

Monday, September 22nd, 2008 2:18 am

### 岳东晓联邦法院辩论记录惊爆黑幕

岳博士第一次上庭，JENKINS法官不准他递交文件，威胁他“再说话就把你拖出去”

(听证记录见 <http://www.petitiononline.com/ProSeRit/petition.html>)

以下记录是7月22日一次听证，岳博士总算可以说几句话了。但看看法官是怎么提示对方，并打断岳博士的关键论辩。

Mr. Yue argued Pro Se.  
Jedediah Wakefield for Sun Microsystems  
Before Elizabeth D. Laporte

From pages 4-6 of the TRANSCRIPT:

MR. YUE: The procedure is for the plaintiff to move for 60(b) motion in the District Court. If the judge indicated he would grant the motion, then, I would go to the Ninth Circuit and seek a remand. So at this point –

THE COURT: Right.

MR. YUE: You know –

THE COURT: I mean, all of that would be very unusual, but it's still a possibility. Now, let me ask, on — the Supreme Court recently ruled on an issue having to do with nonparty preclusion in the Taylor versus Sturgell case; did that in any way affect the basis for Judge Jenkins's ruling, basically, that there was preclusion against the plaintiff? I know he had two bases, one of which was privity, and I'm not sure that that was affected at all. Possibly the intertwining basis was affected. (提示SUN的律师)

MR. WAKEFIELD: I'll have to confess that I haven't studied the Sturgell decision,... (承认根本不知道，之后长篇大论略去)

...

THE COURT: Um-hmm.

MR. YUE: Your Honor, I think the Taylor versus Sturgell case did disappoint the legal grounds for precluding me from this litigation. I was a nonparty to the — Netbula versus Sun. And, the whole ground by Judge Jenkins was the theory of virtual representation. And, in my papers, I argue that I could not be virtually represented by Netbula because I was already precluded –

THE COURT: Okay. (打断岳的关键论辩)

MR. YUE: — from that case.

THE COURT: All right. Again, it's going to be up to — I just raised that question briefly, but that's really an issue right now that's not before me, it's before either the Ninth Circuit or unless the 60(b) motion is granted.



(本文发表于首页时事·历史·军事, 已被阅读12388次)

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### 《岳东晓联邦法院辩论记录惊爆黑幕》共33条评论, 分为2页

- 老大难**的评论  
September 22nd, 2008 at 8:15 am

建议岳上法庭之前认真学习贼选五卷, 打官司就无往不胜了.

加油啊.

2/3的受害人等待你们拯救.
- 匿名游客**的评论  
September 22nd, 2008 at 9:42 am

老大难:  
如果毛选五卷管用, 也不过是以毒攻毒. 你逞共必反是你的自由, 总不至于逢美必赞罢?
- 匿名游客**的评论  
September 22nd, 2008 at 9:59 am

你们不是已征集100人签名上达胡锦涛了吗? 还在这怨怼什么???
- 匿名游客**的评论  
September 22nd, 2008 at 10:32 am

你急什么? 我初来乍到, 正想看看怎么回事。
- a Lady**的评论  
September 22nd, 2008 at 12:09 pm

只用几天就征集100多人签名上达胡锦涛, 说了多数中华儿女还是具有一定的凝聚力, 具有一定辨别是非的能力. 他们知道自己身在美国的真正的地位. 当然任何时间都会有个别出类拔萃灵魂者不分青红皂白的反对一切.
- Car**的评论  
September 22nd, 2008 at 12:15 pm

那些出卖灵魂不分青红皂白的反对一切的人, 是齿轮和反中国的人. 并非我们这些非议人士. 我们还是支持岳东晓 和正义。
- 中华儿女**的评论  
September 22nd, 2008 at 12:22 pm

中华儿女在美国的真正的地位还不如黑人. 岳东晓要打官司很难. 我还是希望你能赢, 因为你输了, 那中国人一后别想打赢官任何事。
- 中华儿女**的评论  
September 22nd, 2008 at 12:27 pm

这美国法官咋这么黑, 明目张胆向着SUN.
- 匿名游客**的评论  
September 22nd, 2008 at 12:32 pm

这美国法官就 这么黑, 明目张胆向着白人是常事. 我经历过两次:
- 匿名游客**的评论  
September 22nd, 2008 at 12:36 pm

我在美国就像白人的奴隶, 有时我都想回国, 希望岳东晓要打官司事。
- 匿名游客**的评论  
September 22nd, 2008 at 12:39 pm

大使馆真无用, 凡事都不要找他, 一后也不要捐赠。
- 匿名游客**的评论  
September 22nd, 2008 at 12:46 pm

中国大使馆是一 群蠢货, 你还一为他们是人才. 一群跟屁 虫子.
- 匿名游客**的评论  
September 22nd, 2008 at 2:49 pm

哈哈, 老岳正要讲关键的东西, 法官立刻打断, 真无耻. 而且自己打自己耳光, 先是问对方那个最高法院案子, 对方律师不知到, 岳倒是清楚, 法官于是给自己找台阶下, 说是只是随便问问. 本来对方不知道那个案子, 老岳可以在上诉时打他们个伏击战, 这下给了提示. 可见老岳不只是打对方的SB律师, 还包括法官们。
- 匿名游客**的评论  
September 22nd, 2008 at 2:51 pm

哪个能把这段对话翻成中文, 让大家学习学习  
美国法官的两面三刀。
- 匿名游客**的评论  
September 22nd, 2008 at 3:06 pm

It is obvious the judge was trying to coach Sun's lawyer to prepare for appeal. Since Sun's lawyers did not know the supreme court case, all Yue needed was this: not mentioning the case in his opening brief, but bring up the case in the reply brief. That way, Sun is easily defeated. the judge acted as Sun's advisor, suggesting which argument to make...
- 匿名游客**的评论  
September 22nd, 2008 at 3:19 pm

Totally unfair. One man against the gang.
- 匿名游客**的评论  
September 22nd, 2008 at 6:09 pm

Yue is an enemy of the state.
- 匿名游客**的评论  
September 22nd, 2008 at 6:12 pm

法官拉偏架, 这官司还怎么打?
- 匿名游客**的评论  
September 22nd, 2008 at 6:12 pm

官官相护的美国, 只苦了中国人。
- 匿名游客**的评论  
September 22nd, 2008 at 7:09 pm

Yue has become the guardian of the U.S. constitution. Without people like Yue, U.S. will fall into a dictatorship.
- 匿名游客**的评论  
September 22nd, 2008 at 7:13 pm

Reading Yue's papers, it is like "a scholar arguing with thugs", he can't win no matter how right he is. (秀才碰上兵, 有理说不清)。
- 匿名游客**的评论  
September 22nd, 2008 at 7:17 pm

什么人权平等, 都是假的。
- 匿名游客**的评论  
September 22nd, 2008 at 7:20 pm

US constitution includes "all MEN are created equal". It meant all WHITE MEN, it does not include blacks, other colored people, or women.
- 匿名游客**的评论  
September 22nd, 2008 at 8:28 pm

中国大使馆应该出面为国民说些什么话。
- 匿名游客**的评论  
September 22nd, 2008 at 11:16 pm

老岳怎么知道这么新的最高法院案例的? 太阳公司的律师都不知道。
- 匿名游客**的评论  
September 23rd, 2008 at 11:22 am

This was a "brief question"?

judge: "Now, let me ask, on — the Supreme Court recently ruled on an issue having to do with nonparty preclusion in the Taylor versus Sturgell case, did that in any way affect the basis for Judge Jenkins's ruling, basically, that there was preclusion against the plaintiff? I know he had two bases, one of which was privity, and I'm not sure that that was affected at all. Possibly the intertwining basis was affected."

It was a long question plus an answer (correct or not)
- 匿名游客**的评论  
September 23rd, 2008 at 2:19 pm

实际上应该由我们的大使馆出面, 警告他们的有关部门要依法办事, 有确凿证据再复查。
- 匿名游客**的评论  
September 23rd, 2008 at 2:20 pm

This could be a classic moment in those law movies, one side does not know the case, the other side knows.

But here, the magistrate judge joined the Sun team, maybe Sun will give her some options after she retire from the bench.
- 匿名游客**的评论  
September 23rd, 2008 at 2:20 pm

国外手无寸铁的留学生正在战斗在最前线, 为中国人争话语权, 像这种指他们后退的文章.
- 匿名游客**的评论  
September 23rd, 2008 at 2:21 pm

难道对美国人登上银河号中国人不应该愤怒, 难道对美国人明里暗里对台独的支持中国人不应该愤怒, 难道对美国人无理地轰炸我驻南大使馆中国人不应该愤怒, 难道对美国人 ...

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Jason



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- 《匿名游客》回复《岳东晓联邦法院辩论记录惊爆黑幕》 This was a "brief question"? judge: "Now, let me ask,... (2008-09-23 11:22:22)

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- 回复: 《贺梅素主导岳东晓向温家宝请求援助》 这里面当然最SB的是SUN。以为能买通... (2008-09-10 23:30:32)
- 回复: 《贺梅素主导岳东晓向温家宝请求援助》 看来讲英语的人智商确实低些。SB法官真... (2008-09-10 23:22:17)
- 回复: 《贺梅素主导岳东晓向温家宝请求援助》 老岳总写的是全球战略, SUN在他眼里... (2008-09-10 23:10:58)
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[Jason]的个人链接

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