

FILED
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CIRCUIT COURT
DANE COUNTY, WI
2018CV003122

STATE OF WISCONSIN

CIRCUIT COURT

DANE COUNTY

LEONARD POZNER,

CASE NO. 2018-CV-003122

Plaintiff,

vs.

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

**FETZER’S BRIEF IN RESPONSE TO
PLAINTIFF’S MOTION FOR SUMMARY JUDGMENT**

Defendant James Fetzer, in the first person henceforth, hereby responds to the Motion for Summary Judgment (“MSJ”) filed by the Plaintiff (“Pozner”) on 30 April 2019. An index of exhibits is provided as an appendix.

I. RESPONSE ON THE FACTS

Plaintiff says in his complaint, “This case focuses narrowly on one falsehood: that Plaintiff circulated a forgery of N. P.’s death certificate.” I note, first, that we have all been assuming that “N.P.” refers to “Noah Pozner,” although Plaintiff never actually gives the name of the party he claims is his son killed at Sandy Hook.

At any rate, because of this limiting statement about the “narrow focus” of this case, my counterclaims—directed at whether the Sandy Hook event was staged, whether Noah Pozner was a real boy who could have died there, whether the numerous pictures of Noah Pozner are actually boyhood pictures of Michael Vabner, and related issues—were bifurcated by the Court. I have

understood the bifurcation to mean I am not yet permitted to bring these issues up at this time: we are only litigating the authenticity of the death certificate.

Despite the bifurcation and his own limiting statement, *Pozner*, in his MSJ, makes strenuous efforts to establish these very points: that Noah *was* a real boy, with a medical history, a birth certificate, a Social Security number, and a probate case, who was shot to death at Sandy Hook. While I am, in this response, providing abundant evidence that overcomes Plaintiff's showing, I object to much of it for irrelevance because I was prohibited from doing discovery into these issues myself. The Court even granted a protective order against Defendants' request for Leonard and Veronique Pozner's marriage license—yet here is Pozner giving his *affidavit* about that marriage. This is not the best evidence. We have been denied the best evidence, which is that license. Pozner's statement is inadmissible, as explained in more detail below (in connection with his affidavit).

Again, returning to the single issue specified in Plaintiff's complaint, that should be *only* whether the death certificate Leonard Pozner provided Kelley Watt, which is the one my co-defendants and I have derided in various forums and attached to my own MSJ (filed 4/30/19) as Exhibit B, is a forgery, a fake, or a fabrication, since, if so, my statements are true and there has been no defamation. But, to our surprise when we were sued, Plaintiff attached a very different death certificate to his complaint than Exhibit B, which he called Attachment A (and I refer to as "Exhibit A"). As I attested in my MSJ (which doubled as my affidavit, and is incorporated herein by reference), I had never seen Exhibit A before I was sued and had made no public comments about it, ever, in any forum. Plaintiff has failed to establish that we did. His case is thus nothing but hot air: Mike Palecek and I have been sued for defamation over something we

didn't do, because, prior to this suit, we had made any statements about it whatsoever. My MSJ ought to be granted forthwith, as a consequence. This lawsuit has no bona-fide foundation.

The case for me and the other Defendants has become even more open-and-shut because, since Pozner served us with this lawsuit, additional versions of the "Noah Samuel Pozner" death certificate have surfaced, which differ in yet more ways. The most stunning variant is the certified copy which came to my co-defendant, Dave Gahary, in response to a Freedom of Information Act request he made to the State of Connecticut's Department of Vital Statistics. It was issued April 22, 2019. This death certificate, along with the others that he examined, is attached to the expert report and biographical information of expert document examiner Larry Wickstrom, Exhibit E.¹ *This death certificate bears a different state file number from Plaintiff's version, Exhibit A.* So, there are at least two different versions that the *State of Connecticut* has certified as true! Mr. Wickstrom's analysis is backed up by the affidavit of a second expert, forensic documents examiner, A.P. Robertson.

To reiterate this important development: the "Noah Samuel Pozner" death certificate Mr. Zimmerman has sworn to, under oath, as a true copy "certified by the state" *is not the same as the certified copy of the Noah Pozner death certificate that Dave Gahary was provided by the state.* As a consequence, both must be considered forgeries. Equally interesting, Pozner's version, Attachment A, was amended by him on 14 June 2013—according to the inscription at the top—to change decedent's address and other information, not even using Leonard's given name as father. (It says "Lenny.") Despite having made this amendment in 2013, he provided the *unamended, uncertified* version of the certificate (Exhibit B) to Kelley Watt, in May 2014. It cannot be denied that the "death certificate of Noah Pozner" has been forged and re-forged, such that no version of it can be said to be authentic, as both the document examiners have concluded.

¹This was separately filed with the court on 7 June 2019.

A. *Pozner's affidavit contains numerous statements that are demonstrably false.*

Pozner attaches as Exhibit A to his affidavit "Legal Name Change" documents supporting his change of name from "Eliezer Pozner" to "Leonard Pozner." There are indications that these are also forgeries.

The putative court order recites that he was born in "Riga, Russia." Riga is the capital of Latvia. There has not been a "Riga, Russia" since 1917. Russia became the Soviet Union in 1917, and Latvia declared independence from the U.S.S.R. on 18 November 1918. Although Latvia was annexed by the Soviet Union in 1940, it declared, with international support, in 1990 that the annexation was illegal, and it had remained a sovereign nation throughout that period.² Even granting the annexation as legal, there was no sovereign state of "Russia" while the Soviet Union existed. While this order could have stated "Riga, U.S.S.R.," in 1967, when Lenny was born, there was no "Riga, Russia."

In addition, the affidavit of publication may be false. A research associate made a request to the *Brooklyn Record* newspaper and was informed by a person with a thick accent, identified as "Kat," that Kat would immediately provide confirmation of the publication for her that day. Kat never got back to my associate. Their phone conversation can be heard at this link³ and the email of transmitting the "legal name change" documents to Kat is Exhibit M.

Lenny has not produced a passport, Green Card, or naturalization order, and there is no naturalization or immigration record available for him through ancestry.com, as Exhibit M (to be filed Monday, 10 June 2019) further indicates. So, this man, appearing as a plaintiff in this court is undoubtedly lying about who he is, as are his attorneys, along with lying about everything else.

² https://en.wikipedia.org/wiki/On_the_Restoration_of_Independence_of_the_Republic_of_Latvia

³ <https://app.box.com/s/oeg6l0153m9r7mcqr1a82kp8khezo12f>

As to the rest of Pozner's affidavit: I have established, in my MSJ, that Leonard Pozner could not legally have had any uncertified copy of the death certificate in his possession. And Kelley Watt's affidavit (attached to my MSJ with no exhibit number) has established that he *did* most certainly have that uncertified version (our Exhibit B) in his possession, since it was posted on his website and he had referred her to that website via Google Plus. Pozner admits, at par. 11, to posting that document on Noah's "memorial Google Plus page." Pozner's statement, at par. 14, nevertheless says, "at no point prior to receiving the certified death certificate was I in possession of any incomplete or uncertified copy of the death certificate." So, the Court should regard the statement in par. 14 as incredible.

At par. 13, Pozner says the copies of the death certificates of which he has scans of are all properly certified and contain "embossed seals." Yet, Pozner has not denied the extensive conversations he had with Kelley Watt, and has admitted he provided her the link where she could view Noah's death certificate and other materials, so that has to be taken as fact. She testified that she downloaded my Exhibit B from that website. Exhibit B is not certified, period. Moreover, one of the two scans *Pozner* has as Exhibit B to his affidavit, but not the other, has the faint replica of a circular seal at the bottom left of the certificate, where no seal is supposed to be placed, as I have explained in my MSJ.

Pozner says (par. 16) that he redacted the Social Security number from the death certificate, along with the location of the grave, because "hoaxers" had threatened to dig it up. However, such information is publicly available on various websites. My second forensic document examiner, expert A.P. Robertson (Exhibit I), testifies that he found the SSN on Archives.com. When explaining why he changed the address on the death certificate (from 37

Alpine Cir. to 3 Kale Davis Rd.), Pozner then refers to 37 Alpine Circle as “Veronique’s apartment”. That address, however, is a house, not an apartment.⁴

The statement at par. 19, that Noah was listed as a dependent on Pozner’s tax returns, is hearsay. The best evidence is the returns themselves, which have not been provided, so Pozner’s statement must be disregarded by the Court.

The “scan” of Noah’s Social Security card referred to at par. 20, Exhibit C, is only the front of the card. He did not scan the back, or the page from which the card would have been removed. A.P. Robertson has established that this SS card, even having only the front to work with, is a forgery, Exhibit I.⁵

Par. 21, about Pozner’s marriage to Veronique Pozner, is also flatly inadmissible. A marriage license would state *where* the marriage was performed, the date, the names and signatures of witnesses and the “village justice” who performed the marriage. As mentioned above, I have been prohibited by the Court from requesting production of the license because of the protective order. The license is the best evidence and this statement cannot substitute for it. Same with the divorce decree.

In par. 10 of his affidavit, Pozner claims to have been “regularly harassed by hoaxers.” What does this harassment consist of? He does not say, so this statement must be disregarded by the Court, too. Apart from a mentally ill woman who uses a walker to get around, Lucy Richards, who phoned Pozner and said something like, “Look behind you: it is death” (everyone has that problem)—who was then viciously prosecuted and sent to federal prison for several months—I am unaware of other offenders. Pozner backs his statement up with no examples whatsoever, because it is the opposite of the truth.

⁴ https://www.realtor.com/realestateandhomes-detail/37-Alpine-Cir_Sandy-Hook_CT_06482_M40157-70427

⁵ This was separately filed with the court on June 7, 2019.

Pozner himself is the harasser. No one even knows where he lives—national searches for “Leonard Pozner” have been in vain. *See* Exhibit J. He has been at the forefront of censoring and defaming responsible Sandy Hook truthers at every turn.⁶ He has caused dozens, if not hundreds, of websites, web pages, and videos to be taken down. None of the book’s authors could be said to have “harassed Leonard Pozner”: they were publishing results of research. Among Pozner’s tactics was his bogus lawsuit against Wolfgang Halbig in Florida (which Pozner then dismissed when the court ordered him to appear for a video deposition). Pozner (posing as HONR Network) wrote a tome titled *Wolfgang Halbig: The Hoax of a Lifetime*.⁷ He also published *James H. Fetzer - A Life of Insanity*, on one of his blogs, where each page is stamped with the name HONR⁸ (Fetzer affidavit, Exhibit G). He caused James Tracy, Ph.D., to be fired from his tenured academic position at Florida Atlantic University after Tracy sent him a letter simply asking him to document his son’s death. Pozner has created websites to satirize truthers and expose their personal information to the public, even including the one about *me*, as I have discussed in my affidavit. There have been multiple strikes against my blog--three just since this case was filed--and I suspect he took down several of my posts covertly. I believe that Pozner was also instrumental in inducing amazon.com to ban *Nobody Died at Sandy Hook*.

B. There are many issues of material fact respecting the accuracy of Carver’s post-mortem examination report, such that the report is simply not credible.

Plaintiff has attached as Exhibit I the post-mortem examination report of Noah Pozner (“PME”) done by the Connecticut Medical Examiner, Wayne Carver, M.D. It describes his

⁶See: <http://memoryholeblog.org/2016/01/08/lenny-pozners-honr-network-the-fine-art-of-online-stalking-and-harassment/>

⁷<https://drive.google.com/file/d/0B6QSYhpM4KTebXNPY3huSU9yS0k/view> This link is now dead.

⁸ https://jamesfetzer.files.wordpress.com/2019/04/james_h_fetzer_a_life_of_insanity.pdf

putative examination of Noah's dead body, the victim of "homicide" as a result of "multiple gunshot wounds" at Sandy Hook School on 14 December 2012.

In its Consolidated Crime Report for 2012, however, the FBI—our Federal Bureau of Investigation—reports no murders occurred in Newtown in the year 2012.⁹ The number was 0.

I established in my own MSJ that the time of death (11:00 a.m.) and statement on the PME that death was determined by an unnamed "paramedic" are false: Exhibit D to my MSJ, the statement of EMT Captain Karin Halstead taken from the Connecticut State Police report, establishes that *paramedics never even entered the school* during the day on 14 December 2012. These false statements in the PME suffice to make the entire document inadmissible as irrelevant and incredible.

The post-mortem report is incredible also because it is internally inconsistent. On the first page, signed by investigator Louis Rinaldi, *only* a wound to the "right lower mouth and chin area" is mentioned. In Carver's section, "Anatomic Diagnosis," two wounds are described, *neither to the face*. Rinaldi was required to describe "position of body, estimated height and weight, eye color, hair characteristics, scars, tattoos, blemishes, & signs of injury and disease ... [noting] signs of death, including rigor mortis and lividity." He put down no such information, except for "wound to the right lower mouth and chin area." He was also supposed to fill in boxes labeled, "OCME Investigator notified: date, time" and "OCME Notified: date, time," but those boxes are also blank. The date and time of notification of the OCME is important evidence. That these boxes are not filled in *must be taken to mean there was no such notification*. The report does not comply with professional standards and is not entitled to the

⁹ https://ucr.fbi.gov/crime-in-the-u.s/2012/crime-in-the-u.s.-2012/tables/8stabledatadecpdf/table-8-state-cuts/table_8_offenses_known_to_law_enforcement_by_connecticut_by_city_2012.xls

hearsay exception for regular business records or public records or reports, as a consequence of these irregularities.

As mentioned, the PME says cause of death was “*Multiple Gunshot Wounds*,” yet describes only two wounds under “Anatomic Diagnosis.” The *Washington Post*¹⁰ and other news sources perpetuated this falsehood, as did his mother Veronique, saying *he was shot 11 times*.¹¹ Lenny has put pressure on various sources to change “11” to “multiple.” But again, there are only *two* gunshot wounds described, in the chest and the hand, in this section. “Two” is not “multiple.” Even calling three “multiple” would not be standard usage.

Dr. Carver’s performance at his press conference on 15 December 2012,¹² puts the lie to other statements in the report. *He did not know how the children had died*, despite having just finished seven of the autopsies, saying only they were shot by “the long weapon.” That statement is not even responsive to the question of how they died. Carver then said the high energy of such bullets meant they stayed in tissue. However, the PME says only one “deformed small caliber bullet” was recovered (despite “multiple gunshot wounds”—so the bullets obviously did *not* stay in tissue in Noah’s case, as he would have known by the time of his press conference). There is no statement about what was done with the bullet recovered, which is unprofessional. Where did it go? Moreover, a shotgun supposedly belonging to the shooter was found *in the trunk of the car*. That was broadcast on TV. *We all saw it being pulled out of the trunk*.

Carver did not know the caliber of the bullet or bullets, while bragging that he knew more about firearms than most pathologists. He guffawed and displayed bizarre head movements and

¹⁰ https://www.washingtonpost.com/politics/2013/01/16/4679b1ce-6030-11e2-b05a-605528f6b712_story.html?

¹¹ https://www.thestar.com/opinion/editorialopinion/2013/01/22/mallick_why_newtown_victim_noah_pozner_had_an_open_coffin.html

¹² <https://www.youtube.com/watch?v=zE0OT5od9DA>

facial expressions, indicating he knew the event was fake but felt he had to play along. Importantly, he said, “I sure hope *staff and the people of Newtown* don’t have it crash on their head later.” *That means it was a hoax and that his staff were involved.* The fact that the families never saw the bodies to identify them—Carver said that they only identified them from photographs—was refuted by felon Neil Heslin, who said he cradled his dead boy with a hole in his head.¹³

Carver reported that 20 children had died at the school that day, which is even contradicted by *Encyclopedia Britannica*. And Noah lived to die another day: in Pakistan in December 2016. His picture appeared on a wall in a collage with other students killed in [a shooting in Pakistan](#),¹⁴ where he was identified as “Huzaifa Huxaifa.” Leonard Pozner has been remarkably successful getting these photos removed from the web. But neither he nor Veronique has ever explained or asked for an investigation into how their (putative) son’s photo ended up in this collage. This, too, establishes an issue of fact as to whether Noah Pozner died at Sandy Hook in 2012.

The PME is further belied by a mountain of evidence that nothing went on at the school that day, when, in fact, it was a defunct building which had been closed for some time. The comment of Mr. Warren Fentress on a website appears here.¹⁵ He was 1,000 feet away from Sandy Hook school at the time the “shooting” was going on and heard nothing. The decibel

¹³ <https://youtu.be/t4phQqsPMM> (at 2:30)

¹⁴ https://memoryholeblog.org/2015/01/02/sandy-hooks-noah-pozner-dead-in-december-16-taliban- / *and* <https://groups.google.com/forum/#!topic/rec.arts.tv/4s6ktq8VOlw>

¹⁵ <https://fellowshipoftheminds.com/james-fetzer-answers-leonard-pozners-defamation-lawsuit#comment-274065>

level of a gun being shot is many times greater than a jet airplane taking off.¹⁶ This evidence certainly puts the “fact” of Noah Pozner’s death by gunfire, as reported in the post-mortem report, into question.

There is a truckload of other evidence that the event was staged and no one died, as well as that the school had not been used for some time and was in a state of disrepair,¹⁷ much of which is detailed in my book.¹⁸ Researchers have uncovered such things as memorial tributes to the “victims” uploaded as early as 23 November 2012 (in the case of Victoria Soto); none of the Sandy Hook teachers ever filing for disability, such as PTSD or even the physical injuries, which supposedly sent two of them to the hospital, Exhibit N; dash cam videos showing no evacuation; the lack of *any* reports filed by Newtown police, who were the putative first responders; the sign “Everyone Must Check In” at the fire station, along with bottled water and porta-potties at both the fire station and the school, along with several persons wearing nametags on lanyards, which indicates the event was a drill (for which we even have the FEMA manual, as explained in my book). Police munched on snacks and had pizza delivered to them in the parking lot. There is no video of any evacuation whatsoever, let alone of 600-odd children. The “conga line” photo is what there is, where it was also staged--there are two versions, and the one not widely published but in my book shows adults (who appear to be parents) standing around casually observing, with the children in a different order—and uploaded on 13 December 2012. These are documented, with (safe) links to exhibits and argument establishing admissibility of each, in Exhibit K, which was filed by researcher Wolfgang Halbig in the Connecticut court case that other Sandy Hook families filed against him in 2018. The lead exhibits in K show that Newtown

¹⁶ <http://chcheating.org/noise/common-environmental-noise-levels/>

¹⁷ <https://imgur.com/a/sBfhz#HnhZkk9>

¹⁸ The first edition can be downloaded for free at: <http://reformation.org/NobodyDiedAtSandyHook.pdf>

Public Schools filed for internet discounts with the FCC for a school not within its district, Chalk Hill Middle School in Monroe, CT, on 29 March 2012. This was the school that was abruptly offered up to the “traumatized Sandy Hook students” the weekend after 14 December 2012. The FCC filing was fraudulent, therefore. Food deliveries to “Sandy Hook @ Chalk Hill” were being made to 375 Fan Hill Rd., Monroe, CT., the address of Chalk Hill, as of April 2012.

C. The medical records of the boy Noah Pozner are belied by statements by his putative mother and evidence of Danbury Hospital’s participation in the psy op.

The medical records, Plaintiff’s Exhibits D, E, and H, are irrelevant, given the bifurcation order. I further note that Danbury Hospital played a role in the Sandy Hook event. *E.g., see* the post at this footnote¹⁹ and the Danbury Hospital Facebook page it links to, sympathizing with victims of the shooting 47 minutes before the first 9-1-1 call came in, as well as by the Senate testimony in support of gun control from William Begg, M.D., emergency room doctor, who was asked by Sen. Feinstein how many Sandy Hook victims he worked on and what the nature of their injuries were. It is clear from the discomfort he showed that he did not know. He finally evaded the question by citing HPPA (even though dead persons have no privacy rights)²⁰.

These medical records are belied by Veronique De La Rosa, Noah’s putative mother, who forgot she was supposed to have had twins when she was interviewed for this TV station,²¹ saying that Noah was in the 1st grade and Arielle was in the 2nd. Veronique Pozner’s bankruptcy filing in 2011 (Exhibit F) also shows educational savings accounts set up for two children in almost equivalent amounts about \$500 apart. At that time, she supposedly had *three* minor children (and two who were adults or almost adults). These “facts” are in dispute, therefore.

¹⁹ <https://fellowshipoftheminds.com/sandy-hook-the-curious-case-of-danbury-hospitals-premature-facebook-message-48-mins-before-police-received-911-call>

²⁰ https://www.youtube.com/watch?v=MQtt_IBJVoc

²¹ <https://www.youtube.com/watch?v=liLZRHPOJlc&feature=youtu.be>

My affidavit at Exhibit G, and the expert opinion of Larry Rivera, Exhibit H, establish that Noah Pozner was a fiction created out of photographs of Michael Vabner (Veronique de la Rosa's first child) as a child.

II. ARGUMENT

Three of Plaintiff's affidavits are the subject of Motions to Strike filed on 7 June 2019, so are not discussed in this brief. The Friedman and Sinelnikov affidavits (attesting to DNA relatedness between Leonard and "Noah") are inadmissible for foundational unreliability, since, as a matter of law, the DNA of Noah Pozner could not have come from the Connecticut medical examiner, as they claim it did. Because these two affidavits also violate this Court's order mandating that a doctor named William Baird at DDC-DNA do the testing,²² I am seeking a sanction. The Samuel Green affidavit is inadmissible because it purports to testify to acts which are not in compliance with Connecticut law. It is more unreliable than a mere hearsay objection covers, since it is incredible as a matter of law. I have put the Green affidavit in issue also because of Pozner's failure to respond to requests for admission served on him by Wrongs Without Wremedies (Exhibit N), which asked him to produce numerous types of records relating to the burial of NP.²³

A. *Certification of a copy does not cure falsehoods in the original.*

Most of Plaintiff's documents have been debunked in the present brief, and at least put in issue, if not established as incredible as a matter of law, despite being certified. The fact of certification is immaterial: if the original document recites false facts, or was irregularly

²² Baird appears to have been provided some DNA, and he made a report to the court, but it says nothing about where "Noah's" DNA came from. It thus suffers from the same type of foundational unreliability as the affidavits Pozner produced. I need not discuss Dr. Baird's conclusions since nothing is said about his report in Plaintiff's MSJ.

²³ Responses were made, but signed by attorney Genevieve Zimmerman. The statute requires the requests for admission to be signed *by the party* or they are taken as admitted. Wis. Stat. 804.11(b).

prepared or signed, certification of a copy does not make the false statements true or cure the irregularities. “Where an original instrument found in a public office is not competent evidence, a certified copy thereof is not admissible.” *Penn’s Lessee v. Hartman*, 2 U.S. 230 (PA 1795). As one example, because of the false statements; the internal inconsistencies; and the omissions where there should have been recorded observations, the post-mortem examination report by Wayne Carver, which Plaintiff submits as his Exhibit I, is not competent evidence. It does not fall under the hearsay exception for records of regularly conducted business activity. It was prepared with the intent to deceive and defraud. *E.g., In re Parker*, 57 Cal. App. 2d 388 (1943) (conviction of county clerk for forgery of two birth certificates upheld; court-cited case where a county clerk’s certificate of a copy of a divorce decree was also held to be forgery).

B. Affidavits are required to be based on personal knowledge.

Wis. Stat. Sec. 802.08(3), “Summary Judgment—Supporting Papers” says, “Supporting and opposing affidavits shall be made on personal knowledge and shall set forth such evidentiary facts as would be admissible in evidence.”

As to every affidavit that Plaintiff has produced, I have established, if not invalidity as a matter of law, that it did not set forth such evidentiary facts as would be admissible in evidence. I have made irrelevance, hearsay (Wis. Stat. 908.01(3); 908.02), and best evidence objections to virtually all of Plaintiff’s submissions. If these objections were not made explicitly in the brief, they are made in my responses to Plaintiffs’ Proposed Findings of Undisputed Facts, which will be filed with the Court by Monday, 10 June 2019.

C. There has been no defamation.

The Court must harken back to the introductory statement in Plaintiff’s complaint: “This case focuses narrowly on one falsehood: that Plaintiff circulated a forgery of N. P.’s death

certificate.” I have two expert document examiners who have established that not only is the version of Noah Pozner’s death certificate which Pozner provided Kelley Watt—which is the only one I ever made any statements about—a forgery, but that the copy “certified by the State of Connecticut” which Mr. Zimmerman attached to his complaint is a forgery, as well; and, in fact, even differs materially from the copy “certified by the State of Connecticut” which the State provided to Dave Gahary. There turns out to be a plethora of fake Noah Pozner death certificates in circulation. I did not defame the Plaintiff: my statements about Exhibit B are not only true, they are equally true applied to very other version of the death certificate.

Importantly, I note that, although Plaintiff says in his complaint the issue is whether he “circulated” a fake death certificate, that charge has been transformed and magnified, in his brief (at 13), to my having accused *him* of “‘fak[ing], fabricat[ing], or forg[ing]’ Noah’s death certificate.” But the one occasion when, in direct communication with him, I made such a suggestion, I have never published accusations of his being the one who performed the forgery, and the Court must take notice that no such charge is in this case.

Pozner himself has violated the terms of the bifurcation order by making statements and attaching documents tending to establish that Noah was a real boy, which now I am required to respond to. Despite the irrelevance of his “evidence” I have set up issues of material fact as to each and every piece thereof and shown that it is inadmissible. The staggering number of forged documents I have uncovered in the course of this project in and of itself indicates the ones I am unable to address are also fake. To summarize where we are:

1. My Motions to Strike rule out the incompetent Green, Friedman, and Sinelnikov affidavits about a funeral and DNA relatedness. There was no funeral. There is no DNA from “Noah Pozner.”

2. Pozner's affidavit contains numerous falsehoods.

3. Omissions of required information, internal inconsistencies, and falsehoods are plenary in the post-mortem examination report.

4. Statements made by the various doctors have been debunked by statements made by Pozner's putative wife, Veronique. The best evidence is that "Noah" is actually Veronique's adult son by her first marriage, Michael Vabner, who is alive and well.

5. There are multiple versions of Noah Pozner's death certificate, establishing that all were forged.

6. Plaintiff has produced to this Court numerous other faked documents: the passport (see Exhibit G), Social Security card, name change, proof of publication, and PME.

The Court must further examine Pozner's claims in light of his history of vicious harassment of students attempting to get to the bottom of the Sandy Hook psy op, smearing and humiliating them on the web, causing their work to be removed, causing them to be fired from their jobs, and punishing them with frivolous lawsuits where, as he admits, the sole purpose is to make them expend their resources defending themselves, as I explained in my affidavit. Such conduct must not be rewarded by the Court.

As for defamation, pertinent argument is contained in my MSJ, which is incorporated by reference, although hardly needed, insofar as my statements about the death certificate are substantially true. And it is not I who has been smearing and harassing people and lying to the Court. That would be the Plaintiff, Leonard Pozner. There is nothing left of his Motion for Summary Judgment. It appears to be a complete farce. The Court is required to deny it.

Dated this 9th day of June 2019.

BY THE DEFENDANT PRO SE:

/s/ James Fetzer

James Fetzer

APPENDIX
Index to Exhibits

Exhibits attached to Fetzer MSJ:

- A: Plaintiff's version of the death certificate, attached to his complaint as Attachment A
- B: Version of death certificate I wrote about in my book, provided by Plaintiff to Kelley Watt
- C: Affidavit of Kelley Watt
- D: Statement of Capt. Karin Halstead from Conn. State Police report

Exhibits attached to Fetzer's Response to Plaintiff's MSJ:

- E: Wickstrom expert report and bio attesting to fake death certificates
- F: Veronique's bankruptcy petition, downloaded from PACER
- G: Fetzer affidavit
- H: Larry Rivera expert report and bio on the identity of Noah and Michael Vabner
- I: A.P. Robertson expert report and bio confirming Wickstrom and establishing Social Security card forgery
- J: Eowyn email reporting search results on "Leonard Pozner"
- K: Part II of the Halbig response to motion to dismiss in Connecticut superior court
- L: Maynard affidavit, with email to Kat
- M: No disability filings by teacher—Halbig
- N: Plaintiff's answers to WWW's requests for admissions: all admitted