon WI 53575  
[jfetzer@sl.tmn.edu](mailto:jfetzer@sl.tmn.edu)

**PROPOSED ORDER**

STATE OF WISCONSIN

CIRCUIT COURT

DANE COUNTY

LEONARD POZNER,

Plaintiff,

vs.

Case No. 189CV3122

JAMES FETZER

Defendant

**COURT ORDER**

I, Judge Frank Remington, in the above-caption case do hereby grant Defendant's motion and order a continuation of this litigation with the next step being an ANSWER by the Plaintiff to Defendant's complaint MOTION TO OPEN JUDGMENT PURSUANT TO EXTRINSIC FRAUD AND FRAUD UPON THE COURT filed **and** placed on the docket by the Clerk on June 17, 2024, and to be responded to within the time limit specified by the Rules of Civil Procedure from the filing date of this ORDER.

**SO ORDERED**

\_\_\_\_\_  
Judge Frank Remington

\_\_\_\_\_  
Date

# Exhibit D

## **Denial of Request for Relief from Judgment or Order**

Judge Frank Remington  
(June 20, 2024)

DELETED. Neither factually or legally meritorious.

F. Remington  
June 24, 2024

PROPOSED ORDER

FILED

JUN 24 2024

DANE COUNTY CIRCUIT COURT

STATE OF WISCONSIN

CIRCUIT COURT

DANE COUNTY

LEONARD POZNER,

Case No. 189CV3122

Plaintiff,

vs.

JAMES FETZER

Defendant

**COURT ORDER**

I, Judge Frank Remington, in the above-caption case do hereby grant Defendant's motion and order a continuation of this litigation with the next step being an ANSWER by the Plaintiff to Defendant's complaint MOTION TO OPEN JUDGMENT PURSUANT TO EXTRINSIC FRAUD AND FRAUD UPON THE COURT filed and placed on the docket by the Clerk on June 17, 2024, and to be responded to within the time limit specified by the Rules of Civil Procedure from the filing date of this ORDER; and likewise with the Plaintiff's MOTION TO SEAL OR REDACT A COURT RECORD of June 20, 2024.

**SO ORDERED**

-----  
Judge Frank Remington

-----  
Date

# Exhibit E

## **Motion to Seal or Redact a Court Record**

Emily Feinstein  
(June 20, 2024)



FILED  
06-20-2024  
CIRCUIT COURT  
DANE COUNTY, WI  
2018CV003122

Enter the name of the county in which this case is filed. **STATE OF WISCONSIN, CIRCUIT COURT, DANE COUNTY**

Enter the Petitioner/Plaintiff's full name. **Leonard Pozner**  
 First name: Leonard Middle name: Last name: Pozner

Enter the Respondent/Defendant's full name. **James Fetzner**  
 First name: James Middle name: Last name: Fetzner

Enter the Respondent/Defendant's full name.

Enter the case number.

This form is used for all case types. Some information may not apply to your case.

In #1, enter the name and date of the documents that you wish to have sealed.

Use GF-243A to request protection of Social Security, driver license, financial accounts, and other protected numbers to the court.

**Motion to Seal or Redact a Court Record**  
Case No. 18-CV-1122

1. I request that the following document(s) be sealed:

Name of Document	Date of Filing
Motion to Reopen Judgment	6-17-2024
Exhibit W to Motion to Reopen Judgment	6-17-2024

Some documents are confidential by law and do not require a motion to seal. See GF-244 for information about these documents.

In #2, describe the type of info you wish to have redacted. For example, "Petitioner's home address," date of the documents and exact location of the information. Note every place where the information appears. The court is not responsible for finding the information in other places. Do NOT put the actual information to be redacted on this form. Use form GF-245 to provide the information to the court.

In #4, if the court needs to consider certain facts to decide this motion, you should include a sworn affidavit setting out the information. Most court records are open to the public. The court will not seal or redact records without a legal basis for the decision. You must cite statutes and case law that support your request.

In #5, if you are not a party or the attorney for a party, describe your relationship to this case.

Sign and print your name and date the document.

2. I request that the following type of information be redacted from the court record:

Location in the Court Record		
Type of information to be Redacted	Date of Proceeding	Page and Line Number

3. I am filing form GF-245 to provide the sealed or redacted information to the court.
4. I am making this request based on the following law and facts:  
 Mr. Pozner is a crime victim, has faced threats to himself and his children, and could face more if his address is publicly available.
5. I am not an attorney or a party to this case. I am interested because:
- \_\_\_\_\_

▶ Electronically signed by Emily M. Feinstein  
 Signature  
 Emily M. Feinstein  
 Print or Type Name  
 Attorney for Plaintiff  
 Relationship to Case  
 6/20/2024  
 Date

DISTRIBUTION  
1. Court  
2. Parties  
3. Petitioner, if not a party

# Exhibit F

## **Order to Seal or Redact a Court Record**

Judge Frank Remington  
(June 20, 2024)

FILED  
06-21-2024  
CIRCUIT COURT  
DANE COUNTY, WI  
2018CV003122

BY THE COURT:

DATE SIGNED: June 21, 2024

Electronically signed by Frank D Remington  
Circuit Court Judge

Enter the name of the county in which this case is filed.	STATE OF WISCONSIN, CIRCUIT COURT, <u>DANE</u> COUNTY	<b>Order on Motion To Seal or Redact a Court Record</b>
Enter the Petitioner/ Plaintiff's full name.	<b>Petitioner/Plaintiff:</b> Leonard _____ Pomer _____ First name Middle name Last name	
Enter the Respondent/ Defendant's full name.	<b>Respondent/Defendant:</b> James _____ Estor _____ First name Middle name Last name	
Enter the case number.	Case No. <u>18-CV-3122</u>	

A motion to seal or redact a court record or transcript has been filed with the court.

**THE COURT ORDERS:**

The motion to

- 1. seal the requested information is granted for the reasons set forth in this motion. The clerk shall seal the following documents:  
Motion to Reopen Judgment  
Exhibit W to Motion to Reopen Judgment

Access to view document(s):

- Petitioner/Plaintiff  Respondent/Defendant  Social Worker  Guardian
- Attorney  Guardian ad Litem  Probation
- Other: \_\_\_\_\_

- 2. redact the requested information is granted for the reasons set forth in this motion. The clerk shall redact the following information:

Access to view document(s):

- Petitioner/Plaintiff  Respondent/Defendant  Social Worker  Guardian
- Attorney  Guardian ad Litem  Probation
- Other: \_\_\_\_\_

- The clerk shall perform the redaction as identified in this motion for previously filed documents.
- The parties shall omit or redact this information from all documents subsequently filed.

- 3. seal or redact is denied because
  - A. the request lacks a sufficient legal basis.
  - B. the requester has not made a sufficient factual showing.
  - C. Other: \_\_\_\_\_
- 4. Other: \_\_\_\_\_

DISTRIBUTION  
1. Court  
2. Parties  
3. Petitioner, if not a party

# Exhibit G

## **Plaintiff's Notice of Motion and Motion for Sanctions and Order to Show Just Cause**

Emily Feinstein  
(June 24, 2024)



Leonard Pozner is an imposter<sup>4</sup>. In this Court and elsewhere, Fetzer has relentlessly pursued a strategy of publishing information to enable Fetzer's hoaxer followers to also harass and threaten Mr. Pozner.

Recently, Dr. Fetzer's cohorts, which include Wolfgang Halbig, who continues to email excerpts from Mr. Pozner's deposition video, and disbarred lawyer Alison Maynard, obtained Mr. Pozner's home address. True to form, Dr. Fetzer immediately filed (and then almost immediately withdrew) a frivolous brief at the United States Supreme Court that disclosed Mr. Pozner's home address.

Dr. Fetzer's most recent unhinged missive, filed with this Court on June 18, 2024, once again violates Wisconsin rules and statutes regarding filing protected information. Defendant Fetzer previously filed an unredacted image of Noah Pozner's passport. (See Doc. 85.) At the April 26, 2019 hearing, the Court Ordered Mr. Fetzer to not file the passport in its unredacted form. (Doc. 123 at 11:15-17.) The Court followed up on that oral directive with a written Order repeating the prohibition on filing protected information in unredacted forms. (See Doc. 129.) Despite those clear, unambiguous Orders, Dr. Fetzer has once again filed the unredacted passport image. (Doc. 603, Fetzer Aff., Exhibit O, at 139, 141.)

## II. ARGUMENT

### A. Legal Standard

Contempt for the violation of a court order arises from the court's inherent authority, but is constrained by, in this case, Wis. Stat. § 785 et seq. See *Frisch v Henrichs*, 304 Wis.2d 1, 19, 763 N.W.2d 85, 94-95 (2007). Contempt of court is defined to include intentional disobedience of

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<sup>4</sup>Given the fact that the Court-appointed expert concluded that Mr. Pozner is the father of Noah Pozner, Dr. Fetzer's argument that Noah Pozner is actually Noah's step-brother, Michael Vabner, is frivolous. (Doc. 231, at 86:23-87:2.)



the authority, process or order of a court. Wis. Stat. § 785.01(1)(b). Following notice and a motion and evidentiary hearing, a court may impose a remedial sanction. Wis. Stat. § 785.03(1)(a).

**B. Dr. Fetzer's Egregious Violation Justifies A Severe Sanction Under § 805.03**

Dr. Fetzer was aware of the Court's Order regarding Wis. Stat. § 801.19 and that he was prohibited from filing Noah Pozner's unredacted passport. A failure to follow a court order under Wis. Stat. § 805.03 need not be ongoing, but instead even a single act can give rise to a sanction, including dismissal of an action. *Morrison v. Rankin*, 305 Wis. 2d 240, 257, 738 N.W.2d 588, 596 (Ct. App. 2007).

**C. The Court Can Find Defendant Fetzer is in Contempt and Issue a Remedial Sanction under Wis. Stat. § 785.03**

Dr. Fetzer is in contempt and therefore the Court may impose a remedial sanction for his intentional violation of the Court's Order. Wisconsin Stat. § 804.12(2)(a)(4) allows the Court to treat the failure to obey a court order as a contempt of court. Contempt of court is governed by Wis. Stat. § 785.03.

Remedial sanctions under Wis. Stat. § 785.03 focus on ending the harm to the victim resulting from noncompliance with the order. *Christensen v. Sullivan*, 307 Wis. 2d 754, 765, 746 N.W.2d 553, 559 (Wis. Ct. App. 2008), rev'd on other grounds, 320 Wis. 2d 76, 768 N.W.2d 798. Here, the harm that a remedial sanction for contempt should seek to end is the ability of Dr. Fetzer to file documents in violation of the Wisconsin Rules of Civil Procedure.

Wisconsin Stat. § 785.04 sets forth potential remedial sanctions for contempt. Those sanctions include (a) payment of money sufficient to compensate a party for a loss or injury suffered by the party as a result of a contempt of court; (b) imprisonment while the contempt is ongoing for up to six months; (c) forfeiture of up to \$2000 per day while the contempt continues; (d) and order designed to ensure compliance with a prior order; and (e) a sanction of than those

specified if the Court finds those sanctions would be ineffectual to terminate a continuing contempt. *Id.* In addition, the Court may award attorney fees and other litigation costs. *See Town of Seymour v. City of Eau Claire*, 112 Wis. 2d 313 (Ct. App. 1983).

**I. Defendant Fetzer's Violation is Ongoing**

Defendant Fetzer's contempt is ongoing. He has repeatedly filed Noah Pozner's unredacted passport in spite of clear, unequivocal orders prohibiting him from doing so. That has occurred as part of an overarching, pervasive strategy whereby Dr. Fetzer uses e-filing systems to spread confidential and protected information through absurdly frivolous filings.

**2. A Meaningful Remedial Sanction Will Encourage Defendant Fetzer To Secure Compliance**

Monetary sanctions will not secure Dr. Fetzer's compliance. A jury already awarded Mr. Pozner \$450,000. The Court awarded costs. (See Doc. 355.) As the Court is aware from Plaintiff's various garnishment and turnover actions, Dr. Fetzer is essentially judgment-proof. While incarceration is certainly a possibility, it is not clear that it would cause Dr. Fetzer to comply.

Given the paucity of options to secure compliance, Plaintiff requests that the Court order Fetzer to not file any document without first seeking review by either Plaintiff's counsel or the Court to ensure that the filing complies with the Wisconsin Rules of Civil Procedure, relevant statutes, and other prior court orders. Plaintiff also requests that the Court's purge condition require Defendant Fetzer to pay the costs and the attorney fees for time expended related to this motion.

**III. CONCLUSION**

Defendant Fetzer intentionally violated the plain, unambiguous language of the Court's April 26, 2019, Order. Accordingly, Plaintiff asks the Court for an order requiring Defendant Fetzer to show cause why he should not be held in contempt and why a sanction should not be imposed.

Dated: June 20, 2024

QUARLES & BRADY LLP

*Electronically signed by Emily M. Feinstein*

Emily M. Feinstein (WI SBN: 1037924)

emily.feinstein@quarles.com

33 East Main Street

Suite 900

Madison, WI 53703-3095

(608) 251-5000 phone

(608) 251-9166 facsimile

MESHBESHER & SPENCE LTD.

Genevieve M. Zimmerman (WI #1100693)

1616 Park Avenue South

Minneapolis, MN 55404

Phone: (612) 339-9121

Fax: (612) 339-9188

Email: gzimmerman@meshbeshher.com

THE ZIMMERMAN FIRM LLC

Jake Zimmerman (*Pro Hac Vice*)

15 Crocus Hill

Saint Paul, MN 55102

Phone: (651) 983-1896

Email: jake@zimmerman-firm.com

*Attorneys for Plaintiff Leonard Pozner*

# Exhibit H

## **Notice of Briefing Schedule Regarding Plaintiff's Motion for Sanctions and Order to Show Just Cause**

Judge Remington  
(June 24, 2024)



# EXHIBIT I:

The Pozner Complaint  
(November 27, 2018)



FILED  
11-27-2018  
CIRCUIT COURT  
DANE COUNTY, WI

Case 2018CV003122  
Honorable Frank D.

Resington  
Branch 5

STATE OF WISCONSIN	CIRCUIT COURT	DANE COUNTY CASE TYPE: DEFAMATION
<p>LEONARD POZNER, c/o: Meshbesh &amp; Spence, Ltd. 1616 Park Avenue Minneapolis, MN 55404</p> <p>Plaintiff,</p> <p>vs.</p> <p>JAMES FETZER, 800 Violet Lane Oregon, WI 53575,</p> <p>MIKE PALECEK, 7545 Bear Trap Junction Road Saginaw, MN 55779,</p> <p>and</p> <p>WRONGS WITHOUT WREMEDIES, LLC, 6256 Bullet Drive, Crestview, FL, 32536,</p> <p>Defendants.</p>		<p>Court File No. _____ Judge: _____</p> <p>SUMMONS</p>

To the above named Defendants: You are hereby notified that the Plaintiff named above has filed a lawsuit against you. The Complaint, which is attached, states the nature and basis of the legal action.

Within 45 days of receiving this Summons, you must respond with a written answer, as that term is used in Chapter 802 of the Wisconsin Statutes, to the Complaint. The court may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to the court, whose address is: Clerk of Circuit Court, Dane County, 215 S Hamilton St., Madison, WI 53703, and to The Zimmerman Firm, Plaintiff's attorney, whose address is: 15 Crocus Hill, Saint Paul, MN 55102.

You may have an attorney help or represent you.

If you do not provide a proper answer within 45 days, the court may grant judgment against you for the award of money or other legal action requested in the Complaint, and you may lose your right to object to anything that is or may be incorrect in the Complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Genevieve M. Zimmerman  
(WI#1100693)  
MESHBESHER & SPENCE, LTD.  
1616 Park Avenue  
Minneapolis, MN 55404  
Phone: (612) 339-9121  
Fax: (612) 339-9188  
gzimmerman@meshbeshher.com

THE ZIMMERMAN FIRM, LLC  
Jacob Zimmerman (MN#0330656)  
1043 Grand Avenue #255  
Saint Paul, MN 55105  
jake@zimmerman-firm.com

FILED  
11-27-2018  
CIRCUIT COURT  
DANE COUNTY, WI  
2018CV003122

STATE OF  
WISCONSIN

CIRCUIT COURT

DANE COUNTY

CASE TYPE:  
DEFAMATION

Honorable Frank D.  
Risinger  
Branch 4

LEONARD POZNER,

Court File No. \_\_\_\_\_  
Judge: \_\_\_\_\_

vs.

CIVIL COMPLAINT &  
DEMAND FOR JURY  
TRIAL

JAMES FETZER,  
MIKE PALECEK,  
WRONGS WITHOUT  
WREMEDIES, LLC

COMPLAINT

Plaintiff Leonard Pozner (hereinafter, "Plaintiff") brings this Complaint against James Fetzer, Mike Palecek, and Wrongs Without Wremedies, LLC (hereinafter collectively "Defendants") and, by and through his attorneys, alleges as follows:

INTRODUCTION

1. Plaintiff suffered a parent's worst nightmare: his son, N.P., was killed in a mass shooting on December 14, 2012 at Sandy Hook Elementary School. This case arises out of accusations made by Defendants in, among other places, their 2016 book, "Nobody Died At Sandy Hook." Defendant Fetzer has a long history of harassing Plaintiff and other Sandy Hook parents with defamatory lies, and has slandered Plaintiff repeatedly in the years since the tragedy at Sandy Hook. This

case focuses narrowly on one falsehood: that Plaintiff circulated a forgery of N.P.'s death certificate.

#### PARTIES

2. Plaintiff Leonard Pozner is an individual residing in the State of Florida.

3. On information and belief, Defendant James Fetzer is a resident of the State of Wisconsin and of Dane County. On information and belief, he resides at 800 Violet Lane, Oregon, Wisconsin. Mr. Fetzer is an editor of the "Expanded 2016 Revised" version of "Nobody Died At Sandy Hook." Mr. Fetzer is a co-author of Chapter 11 of that book, titled "Are Sandy Hook Skeptics Delusional with Twisted Minds." On information and belief, Defendant Fetzer is a co-founder of Moon Rock Books.

4. On information and belief, Defendant Mike Palecek is a resident of the State of Minnesota. On information and belief, he resides at 7545 Bear Trap Junction Road, Saginaw, MN. Mr. Palecek is listed as an editor of the "Expanded 2016 Revised" version of "Nobody Died At Sandy Hook." On information and belief, Defendant Palecek is a co-founder of Moon Rock Books.

5. Defendant Wrongs Without Wremedies, LLC is a Florida limited liability company with a principal address at 6256 Bullet Drive, Crestview, FL, 32536. Defendant Wrongs Without Wremedies, LLC is the owner of a fictitious name, Moon Rock Books Publishing, registered with the State of Florida under

registration number G16000003745. The “Expanded 2016 Revised” version of “Nobody Died At Sandy Hook” identifies the publisher as “Moon Rock Books.” The book lists the address for Moon Rock Books as 6256 Bullet Drive, Crestview, FL 32536.

**JURISDICTION AND VENUE**

6. Substantial and not isolated acts giving rise to the causes of action asserted herein occurred in the State of Wisconsin and within this venue.

7. This Court has jurisdiction over both the parties and the subject matter because, on information and belief, a substantial number of the events giving rise to this complaint occurred in Dane County. On information and belief, Defendants Palecek and Wrongs Without Wremedies, LLC coordinated publication of the defamatory falsehoods with Mr. Fetzer, who is a resident of this State and County. Additionally, Dane County is the proper venue for this action because, on information and belief, the underlying acts leading to the events giving rise to the Complaint occurred in Dane County.

**Factual Background**

8. Plaintiff is the father of deceased minor, N.P.

9. N.P. was killed during the December 14, 2012 Sandy Hook Elementary School Shooting.

10. Shortly after the Sandy Hook shooting, conspiracy theorists began to claim that N.P. was not killed in the tragedy, that Plaintiff was not N.P.’s father,

and that Plaintiff was complicit in a grand conspiracy to fake the massacre. Plaintiff undertook efforts to respond to and debunk such falsehoods, and such effort is ongoing today. Those efforts included releasing his son, N.P.'s, death certificate to rebut claims that his son was not killed at Sandy Hook.

11. Prior to undertaking such responses, Plaintiff had no meaningful public presence.

12. Defendant Fetzer has claimed for years that the Sandy Hook shooting was a government conspiracy. Defendants Fetzer and Palecek released the original edition of "Nobody Died At Sandy Hook" in October of 2015.

13. In that book, Defendants asserted that Plaintiff's son, N.P., did not die at Sandy Hook. Defendant Fetzer has alternatively claimed that N.P. was not a real person. Defendant Fetzer has alternatively claimed that N.P. was not Plaintiff's son. Plaintiff has undertaken efforts to respond to and debunk false statements and denigration of the memory of his murdered son.

14. The harm to Plaintiff arising out of Defendants' wide-ranging accusations is neither imagined nor limited to emotional distress or mental pain. Plaintiff has had to move on several occasions. Conspiracy theorists, fueled by, among others, Defendants' falsehoods, have threatened Plaintiff's very life.

15. In January of 2016, Florida resident Lucy Richards left menacing voicemail messages and sent violent online threats to Plaintiff, including messages stating: "you gonna die, death is coming to you real soon" and "LOOK BEHIND



YOU IT IS DEATH.” When Richards was later sentenced, Senior U.S. District Judge James Cohn stated: “I’m sure [Plaintiff Leonard Pozner] wishes this was false, and he could embrace [N.P.], hear [N.P.’s] heartbeat and hear [N.P.] say ‘I love you, Dad’...Your words were cruel and insensitive. This is reality and there is no fiction. There are no alternative facts.” As part of her sentence, Ms. Richards will not be permitted to access a list of conspiracy-based websites upon her release, including websites maintained by James Fetzer.

16. Defendants published a second edition of “Nobody Died At Sandy Hook” in 2016. That edition does not purport to be a mere reprinting of the first edition, but is instead described as “Expanded” and “Revised.” The copyright page of that book states that it was published in May of 2016 by Moon Rock Books.

17. The second edition of “Nobody Died At Sandy Hook” accuses Plaintiff of issuing and/or possessing a forged copy of N.P.’s death certificate. In particular, page 183 of Nobody Died At Sandy Hook states: “Noah Pozner’s death certificate is a fake, which we have proven on a dozen or more grounds.” At page 232 the book states, [Mr. Pozner] sent her a death certificate, which turned out to be a fabrication.” At page 242, the book states, “As many Sandy Hook researchers are aware, the very document Pozner circulated in 2014, with its inconsistent tones, fonts, and clear digital manipulation, was clearly a forgery.”

18. Mr. Fetzer’s publication of this false accusation against Plaintiff was not limited to the book. He repeated that false statement on one or more blog posts,

including, e.g., <https://phibetaiota.net/2018/08/james-fetzer-in-solidarity-with-alex-jones-how-we-know-sandy-hook-was-a-fema-drill-nobody-died-obama-officials-confirmed-it-was-an-anti-gun-propaganda-exercise>. That post is dated August 5, 2018. There, Defendant Fetzer made the following false statement: “It [N.P.’s death certificate] turned out to be a fabrication, with the bottom half of a real death certificate and the top half of a fake, with no file number and the wrong estimated time of death at 11 AM, when ‘officially’ the shooting took place between 9:35-9:40 that morning.” That statement is false, both in its particular fact and in the main point, essence, or gist in the context in which it was made, because N.P.’s death certificate is not a fabrication or forgery or fake. The context of that statement referred specifically to Plaintiff, as confirmed by the previous sentence, which, while also false, identifies Plaintiff by name.

19. The Connecticut Department of Public Health maintains official death records for the State of Connecticut. The Connecticut Department of Public Health, Vital Records Division, issued an official death certificate for N.P. A true and correct copy of that death certificate (sensitive information redacted) is attached hereto as Attachment A. The official death certificate attached hereto does not differ in any material respect from the one released publicly by Plaintiff.

20. Distribution or possession of a document one knows to be a forgery of a written instrument officially issued or created by a public office, public servant or governmental instrumentality is a crime in Connecticut.

**COUNT ONE**  
**DEFAMATION (BY ALL DEFENDANTS)**

21. All previous allegations are incorporated by reference.

22. Plaintiff is a private individual and is neither a public official nor a public figure.

23. The statements excerpted from "Nobody Died At Sandy Hook" are false, both in their particular facts and in the main point, essence, or gist in the context in which they were made, because N.P.'s death certificate is not a fabrication or forgery.

24. The statements excerpted from "Nobody Died At Sandy Hook" refer directly to Plaintiff by name, and the surrounding context likewise indicates that the comments implicate Plaintiff. Given the surrounding assertions, a reasonable reader would understand the statement to imply that Plaintiff knowingly possessed and distributed a fabricated death certificate.

25. The statements excerpted from "Nobody Died At Sandy Hook" are continuations and elaborations of an underlying false assertions which Defendants have advanced for several years.

26. Defendants' defamatory publications were designed to harm Plaintiff's reputation and subject Plaintiff to public contempt, disgrace, ridicule, or attack.

27. Defendants acted with actual malice. In particular, Defendants' published their statements knowing that the statements were false or with reckless disregard for the truth or falsity of the statements.

28. Defendants' defamatory publications were not privileged.

29. Defendants' defamatory statements constitute defamation per se. The harmful nature of the defamatory statements is self-evident. The defamatory statements implicate Plaintiff in criminal conduct.

30. Defendants' defamatory publications have and will continue to cause harm to the Plaintiffs. Due to Defendants' conduct, the Plaintiffs have suffered and continue to suffer substantial damages in an amount to be proven at trial.

**COUNT TWO**  
**DEFAMATION (DEFENDANT FETZER)**

31. All previous allegations are incorporated by reference.

32. The statements excerpted from Defendant Fetzer's August 2018 blog post are false, both in their particular facts and in the main point, essence, or gist in the context in which they were made, because N.P.'s death certificate is not a fabrication or forgery. The surrounding context implies that Plaintiff knowingly distributed a falsified death certificate.

33. The statements excerpted from Defendant Fetzer's August 2018 blog post refer directly to Plaintiff by name, and the surrounding context likewise indicates that the comments implicate Plaintiff.

34. The statements excerpted from Defendant Fetzer's August 2018 blog post are continuations and elaborations of an underlying false assertions which Defendants have advanced for several years.

35. Defendant's defamatory publications were designed to harm Plaintiff's reputation and subject Plaintiff to public contempt, disgrace, ridicule, or attack.

36. Defendant Fetzer acted with actual malice. In particular, Defendant Fetzer published his statements knowing that the statements were false or with reckless disregard for the truth or falsity of the statements.

37. Defendant's defamatory publications were not privileged.

38. Defendant's defamatory statements constitute defamation per se. The harmful nature of the defamatory statements is self-evident. The defamatory statements implicate Plaintiff in criminal conduct.

39. Defendants' defamatory publications have and will continue to cause harm to the Plaintiffs. Due to Defendants' conduct, the Plaintiffs have suffered and continue to suffer substantial damages in an amount to be proven at trial.

**COUNT THREE**  
**CONSPIRACY**

40. All previous allegations are incorporated by reference.

41. With regard to the statements in "Nobody Died At Sandy Hook," Defendants acted together, as a cabal, to accomplish their defamation. Defendants

had a meeting of the minds on the object or course of action underlying their recklessly defamatory publication.

42. As a result of this meeting of the minds, Defendants collectively committed the unlawful overt acts detailed above.

43. Defendants are jointly and severally liable for the injuries Plaintiff suffered due to Defendants' wrongful actions.

#### DAMAGES

44. Plaintiff has suffered general and special damages, including a severe degree of mental stress and anguish which have disrupted his daily routine and caused a high degree of psychological pain.

45. Plaintiff has also suffered damage to his reputation and image, both up to the present and into the future.

46. Because Defendants' conduct amounts to defamation per se, Plaintiff is also entitled to an award of presumed damages.

47. Plaintiff is also entitled to an award of nominal damages and a judgment clearing his name.

48. Plaintiff is also entitled to exemplary damages because the Defendants acted with malice.

49. Plaintiff is also entitled to pre-judgment and post-judgment interest, costs of court, and attorney's fees.

**JURY DEMAND**

50. Plaintiff respectfully requests a jury of twelve persons on all claims so triable.

**PRAYER FOR RELIEF**

51. WHEREFORE, the plaintiffs pray for judgment against the defendants as follows:

- A. Ordering compensation for all general, special, incidental, and consequential damages suffered by plaintiff as a result of the defendants' conduct;
- B. Awarding plaintiff his reasonable attorney's fees and costs, to the fullest extent allowed by law; and
- C. Granting all such additional or further relief as this Court deems just and equitable under the circumstances.

Dated: November 27, 2018

/s/ Genevieve M. Zimmerman  
 Genevieve M. Zimmerman (WI#1100693)  
 MESHBESHER & SPENCE, LTD.  
 1616 Park Avenue  
 Minneapolis, MN 55404  
 Phone: (612) 339-9121  
 Fax: (612) 339-9188  
 gzimmerman@meshbesh.com

THE ZIMMERMAN FIRM, LLC  
/s/ Jacob S. Zimmerman  
 Jacob Zimmerman (MN#0330656)  
 1043 Grand Avenue #255  
 Saint Paul, MN 55105  
 jake@zimmerman-firm.com



Attachment A: Official Death Certificate of N.P. (sensitive information redacted)

Pages 12 & 13 corrected as per 2018-14-13

2012-07-078032

TOAH Samuel Pizarro

6 November 20, 2006

Connecticut

06483

Lacey Foster

Woodson Patricia Heller

06483

REDACTED

11:00 AM

Multiple Gender Wounds

12 Dickerson Dr., Sandy Hook, CT

H. White Carol, B.M.D.

December 26, 2012

Elementary School

THE SEAL OF THE STATE OF CONNECTICUT IS AFFIXED TO CERTIFY THAT THE ABOVE IS A TRUE COPY OF A RECORD FILED WITH THE STATE OF CONNECTICUT DEPARTMENT OF PUBLIC HEALTH PURSUANT TO THE PROVISIONS OF THE GENERAL STATUTES OF CONNECTICUT.



*Elizabeth Frugale*

ELIZABETH FRUGALE  
REGISTRAR OF VITAL RECORDS

NOV 14 2018

DATE OF ISSUE

# EXHIBIT J:

Fetzer Published Death Certificate

*Nobody Died at Sandy Hook*

(2015; 2<sup>nd</sup> ed., 2016)

pages v-vi, 181, 242

***Nobody Died at  
Sandy Hook***

***It was a FEMA Drill  
to Promote Gun Control***

**Jim Fetzer and Mike Palecek  
Editors**

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And I suppose we didn't go to the Moon, either?  
Nobody Died at Sandy Hook  
And Nobody died in Boston, either*

**Mike Palecek, Jim Fetzer**  
Series Editors

*Nobody Died at Sandy Hook  
It Was a FEMA Drill to Promote Gun Control*

**James H. Fetzer, Ph.D. & Mike Palecek**

First Edition: October 2015  
Banned Edition: December 2015  
Second Edition February 2016  
ISBN: 978-0-692-64417-1  
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Special thanks to Tom Kimball, Ph.D., for a brilliant job of copy editing (<http://www.knowbit.biz/support/contact.html>). We have fixed typographical errors and corrected a mistake about the time at which some of the most telling photographs in Ch. 8 were taken, of the most telling, which was the evening of the 13th rather than the morning of the 14th. The enthusiastic response to the 1st edition has led the editors to add new chapters about some rather bizarre aspects of "the Sandy Hook experience", authored by Tony Mead.

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*Cover design and layout by Ole Dammegård*

*Are Sandy Hook Skeptics Delusional with "Twisted Minds"?*

missing children, you can search in vain for reactions from them to the alleged deaths of their children. Try Robbie Parker, father of Emilie, meeting the press, for example; or try Anderson Cooper interviewing the parents of Grace McDonnell. Search for any parent displaying real grief. It's not there.

**Children killed in Gaza playground shelling**

Israel's latest missile strikes Gaza's main hospital and a playground, where seven children have been killed.



**Noah Pozner's "death certificate"**

Upon first consideration, Lenny's "death certificate" for Noah Pozner looks authentic, where questions only arise when you take a closer look. For it to have been published by his father, Lenny, is a significant development, since it is the first concrete proof we have that any child actually died at Sandy Hook. As I have emphasized, there have been extraordinary efforts to suppress information about these 20 deaths:

James Tracy, Ph.D.

*The Noah Pozner "death certificate" is an obvious forgery where the upper portion has no file number and the wrong approximate time of death.*

As an example, a few days after the Pozners' editorial appeared, I confronted a local broadcast reporter in my driveway, asking if he had done his due diligence in interrogating the Pozners' claims before knocking on my front door. "Mr. Pozner showed me a death certificate" for his son, the reporter replied. As many Sandy Hook researchers are aware, the very document Pozner circulated in 2014, with its inconsistent tones, fonts and clear digital manipulation, was clearly a forgery. Yet such "proof" was entirely acceptable to this "journalist." [13]

With journalists this credulous it is little wonder that Mill's mass society is a greater reality than ever before. In an era where information is purportedly at our fingertips, the prevailing narratives of major events take precedence over the facts and documentation that simply don't support such storylines. Academics and those capable of earning a living as independent authors are the only members of society who have the security and privilege of taking



# EXHIBIT K:

Affidavit of Kelley Watt  
(April 23, 2019)



STATE OF WISCONSIN                      CIRCUIT COURT                      DANE COUNTY

LEONARD POZNER,

CASE TYPE: DEFAMATION

Plaintiff,

vs.

JAMES FETZER,  
MIKE PALACEK,  
and WRONGS WITHOUT WREMEDIES, LLC,  
Defendants.

CASE NO. 2018-CV-003122

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**AFFIDAVIT OF KELLEY WATT**

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Kelley Watt, being first duly sworn upon oath, deposes and states as follows:

1. I make this Affidavit of my own personal knowledge.
2. I became interested in Sandy Hook from the beginning. Because of my background as the owner of a commercial and home cleaning service, I was aware that blood is a bio-hazard that has to be properly handled with chain-of-custody records from scene to disposal.
3. It was I who called several state agencies without success asking the simple question, "Who cleaned up the blood?" Nobody knew. I was eventually directed to make contact with Lt. Paul Vance of the Connecticut State Police, who responded to my query with, "What blood?" This heightened my suspicions that nobody knew because there had been no blood.

4. My account of my pursuit of the answer to this question has been published in Ch. 5, “Top Ten Reasons Sandy Hook was a Hoax” by Vivian Lee, Ph.D., on page 63, *Nobody Died at Sandy Hook: It was a FEMA Drill to Promote Gun Control* (2015; 2nd ed., 2016), where the author also reports that I discussed my experience with Defendant Fetzer on his radio program, “The Real Deal” (December 9, 2013).

5. I also explain what happened in “Kelley Watt: Nobody Knows Who Cleaned Up the Blood—No Blood to Clean Up?”, a Sandy Hook memorandum published in *Sandy Hook Truth: Citizens Intelligence Briefing for Donald J. Trump, President, United States of America*, Robert David Steele, editor (2018), pp. 47-48, which was published free online and can be accessed at <http://tinyurl.com/SH-POTUS> and is included here as Exhibit 1.

6. Defendant Fetzer has asked me to confirm the contents of the Editor’s note of Exhibit C concerning my conjecture that “Noah Pozner” is a fiction made up out of photographs of Michael Vabner as a child or, putting it the other way around, that Michael Vabner is “Noah Pozner” all grown up.

7. My thoughts about this were originally published as Appendix D, “Is Noah’s older step-brother, Michael Vabner, Noah ‘all grown up’? or is Noah simply Michael as a child?”, to the Second Edition of *Nobody Died at Sandy Hook* (2015; 2nd ed., 2016), pp. 381-386.

8. A copy of Appendix D, “Is Noah’s older step-brother, Michael Vabner, Noah ‘all grown up’? or is Noah simply Michael as a child?”, is included here as Exhibit 2.

9. As it happened, I would have around 100 hours of conversation with the man identified to me as "Lenny Pozner", whom I understand to be the same person who is suing Defendant Fetzer for defamation for having described the death certificate he sent to me as a fabrication.

10. I have discussed my conversations with the Plaintiff on many occasions, including in Ch. 11, "Are Sandy Hook Skeptics Delusional with 'Twisted Minds'", which I co-authored with Defendant Fetzer and published in *Nobody Died at Sandy Hook* (2015; 2nd ed., 2016), pp. 177-186, which is included here as Exhibit 3.

11. I did not reach out to him, he contacted me. This email from Google Plus pops up, and it says "Lenny Pozner follows you on Google Plus." I didn't even know I had Google Plus. So, I just hit the "reply" button, and I said "Why are you following me on Google Plus? Is it because I don't believe a word of what you're saying, that you had a son [who] died at Sandy Hook?"

12. And so, then we started typing back and forth . . . until like three in the morning. And he said, "I'm really getting tired of typing. Could you call me?" And I said, "No, I don't wanna be sued, so if you want to talk to me, here's my number, you can call me." So, he proceeded to call me. And then, after that, we did call each other, and I actually kind of got to like him; he was really a nice guy, he was funny.

13. One day he said, "I sent you something." And I said, "What did you send me?" He said, "Just go to your email, you'll see it." And it was a copy of Mel Gibson's movie *Conspiracy Theory*.

So, I said, "Well I just sent you something, too." And he goes, "What?" And I said, "Go to your email." And it was a copy of the movie *Big Fat Liar*, to which he laughed.

14. So, every day, we talked until the wee hours of the morning; we talked several times throughout the night. I would say we became friends. All the time I said, "Lenny, you're lying." One time I heard some noise in the morning in the background, and I said, "What's that noise?" And he said he's making pancakes for the kids. And I said, "Well, make some for Noah, because if you have a son, he's not dead, he's probably sitting right there at the breakfast table." And those were the types of comments that I would make to him on a daily basis, telling him that he did not have a son that died.

15. We talked for about six months—email and phone calls and texting—and then we ended it because I asked him what the name of his organization was. I said, "Is it NoahsArk.com, or .org, or what?" He said, "Why do you wanna know? You're not gonna make a donation. You don't even think I had a son that died." And I said, "I'm not gonna make a donation, but there's gonna be a major lawsuit against you fraudsters someday, and I wanna make a donation so that I can be part of the group that sues you." And he said, "Fuck you, bitch," and that was the end after six months. Those were his parting words to me after six months of friendship.

16. Nobody in their right mind would talk to a housekeeper from Tulsa, who's saying that their son didn't die. You'd hang up and say, "Go to hell. I don't want anything to do with you," if your son really did die. I don't think he would continue to talk to a stranger who is calling you a liar. Nobody on Earth would do that.

17. Thinking about it, I now believe Lenny was talking with me to get information, to see what we knew. But instead I got information from him. I told him, I said, "Here's what I want from you. I want a death certificate, a copy of his report card, and a picture of Veronique in the hospital with Noah."

18. And then the very next day, he said, "Go check your email." And I said, "Why?" And he said, "There's something that you asked for." And I said, "What?" And he said, "It's the death certificate, a report card and a picture of Veronique." But she wasn't in the hospital.

19. It's a small thing, but I noticed immediately that the kindergarten report card Lenny sent to me had the address of Sandy Hook Elementary School misspelled as "Dickenson Drive"—when it's actually "Dickinson Drive"—which made me suspicious that something was wrong.

20. Defendant Fetzer asked me to listen to an interview that Lenny gave, a link to which and transcript of which appears as Exhibit Y, "How to Fight Conspiracy Theories" (audio interview; 21 minutes, 38 seconds), to Defendant Fetzer's Answer to Responses and Objections to Defendant's First Set of Requests for Admissions. Richard Outjahr interviews Lenny Pozner. After listening to parts of that audio interview, I can attest that that voice is the voice of the same person with whom I had 100 hours of conversation over the phone. That is *absolutely* the same person.



21. Should the Court so desire, I would be glad to assist in recovering the phone records for these conversations, should they be appropriate and relevant for this Court proceeding.

22. A copy of the death certificate that Plaintiff sent to me appears on page 181 of Ch. 11 and appears to be indistinguishable from Exhibit H of Defendant's Answer to Plaintiff's Responses and Objections to Defendant's Second Set of Requests for Admission.

FURTHER AFFIANT SAYETH NOT.

  
Kelly Watt

State of OKLAHOMA  
 County of TULSA

Signed and sworn to (or affirmed) before me on this 23rd day of April, in the year 20 19  
 by KILLEY WATT making statement.

PLACE  
STAMP  
HERE

*Elena Dizon*  
 Notary Signature

ELENA DIZON  
 Notary Public - State of Oklahoma  
 Commission Number 1802760  
 My Commission Expires Mar 11, 2021

My Commission Expires: 03/11/2021  
 My Commission #: 1802760

**Description of Attached Document**

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