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July 4, 2011

## **Affidavit Uncovering False Statements made at the White House News Conference of April 27, 2011**

I, Douglas B. Vogt, am over 18 years old, do not suffer from any mental impairment, have personal knowledge in the following and attest under penalty of perjury that I have knowledge and expertise in documents, typesetting, imaging, scanners and document imaging programs. Based on my 29-years of knowledge and expertise the following is true and correct.

### **My Credentials**

I have a unique background that enables me to analyze this document in a competent, detailed, and extensive manner. I owned a typesetting company (Nova Typesetting) for eleven years, and thus have extensive knowledge and experience in type and form design. I have owned Archive Index Systems since 1993, a company that sells a wide selection of document scanners worldwide, and which also developed and sold document imaging software (TheRepository). Additionally, I have an extensive knowledge of how scanners function and their capabilities. I have also sold other document imaging programs, such as Laser Fiche, Liberty and Alchemy. I have sold and installed document imaging systems in city and county governments, and thus have extensive knowledge of municipal and county document imaging programs and procedures, including the design and implementation of such programs. Additionally, I have a good working knowledge of Adobe Photoshop and Illustrator. These factors will be crucial in understanding what has occurred with Obama's Certificate of Live Birth.

**What I Discovered is that the information presented at the White House News Conference at 8:48 a.m. regarding the Obama Certificate of Live Birth (COLB), supposedly obtained from the Hawaii Department of Health on Monday April 25, 2011, was not entirely correct and was a deliberate attempt to conceal the truth that the certificate presented was a forgery.**

The news conference at the White House press briefing room started at 8:48 a.m. about one hour before President Obama gave his news conference. The news conference was given by Press Secretary Mr. Jay Carney, the President's White House Counsel Mr. Robert Bauer and the President's Director of Communications Mr. Daniel Pfeiffer. This news conference established the chain of custody for the two Obama Certificates of Live Birth supposedly acquired, in person at the Hawaii Department of Health office, by Judy Corley the President's personal counsel at Perkins Coie, Seattle, Washington.

At the news conference Robert Bauer, a former attorney at Perkins Coie, stated that a letter was addressed to the Director of Health, Loretta Fuddy on April 22, 2011 to request the Department to release two certified copies of Barack Obamas COLB and they were to be given to his attorney Ms.

Judith Corley of Perkins Coie. The White House letter was electronically sent to the office of Perkins Coie, where Ms. Corley added a cover letter explaining she would personally go to Hawaii and pick up the two certified copies and bring them back to Washington DC. Copies of both letters are attached (Exhibit A and B). Mr. Bauer's exact quote is as follows:

MR. BAUER: Early last week the decision was made to review the legal basis for seeking a waiver from the long-standing prohibition in the state Department of Health on releasing the long-form birth certificate. And so we undertook a legal analysis and determined a waiver request could be made, that we had the grounds upon which to make that request.

And by Thursday of last week, I spoke to private counsel to the President and asked her to contact the State Department of Health and to have a conversation about any requirements, further requirements, that they thought we had to satisfy to lodge that waiver request. She had that conversation with the state Department of Health on Thursday—counsel in question is Judy Corley at the law firm of Perkins Coie, and you have a copy of the letter she subsequently sent to the Department with the President's written request.

The Department outlined the requirements for the President to make this request. He signed a letter making that request on Friday afternoon upon returning from the West Coast. And private counsel forwarded his written request—written, signed request—along with a letter from counsel, to the state Department of Health on Friday.

The department, as I understood it, after reviewing the law and reviewing the grounds asserted in the request, came to the conclusion that a waiver could be appropriately granted. We were advised that the long-form birth certificate could be copied and made available to us as early as Monday, April 25th -- the day before yesterday. And we made arrangements for counsel to travel to Honolulu to pick it up and it was returned to the White House yesterday afternoon.

Mr. Pfeiffer and Mr. Bauer made it sound like it was a special act and difficult for them to get a certified copy of Obamas long-form COLB, but after examining the Hawaii State Statute, (see below) it was not at all.

**§338-13 Certified copies.** (a) Subject to the requirements of sections 338-16, 338-17, and 338-18, the Department of Health shall, upon request, furnish to any applicant a certified copy of any certificate, or the contents of any certificate, or any part thereof. [my note: *Certificate* means the Certificate of Live Birth, the Long Form.]

(b) Copies of the contents of any certificate on file in the department, certified by the department shall be considered for all purposes the same as the original, subject to the requirements of sections 338-16, 338-17, and 338-18.

(c) Copies may be made by photography, dry copy reproduction, typing, computer print-out or other process approved by the Director of Health. [L 1949, c 327, §17; RL 1955, §57-16; am L Sp 1959 2d, c 1, §19; HRS §338-13; am L 1978, c 49, §1]

The law clearly states “shall,” that does not mean maybe or “out of the goodness of their hearts.” It means the Health Department must issue a copy of the Certificate of Live Birth not the Certification if requested. The Hawaiian law has a list of who can receive the Certificate and they include over 20 individuals, as well as government agencies.

Loretta Fuddy, Director of the Department of Health, replied to the Presidents letter by stating “I am making an exception to current departmental policy, which is to issue a computer-generated certified copy.” What computer-generated means is the Short Form Certification of a COLB that the

Obama campaign displayed in 2008 and that is generated only from the database information keyed in at the Department of Health. What Certification means is that the Department of Health is certifying that they possess an original Certificate of Live Birth, they received from the hospital seven days after the baby was born. That is what they gave the Obama campaign back in 2008.

The Long Form COLB, the Department of Health would have given them, would be an image of the Certificate received from the hospital. The images shown at the April 27<sup>th</sup> announcement of the COLB came from the department's document imaging system which contained black and white or grayscale Group4 Tiff images. The reason we know this is because the two images displayed or copied show the curvature on the left-hand gutter of the page caused by scanning on a flatbed scanner without removing the page from the post binder book. A more complete explanation of this is in my June 13, 2011 report, page 6, (1).

She further stated, "Enclosed please find two certified copies of your original Certificate of Live Birth. I have witnessed the copying of the certificate and attest to the authenticity of these copies." At this point, we are led to believe that the chain of custody went to Judith Corley, who supposedly picked up the envelope on Monday from the Health Department office and then took a plane to Washington D.C. and delivered the two Certificates of Live Birth, with seals, to the White House by 5:00 p.m. on Tuesday. During the news conference Mr. Pfeiffer replied to a reporter's questions by stating "As Bob said, it arrived by plane—the President's personal counsel went to Hawaii and brought it back and we got it last night." That must have cost the President well over \$7,000 to pay for last minute airplane tickets and the lawyer's hourly time to make this delivery. The UPS cost for picking up an envelope and delivering it by 8:30 a.m. the next day is only \$83.00. Keep in mind there was no rush in getting these forms.

At this point, the chain of custody transferred to Mr. Robert Bauer who supposedly had the two stamped and sealed COLBs. The White House communications staff made copies of the three letters and copied one of the Certificates and placed them into folders and gave them to the attending news reporters. We will call the Grayscale copy of the COLB, the news people got, Document A (see exhibit 4, provided by 12 NewsNow TV). You will notice the State Registrar's rubber stamp on the lower right of the Certificate has the "TXE" error on the second line just as the PDF copy does (Exhibit 6).

Now we come to the Savannah Guthrie photo of the Certificate she was allowed to see and touch. We will call what she saw Document B. She is the NBC White House correspondent with a law degree who was allowed to see one of the Certificates. She has no experience being a document expert and she was rewarded for this simple service by being promoted to co-host of the 9:00 a.m. NBC Today Show. She is also chief legal analyst for NBC and MSNBC. She claims she touched it and felt the raised seal, or what looks like a seal. This was important to Robert Bauer and company because the copy they showed the news people did not show any embossed seal. So the White House handlers felt it necessary to have at least one reporter, they could trust, see and feel the Certificate. She was also permitted to take a photo of the Certificate, which we will assume was done by her camera phone, because the quality was not very good. The big difference with her photo (See Figure 1) and the reporters (Figure 2) and PDF copies (See Figure 3) are that the italics *E* under the A in Alvin looks like it is not present on Savannah Guthrie's copy.

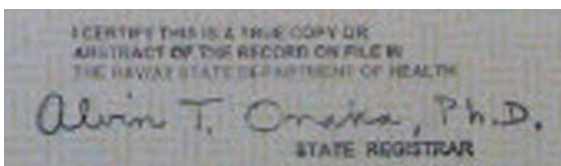


Figure 1: Registrar's stamp on Guthrie's photo.

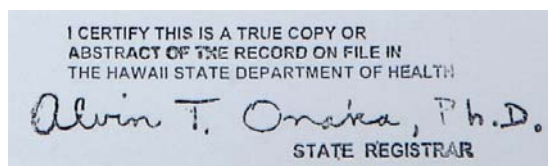


Figure 2: scan of the reporter's scanned Certificate.

Then finally we have the PDF file of the COLB uploaded onto the White House web site. We will call this Document C. The story of this PDF was that after the news conference, they scanned one of the two certificates and saved the scan as a PDF. It is a non-searchable PDF so there is no code inside the file that contains any searchable text, so any rebuttal that the nine layers found, are erroneous and just feeble attempts to explain away the nine image layers discovered (See final report, page 14, part 9 for a full explanation). The codes within this file indicate that it was created April 27, 2011 at 12:09 p.m. and was created on a Macintosh computer. The PDF file was created using a Mac printer driver called Preview, but the graphics programs most likely used to assemble the forgery were Adobe Illustrator or Photoshop. On the PDF file the italics *E* under the A in Alvin also shows up clearly (See Figure 3). That would mean that Document B and C have a common origin. Also know that the same registrar rubber stamp used March 15 2011 (See Figure 4) did not display this italics *E* (See page 13 of the final report).

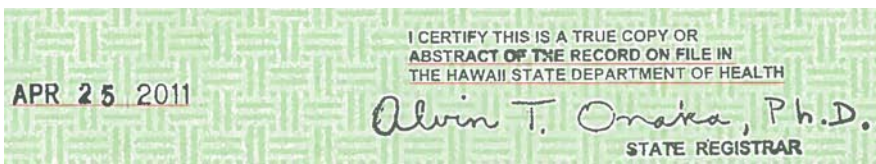


Figure 3: Registrar rubber stamp on the PDF file.

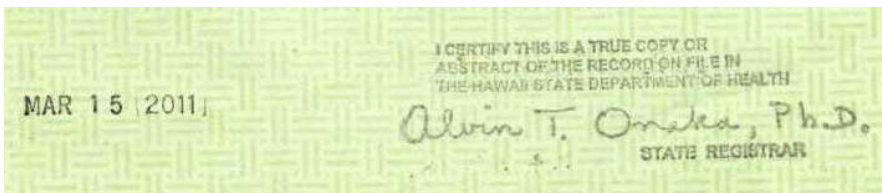


Figure 4: Registrar rubber stamp on another persons Certificate dated March 15, 2011.

What is interesting about these three images of the Registrar's seal and the date stamp just to the left of it, is that all are in the exact same position to the hundredth's of an inch and I mean both horizontally and vertically to the above form. So you have two Certificates with two hand applied rubber stamps on the bottom and a hand placed embossed seal applied by a machine and all three are in the exact same position. It is impossible to put two forms next to each other and hand stamp them as shown and get all in exactly the same position, along with being placed almost perfectly straight on the two forms. This could only be done with a graphics program like Adobe Illustrator or Photoshop. Keep in mind the clerk or Registrar has no reason or preference requirement to place these stamps in exactly the same position.

The most logical conclusion is that Documents A and B were produced from the same file, namely the PDF file Document C. The italic *E* under the A in Alvin could be on the Certificate Savannah Guthrie photograph, but because the resolution is so low we may not be able to see it. The only way to know for sure would be to have the White House place both Certificates next to each other and photograph or scan them. I, personally, do not think they will do that because of what I found next in the text of the 8:48 a.m. news conference.

### Plausible Deniability

Definition: **Plausible deniability** refers to the denial of blame in loose and informal chains of command where upper leadership quarantine the blame to the lower management, and the lower management are often inaccessible, meaning confirming responsibility for the action is nearly impossible. In the case that illegal or otherwise disreputable and unpopular activities become public, high-ranking officials may deny any awareness of such act or any connection to the agents used to

carry out such acts. This method was used in the Nixon administration during the Watergate scandal to protect the President—it did not work then.

Let me ask you a simple question, let's say you live in New York, and you were born in California and you want two copies of your Certificate of Live Birth, not because you need it for a passport application or any other legal reason, but just because you want to show it to some friends. So you pay your high priced lawyer to fly on a moments notice to California and back again with your Certificate. This whole process has cost you thousands. Are you going to want to see it and take possession of at least one of the Certificates? The obvious answer is YES. Next, read the answer given by Mr. Pfeiffer and Robert Bauer from the 8:48 a.m. news conference:

Newsman's Question: And this is going to sound .... I mean, you can just anticipate what people are going to .... remain unconvinced. They're going to say that this is just a photocopy of a piece of paper, you could have typed anything in there. Will the actual certificate be on display or viewable at any .... (laughter.)

Newsman's Question: **Will the President be holding it?**

MR. PFEIFFER: **He will not, and I will not leave it here for him to do so.** But it will .... the State Department of Health in Hawaii will obviously attest that that is a .... what they have on file. As Bob said, it's in a book in Hawaii.

MR. BAUER: And you'll see the letter from the director of the Health Department that states that she oversaw the copy and is attesting to ....

I saw and also read the transcript of President Obama's speech at 9:54 a.m. about an hour after the news conference. He briefly mentioned the old history of the Short Form certification during the campaign of 2008 and he also mentioned "We've posted the **Certification** that is given by the State of Hawaii on the Internet for everybody to see." He is only referring to the Short Form Certification released in 2008, not the Certificate of Live Birth presented on the day of this speech. The rest of the short speech talks about the budget and other matters but nowhere does he mention anything about this new Certificate presented earlier that morning, or posting the new Certificate on the Web or even acknowledging he requested it or its existence. He ends the speech by saying, "We do not have time for this kind of silliness. We've got better stuff to do."

What I believe you are looking at is a classic example of an attempt at Plausible Deniability. The flip side of this is that Mr. Pfeiffer and Mr. Robert Bauer must have known that what they presented at 8:48 a.m. was a forgery. Everything that came out of the mouths of both these men and the President's was carefully orchestrated and scripted. It also implies that the President's contingency plan was that incase the forgery was detected, that one or both of them would take the blame. On June 2, 2011 Mr. Bauer resigned his position at the White House and left office at the end of June. That was 10-days after my expanded report came out on May 22nd and my complaint to the FBI on the 24<sup>th</sup> became public. You can draw your own conclusions.

#### Conclusion

The preponderance of evidence leads me to conclude that the Certificate of Live Birth, the White House presented at the 8:48 a.m. news conference and not mentioned on television an hour later, is a forgery. A strong legal argument can be made that per U.S. Code Title 18, Part 1, Chapter 47, Sec.1028(a)(2 and 4) Mr. Pfeiffer and Mr. Robert Bauer could have made themselves principals in



the forgery. There is also the possibility that the Director of the Department of Health in Hawaii knows much more about this forgery than she is telling. If it is later proven in Federal Court that this Certificate of Live Birth issued by the Department of Health, is a forgery, then any and all personnel involved with the forgery, would also be principles in the forgery. I am sure that there is someone at the Department of Health who searched their document imaging system to find the Certificates that became the elements used to assemble the final Obama fraudulent Certificate. An FBI investigation in Hawaii will be necessary to get to the whole truth of this scandal.

In witness whereof he has hereto set his hand and seal.

Name of Notary: HONG LI

Title: CUSTOMER SERVICE MANAGER

I, HONG LI, a Notary Public of King County and the State of Washington aforesaid, hereby certify that Douglas B. Vogt personally known to me to be the affiant in the foregoing affidavit, personally appeared before me this day and having been by me duly sworn deposes and say that the facts set forth in the above affidavit are true and correct.

Witness my hand and official seal this the 10<sup>th</sup> day of May, 2011.

[Signature]  
Notary Public

My Commission Expires: 2 / 11 / 2012

[Signature]  
Douglas B. Vogt

