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The CDC Has Known All Along How Dangerous Vaccines Are - And Has Covered It Up... (Part Two)

The Lawsuit Against the CDC...

Opinion by Consumer Advocate [Tim Bolen](#)

Thursday, October 13th, 2011

In late 2004 Biochemist Scientist Brian Hooker PhD had had enough. He'd been looking, carefully, through the US Center for Disease Control and Prevention (CDC)'s so-called "Evidence" that Thimerosal was "Safe and Effective" as a preservative in vaccines. Having read all of the then available CDC studies making that claim, he, as a PhD Scientist, couldn't help but shake his head "NO." To him, none of the purported proof was anywhere near being scientifically adequate. Far from it.

So, like any math teacher would do to a student he began to communicate to the CDC his questions. In essence he was saying "Show me your work. Show me how you came up with these answers" - a reasonable question series among scientists, teachers and students, and frankly, the population of Planet Earth.

What was CDC's response? STONEWALL - a six year knock-down, drag-out brawl to get that information. Brian Hooker would not let up. Neither would the CDC.

At the CDC, the smell of corruption couldn't be masked, anymore, with air freshener. CDC employees, backed by CDC attorneys, dug in deeper, surrounding themselves with a wall-of-silence, removing themselves from public scrutiny. It was, without doubt, the CDC that President Obama and Attorney General Eric Holder had in mind when Holder issued a 59 page Legal Opinion ([here](#)) just on this subject. It started out by saying:

"When administering the FOIA, it is important to first note that the President and Attorney General have issued memoranda to all agencies emphasizing that the FOIA reflects a "profound national commitment to ensuring an open Government" and directing agencies to "adopt a presumption in favor of disclosure."

Obama and Holder were, no doubt, provoked by an earlier Congressional Report titled "CDC Off Center," which is summarized, below, with an opening statement:

"A review of how an agency tasked with fighting and preventing disease has spent hundreds of millions of tax dollars for failed prevention efforts, international junkets, and lavish facilities, but cannot demonstrate it is controlling disease."

So, what was provoking Brian Hooker? What, specifically, were his concerns?

I asked Hooker about this situation. I asked him to explain to me in layman's terms, what was wrong, for example, with the very first study, known as "The Danish Study?"

Hooker didn't hesitate. He even wrote it down for me. Then he carefully took me through the scientific jargon representing the scientific method (considering my college days were forty to fifty years ago). Here is what he said about the study known as: "Thimerosal and the occurrence of autism: negative ecological evidence from Danish population-based data" by Kreesten Madsen et al. 2003, published in the Journal of Pediatrics.

He said:

This critique will consider each publication from two perspectives: (1) the scientific quality and (2) any anomalies based on information obtained from the Centers for Disease Control and Prevention via the Freedom of Information Act.

"Thimerosal and the occurrence of autism: negative ecological evidence from Danish population-based data" by Kreesten Madsen et al. 2003, published in the journal Pediatrics.

The publication reports an ecological study based on the reported autism incidence in Denmark as recorded in the Denmark National Center for Registry-based Research (NCRR) database. Denmark phased thimerosal containing vaccines out of circulation in 1992. The authors' premise is that if there is a causal relationship between autism and thimerosal containing vaccines, then the prevalence of autism should decrease in subsequent years. Instead, the study showed a dramatic increase in the number of new autism diagnoses in the years following thimerosal removal, in age groups 2-4, 5-6 and 7-9 years old.

This paper has two severe methodological flaws. First, the Denmark NCRR database changed diagnostic criteria for autism diagnoses in 1994 from ICD8 to ICD10. This led to a greater number of autism diagnoses overall. Second, the Denmark NCRR database changed the accounting of autism based on outpatient visits in 1995, whereas up to 1995, only inpatient (i.e., Hospital) visits were accounted. This led to a significant increase in autism cases counted beyond 1994. In a separate publication, the ratio of inpatients to outpatients accounted for by the NCRR database has been reported to be 13.5:1 (Madsen et al. 2002). These two data artifacts (changing diagnostic criteria and inpatient/outpatient reporting) show a misleading jump in the prevalence of autism after 1995. However, when these are corrected for, the actual autism rates in Denmark decreased by as much as 4 times upon the phase out of thimerosal-containing vaccines (Trelka et al. 2004). Although the raw data from the Madsen et al. 2003 publication has been requested, the authors chose not to release it, creating significant difficulty in confirming this decrease.

It is apparent from emails released by the CDC via the FOIA, that the lead author of the study, Dr. Kreesten Madsen, was well aware of the issues with the Denmark NCRR database. In fact, in a June 2001 email to then acting Deputy Director of the National Immunization Program (NIP) of the CDC, Diane Simpson, Dr. Madsen stated of the increases in autism rates after 1993, "Yes, but not very dramatically and there could be more reasons for that. First of all we had a change from ICD8 to ICD10 in 1994 and furthermore our outpatient clinics were registered in our surveillance from 1995." It wasn't until after Dr. Diane Simpson visited Denmark to forge a collaboration with Madsen's supervisor at Aarhus University that this publication went forward.

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In addition, an additional email obtained from the CDC indicates that the autism rates in Denmark decreased between 1999-2001: from Dr. Marlene Lauritsen a coauthor from Aarhus University to Dr. Diana Schendel, a scientist in the National Center for Birth Defects and Developmental Disabilities (NCBDDD) of the CDC, "I need to tell you that the figures in the manuscript do not include the latest data from 2001. I only have these figures as a paper version and they are at work <redacted> But the incidence and prevalence are still decreasing in 2001. <redacted>" These data were excluded from the final publication.

Finally, although the CDC claims that this is an independent publication, co-author Dr. Poul Thorsen was in residence at the CDC at the time of the study. In addition, Dr. Thorsen made a specific request that Dr. Jose Cordero, then director of the NCBDDD write a letter to the editor of the journal Pediatrics for expedited review and publication of the Madsen et al. 2003 study. Dr. Thorsen in April, 2011 was indicted by the U.S. Attorney in Atlanta, Georgia for embezzlement of funds from a CDC grant to his institution, the North Atlantic Neuro-Epidemiology Alliance.

I have, attached, as a link, Brian Hooker's email to me with [his critiques of all five of the original CDC studies](#), plus his analysis of the CDC's 2010 study. They are damning.

So, in short, what in the world is going on?

Brian Hooker is smart. Not just science smart, but street smart. He wasn't going to let a simple STONEWALL keep him from finding out what he needed to know. He just made a few calls, and recruited some other people, around the country, to make CDC FOIA requests, masking, as it were, his original DENIED requests in other batches, from other people. That worked - and he began to build the pattern. Now, as it were, he is at the point, like in doing a jigsaw puzzle, where he can see what's missing - and he is being specific.

Then Brian Hooker PhD met well known Kentucky based attorney Bob Reeves, who introduced him to famous Washington DC based attorney Jim Turner. It wasn't long before there was a Federal lawsuit on the doorstep of the CDC.

Smile here... it is about to get even better.

Before I give you the details of the lawsuit, itself...

I want to tell you what has already happened, besides the fact that the case was filed and served, and the CDC answered. (start an even bigger smile)

On Friday, September 30th, 2011 in the **Brian S. Hooker v CDC** Federal court case, Judge Amy Berman Jackson more or less told the US Center for Disease Control and Prevention (CDC) to show her a schedule indicating exactly WHEN the CDC would comply with Hooker's FOIA information request. The exact words in the Order were:

"Before the Court in this FOIA case are a complaint and an answer. The requirements of LCvR 16.3 and Rule 26(f) of the Federal Rules of Civil Procedure appear to be inapplicable. Defendant shall file a dispositive motion or, in the alternative, a report setting forth the schedule according to which it will complete its production of documents to plaintiff on or before - October 28, 2011. SO ORDERED."

In layman's language the Judge is saying to the CDC: *"You better show me a damn good legal reason why you are withholding this information. Frankly, I doubt that you have one. If I don't see one by October 28th, 2011 you better start handing over all the data Brian Hooker wants or face Contempt of Court charges."*

The Smoking Gun...

In short, very very soon the CDC situation is going to heat up - one way or another. Why? Because all indications are that those emails and communications are the "smoking gun." showing exactly why, how, and who, covered up the fact that the CDC knew how bad vaccines were, and are. And, who, why, and how the fake studies were arranged, paid for, and published.

Why is this important? Because the whole world of health care has come to rely on the integrity, and reliability of the CDC - which this information strongly contradicts. The issue of mercury, a deadly toxin, being used in vaccines, and protected by the CDC is monumental.

The Exact Wording of the Lawsuit...

You can read the entire lawsuit, in its legal format, by clicking [here](#). Below is an excerpt:

CAUSE OF ACTION FOR COUNT ONE

Violation of the Freedom of Information Act for Wrongful Withholding of Agency Records

13. Defendants have wrongfully withheld agency records requested by plaintiff. Defendants have wrongfully extended 5 U.S.C. § 552(a)(4)(B) exemption 5 to parties outside of CDC by redacting email replies from researchers not employed by CDC and not acting as "consultants" (Klamath Water Users Protective Ass'n v. Department of the Interior, 189 F.3d 1034, 1038 (9th Cir. 1999), aff'd, 532 U.S. 1 (2001)).

14. Defendants have not conducted an adequate search as no records were released from the CDC's National Immunization Program. Later FOIA requests to the CDC yielded significant numbers of correspondences between Dr. Diane Simpson, then acting Deputy Director of the National Immunization Program, and Dr. Kreesten Madsen, the paper's primary author (documents will be submitted as an exhibit). Thus, it is apparent that the CDC did not thoroughly search National Immunization Program records for this particular FOIA request.

15. Plaintiff asks that any application of the (b)(5) exception in this case be waived upon the judge's discretion based on the important and timely nature of the connection of thimerosal in vaccines to neurodevelopmental disorders including autism. Although the CDC consistently denies a causal relationship between thimerosal and autism, there is a mounting body of compelling scientific literature that supports this relationship including: (see footnote)

16. Plaintiff has exhausted the applicable administrative remedies with respect to defendants' wrongful withholding of the requested records.

17. Plaintiff is entitled to injunctive relief with respect to the release and disclosure of the requested documents

CAUSE OF ACTION FOR COUNT TWO

Violation of the Freedom of Information Act for Wrongful Withholding of Agency Records

22. Defendants have not provided adequate documents for applying the OMB circular 110, rev. 99, section 36 which states that documents must be released sufficient to repeat the analysis that led to the results of the publication, for a publication that has the force and effect of law. The publication in question, "Thimerosal-containing vaccines and autistic spectrum disorder: a critical review of published original data" by Parker et al. has been used by the CDC to justify the continued use of thimerosal containing vaccines.

[Court - "FOIA Means Nothing to Us. We'll Withhold Whatever We Want..." 11/12/11](#)

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[Tension Increases - Federal Judge Orders CDC to Produce Secret Documents... The CDC Has Known All Along How Dangerous Vaccines Are - And Has Covered It Up... \(Part Six\) 7/6/12](#)

[Maryland Board Fails - They Could Not Stop the Geiers... The Counter Attack Begins... 7/27/12](#)

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23. Plaintiff asks that any application of the (b)(5) exception in this case be waived upon the judge's discretion based on the important and timely nature of the connection of thimerosal in vaccines to neurodevelopmental disorders including autism. Although the CDC consistently denies a causal relationship between thimerosal and autism, there is a mounting body of compelling scientific literature that supports this relationship including: (see footnote)

24. Plaintiff has exhausted the applicable administrative remedies with respect to defendants' wrongful withholding of the requested records.

25. Plaintiff is entitled to injunctive relief with respect to the release and disclosure of the requested documents.

CAUSE OF ACTION FOR COUNT THREE

Violation of the Freedom of Information Act for Wrongful Withholding of Agency Records

30. Defendants have not provided adequate justification for applying the (b)(5) "predecisional" exception to over 300 pages of documents. This standard appears to be applied only to documents pertinent to a single publication, pertaining to thimerosal in vaccines and its causal relationship to neurodevelopmental disorders including autism.

31. Plaintiff asks that any application of the (b)(5) exception in this case be waived upon the judge's discretion based on the important and timely nature of the connection of thimerosal in vaccines to neurodevelopmental disorders including autism. Although the CDC consistently denies a causal relationship between thimerosal and autism, there is a mounting body of compelling scientific literature that supports this relationship including: (see footnote)

32. Plaintiff has exhausted the applicable administrative remedies with respect to defendants' wrongful withholding of the requested records.

33. Plaintiff is entitled to injunctive relief with respect to the release and disclosure of the requested documents.

CAUSE OF ACTION FOR COUNT FOUR

Violation of the Freedom of Information Act for Wrongful Withholding of Agency Records

39. Defendants have not completed a thorough search for agency records requested by plaintiff, including especially the email replies by Dr. Robert Chen.

40. Defendants have not searched for records within the time period June 27, 2001 and August 10, 2001.

41. Plaintiff asks that any application of the (b)(5) exception in this case be waived upon the judge's discretion based on the important and timely nature of the connection of thimerosal in vaccines to neurodevelopmental disorders including autism. Although the CDC consistently denies a causal relationship between thimerosal and autism, there is a mounting body of compelling scientific literature that supports this relationship including: (see footnote)

42. Plaintiff has exhausted the applicable administrative remedies with respect to defendants' wrongful withholding of the requested records.

43. Plaintiff is entitled to injunctive relief with respect to the release and disclosure of the requested documents.

REQUESTED RELIEF

WHEREFORE, plaintiff prays that this Court:

- A. Order defendants to disclose the requested records in their entireties and make copies available to plaintiff;
- B. Provide for expeditious proceedings in this action;
- C. Award plaintiff its costs and reasonable attorneys fees incurred in this action;

And

- D. Grant such other relief as the Court may deem just and proper.

Footnote...

Up in the text of the lawsuit above you will find a place where I typed (see footnote) several times. It was a lot of material to be repeated exactly the same each time, so I decided to put it down here. Read it if you want. What it is is a list of REAL, independent, peer reviewed studies that contradict the CDC crap. Here is the list:

Olczak M, et al.. Persistent behavioral impairments and alterations of brain dopamine system after early postnatal administration of thimerosal in rats. Behavioural Brain Research (2010), doi:10.1016/j.bbr.2011.04.026,

Hewitson L, et al. Delayed Acquisition of Neonatal Reflexes in Newborn Primates Receiving a Thimerosal-Containing Hepatitis B Vaccine: Influence of Gestational Age and Birth Weight. J. Toxicology and Environmental Health, Part A 2010; 73: 1298-1313,

Dorea JG. Integrating Experimental (In Vitro and In Vivo) Neurotoxicity Studies of Low-Dose Thimerosal Relevant to Vaccines. Neurochem Res. 2011 Jun; 36(6): 927-38. [Epub 2011 Feb 25],

Olczak M, et al. Lasting Neuropathological Changes in Rat Brain After Intermittent Neonatal Administration of Thimerosal. Folia Neuropathologica 2010; 48(4): 258-269,

Geier DA, et al. Blood Mercury Levels in Autism Spectrum Disorder: Is There a Threshold Level? Acta Neurobiologia Experimentalis (Warsaw) 2010; 70: 177-186,

Elsheshtawy E, et al. Study of Some Biomarkers in Hair of Children with Autism. Middle East Current Psychiatry 2011; 18: 6-10,

Kern JK, et al. A Biomarker of Mercury Body-Burden Correlated with Diagnostic Domain Specific Clinical Symptoms of Autism Spectrum Disorder. Biometals 2010; 23: 1043-1051,

Majewska MD, et al. Age-Dependent Lower or Higher Levels of Hair Mercury in Autistic Children than in Health Controls. Acta Neurobiologia Experimentalis (Warsaw) 2010; 70: 196-208,

Minami T, et al. Induction of Metallothionein in Mouse Cerebellum and Cerebrum with Low-Dose Thimerosal Injection. Cell Biology and Toxicology 2010; 26: 143-152,

Olczak M, et al. Neonatal Administration of Thimerosal Causes Persistent Changes in Mu Opioid Receptors in the Rat Brain. Neurochemical Research 2010; 35: 1840-1847,

Ratajczak H. Theoretical Aspects of Autism: Causes - A Review. J. Immunotoxicology 2011; 8: 68-79,

Hewitson L, et al. Influence of Pediatric Vaccines on Amygdala Growth and Opioid Ligand Binding in Rhesus Macaque Infants: A Pilot Study. Acta Neurobiologia Experimentalis (Warsaw) 2010; 70: 147-164,

Lakshmi Priya MD, et al. Level of Trace Elements (Copper, Zinc, Magnesium and Selenium) and Toxic Elements (Lead and Mercury) in the Hair and Nail of Children with Autism. Biological Trace Element Research 2010 Jul 13 [Epub ahead of print], and

Wyrembek P, et al, "Intermingled Modulatory Neurotoxic Effects of Thimerosal and Mercuric Ions on Electrophysiological Responses to GABA and NMDA in Hippocampal Neurons" Journal of Physiology and Pharmacology 2010; 61: 753-758

More Coming...

This is a several part series. This was number two. In number three I will give you access to EXACTLY what

documents, outlining EXACTLY what information, the CDC has had all along - and should have publicly relied on.

More, remember that article I wrote called ["The Federal "Data Quality Act" Is Our Friend..."](#) Well, in the third article I will be showing you, also, some things the CDC got from an authoritative public that fit the Data Quality Act requirements - that the CDC refused to even look at...

In other words - not only were CDC employees blocking access to information about their studies - but they were knowingly STONEWALLING changes, as required by the US Data Quality Act.

Stay tuned.

Tim Bolen - Consumer Advocate

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