

1. That on or about May 20, 2004, it was brought to the attention of Complainant that Steven C. Krane (“Krane”), acting as direct counsel for Kenneth Rubenstein, (“Rubenstein”), Complainant’s complaint Docket 2003.0531, and acting as direct counsel authored the formal response for Rubenstein’s complaint with the First Department, all the while Krane had present and past positions at the First Department. Another area of conflict arises as he also was during the time, the immediate past President of the New York State Bar Association (“NYSBA”) and had current position with the NYSBA, an organization that works in conjunction with the First Department in the creation and enforcement of the Lawyer’s Code of Professional Responsibility (“Code”) and in each of the above roles either separately or combined, such positions create multiple conflicts for Krane.

2. That, after learning of such conflict, the Complainant called Respondent to notify him of the Krane conflict and filed a formal written complaint against Krane for violation of the Code and the First Department rules and regulations of its members.

3. That on May 21, 2004, Krane authored a response, attached as Exhibit “A”, in his own defense, to Respondent at the First Department in an effort to have the complaint filed against him by the Complainant dismissed without due process, and further told numerous falsehoods to deceive the Complainant and the First Department with a view towards relieving him from any further prosecution of the complaint.

4. That Krane, all the while, had present and past positions at both the First Department (which he fails to disclose in any of his responses to Complainant or the First Department) and was, *interalia*, the immediate past President of the New York State Bar Association (“NYSBA”), an organization affiliated with the First Department in the

creation and enforcement of the Code, used by both organizations in attorney discipline matters of which Krane holds roles at both involving attorney discipline rule creation and enforcement, thereby causing conflicts.

5. That the influence of Krane at the First Department, because of these roles and his name recognition, must preclude Krane from any involvement in the complaint process against his own firm, its partners, and, especially, Krane. That Respondent, who later admits an intimate personal knowledge of Krane, and his roles at the First Department, should have taken immediate disciplinary actions against Krane to negate the conflicts, as a result of conflicts of interest and the appearance of impropriety.

6. That upon further investigation by the Complainant, and when viewing the biography of Krane,¹ a copy of which is attached herein as Exhibit “B”, Krane holds a multiplicity of professional ethics positions that present conflicts which would have precluded Krane from acting in any matters involving himself personally, his firm Proskauer Rose LLP (“Proskauer”), or any partner such as Rubenstein at the First Department.

7. That Krane, despite his influence, acted as direct counsel for Rubenstein, Proskauer and himself, all without disclosure of his positions and conflicts, where such failure to disclose seemingly violates rules of the First Department, the Code and any other applicable code or law that may apply.

8. That Complainant had numerous conversations with Respondent whereby he, denied a conflict existed, further failed to disclose Krane’s current position with the Department, denied that Krane (contrary to Exhibit “B”) held any positions with the Department and finally refused to investigate Krane.

¹ Source: URL at http://www.proskauer.com/lawyers_at_proskauer/atty_data/0399

9. That, further, upon citing that Krane's biography states that he holds a multiplicity of current roles at the First Department and Respondent's denial of such positions currently, the Complainant requested Respondent put in writing all Krane's past and present roles, with an accurate timeline, at which point Respondent refused stating that it would "jeopardize his credibility at the First Department to provide such confirmation," or words to that effect.

10. That, due to Respondent's knowing and willful evasion of the conflicts concerning Krane and refusal to document same, Complainant called the Clerk of the Court, Catherine O'Hagan Wolfe ("Wolfe"), who informed the Complainant that a conflict with Krane presently existed, making his responses tainted and to further send a motion to her to transfer the Rubenstein complaint out of the First Department to avoid further undue influence already caused by the conflict in the complaints filed by the Complainant.

11. That Respondent, after learning of the Complainant's call to Wolfe, suddenly recants his prior statements to Complainant, and admits to Complainant that Krane is appointed to the position of a referee concerning attorney discipline matters at First Department, a serious conflict, and the very venue that is charged with the investigation of the complaint against Rubenstein, Raymond A. Joao ("Joao") Docket 2003.0532 and Krane.

12. That the Complainant's allege that the conflict allowed by Respondent and existing in Krane's April 11, 2003 response to the Rubenstein complaint and Krane's May 21, 2004 response to the Krane complaint, was the genesis of a series of events, that protect Proskauer, Rubenstein, Krane and Joao, using the First Department as a shield

and to further influence other investigatory bodies with false and misleading information, that all appear to fall from Krane's conflicted responses and the influence pedaling that resulted to the following: (i) the unexplained moving of the complaint of the Complainant against Joao from the Second Department to the First Department; (ii) the inexplicable merging of the Joao complaint with the Rubenstein complaint; (iii) the deferment at The Florida Bar of the Complainant's complaint against Christopher C. Wheeler ("Wheeler"), Rubenstein's partner at Proskauer, pending the outcome of civil litigation by and between the Complainant and Proskauer (a billing dispute case), wherein the litigation was wholly separate and not related to the charges at the First Department against Respondent and now subject to a petition in the Supreme Court of Florida; (iv) the repeated tactic of Wheeler's deferment now used at the First Department, whereby a Rubenstein or Proskauer supporter and whether by Krane himself or another individual, surreptitiously submitted information of the Complainant's civil litigation with Proskauer to the First Department causing the deferment of the Rubenstein and Joao complaints from being investigated and this was done on a basis completely inappropriate as the civil litigation wholly dissimilar, in that none of the claims of attorney misconduct were considered, investigated or tried and therefore no due process was given to any of the issues in the complaints filed with the First Department; (v) the deferment of the Joao complaint based on the submitted information of the Complainant's civil litigation with Proskauer, although Joao, upon information and belief, has no past or present relationship to Proskauer that would have allowed for deferment of the matter based on the Proskauer litigation, but had the Joao complaint proceeded to investigation, that the matter would have required questioning of Rubenstein leading to the uncovering of the entire matter;

(vi) that after notification that the civil litigation had ended and none of the attorney misconduct issues were heard or tried, that Respondent who claimed he would immediately re-open the cases and personally investigate the matters, did nothing and further avoided communication with Complainant for several months thereafter; (vii) further, that Complainant notified Respondent that the First Department was being used as a shield to create the false and misleading impression that the First Department had investigated and dismissed the actions against Rubenstein and Joao, and that false statements were being used in other state and federal investigations, and although Respondent knew that the information being promulgated was wholly untrue, he again did nothing, making Respondent culpable in the matter of the conflicted Krane response on behalf Rubenstein and (viii) Respondent does not file Complainant's complaint against Krane inapposite to the Code or rules of the First Department regarding complaints filed against members of the Department, where such complaint would have required questioning of Rubenstein leading to the uncovering of the entire matter. This further makes Respondent culpable in the matter of the conflicted Krane response against Krane.

13. That Complainant, on or about January 9, 2004, when it learned of Respondent's September 2, 2003 ("Deferment Letter"), attached as Exhibit "C", issued without knowledge of Complainant, as the Deferment Letter was conveniently misaddressed and "lost" by the First Department and never received by the Complainant, then notified Respondent that the civil billing litigation had ended, and that Complainant suffered a technical default for failure to timely retain replacement counsel.

14. That the Complainant sees Respondent continuing the deferment of the Rubenstein and Joao complaints even after learning the civil litigation had ended and that the matters contained in the complaints were entirely separate and not similar, whereby as stated in Respondent's Deferment Letter and per conversations with Respondent an investigation was going to be undertaken by Respondent personally. That after months of unanswered calls by Respondent, Complainant finds respondent further culpable in that he failed to take the investigatory steps that he stated he was undertaking.

15. That by acceding to this deferment, and on a basis completely inapposite to the Code or First Department rules or any other applicable code or law that may apply, Respondent's Deferment Letter allows Wheeler in The Florida Bar File No. 2003-51, 109 (15C) to use the First Department as a shield by referencing the response of Joao to Complainant's complaint wherein Wheeler cites Joao's statement from his response to the First Department that "I believe that the [Joao] complaint was filed in retaliation to an action that Proskauer Rose LLP has brought against Iviewit...²," wherein such statement in Wheeler's response³ thereby influences The Florida Bar

16. That by acceding to this deferment, Respondent's Deferment Letter, allows William J. Dick ("Dick") in the Virginia State Bar Docket #04-052-1366 to use the First Department as a shield, whereby Dick states that "It is my understanding that both of these complaints [Rubenstein and Joao] have been dismissed, at first without prejudice giving Iviewit the right to enter the findings of the Proskauer Court with regards to Iviewit's counterclaims, and now with prejudice since the Iviewit counterclaims have

² Response to Complaint of Eliot Bernstein against Christopher Wheeler, Esq. The Florida Bar File No. 2003-51, 109 (15C) 4 (May 23, 2003). (Available upon request)

³ Raymond A. Joao, Response to Complaint of Iviewit Holdings, Inc. Against Raymond A. Joao, First Judicial Department Departmental Disciplinary Committee Docket 2003.0532 2 (April 8, 2003). (Available upon request)

been dismissed,” and wherein such a knowing and willful false statement in Dick’s response⁴ thereby influences the Virginia Bar. Dick intends to create an aura that the First Department, The Florida Bar and a Florida court had “investigated” and “tried” the matters with due process and determinations where made that vindicated Wheeler, Rubenstein, Joao and Proskauer whereby there would be no reason to investigate Dick based on these prior “trials” and “dismissed” actions, although this is a wholly inaccurate and untrue representation of the outcome of any of these matters. Lastly, the Virginia Bar is convinced that the information stated by Dick is true and is thereby influenced to not investigate matters supposedly already heard by the First Department and others.

17. That by acceding to this deferment Respondent’s Deferment Letter, allows Dick to paint an incorrect picture of the Wheeler bar complaint where he states that “It is my understanding that this complaint has also been dismissed⁵,” when, the Wheeler complaint at the time was moved to a next higher level of review at The Florida Bar and as of this date has resulted in no investigation of the matters and therefore The Florida Bar can not make an endorsement for either side per the rules regulating The Florida Bar, and this material falsehood further supports the factual allegation that Dick, uses false and misleading conclusions of the First Department combined with false and misleading conclusions of The Florida Bar to shield himself from investigation in Virginia.

18. That by acceding to this deferment, Respondent’s Deferment Letter, allows Dick to paint an incorrect picture of the Proskauer litigation where he states “The case went to trial⁶”, when, factually, the case never went to trial. Dick based his entire

⁴ William J. Dick, Esq., In the Matter of William J. Dick, Esq. VSB Docket # 04-052-1366 17 (January 8, 2004). (Available upon request)

⁵ Supra Note 4 at 6.

⁶ Supra Note 4 at 17.

response on the lack of determinations at other venues, particularly the First Department, rather than, for the most part, responding to the Complainant's allegations and the Dick complaint now resides at the next higher level of review at the Virginia Bar. Complainant states that once Respondent became aware of the misrepresentation to other state and federal regulatory agencies of the outcome of the matter at the First Department, he failed in his duties to correct the issues, notify the authorities of the factually incorrect statements being made and institute an immediate investigation.

19. That the Complainant alleges that this coordinated series of attempts to stave off the investigation of the complaints against Rubenstein, Joao, Wheeler, Dick and Krane emanates from the very highest levels at Proskauer down to Rubenstein, further down to his underling Krane knowingly recruited for his close, conflicted relationship to the First Department and across to Respondent, where Krane and Respondent are two of the most powerful individuals at the First Department in charge of attorney disciplinary matters over many years and this influence was used as a means to protect Rubenstein, Joao, Wheeler and Dick from facing investigations into patent theft, and as a means to protect Proskauer's position as the now self-proclaimed formative force in the pioneering of the patent pool for MPEG technology, a technology pool that directly competes with the Complainant inventions, and that would, in effect, be trumped by the Complainants patent applications which have been valued over the life of the patents by Proskauer and others to be worth approximately seventeen billion dollars.

20. That these patent thefts have led to Proskauer becoming the preeminent player in Complainant's technology through the acquisition of Rubenstein and his patent department from Meltzer Lippe Goldstein & Schlissel, immediately after determining the

value of the Complainant's patent applications, where prior, since 1875, Proskauer had been a mainly real estate law firm with no patent department. The acquisition of Rubenstein who specializes and is a preeminent force in the niche market that Complainant's inventions relate appears highly unusual and that after learning of the Company's inventions these patent pool are now the single largest benefactor of Complainant's technologies. The technologies of Complainant apply to almost every known form of digital imaging and video and have been heralded in the industry as "holy grail" inventions.

21. That as a result of the multiple conflicts allowed by Respondent at the First Department and this Court, Complainant, as per Wolfe, determines that it cannot obtain an unbiased review of the complaint against Respondent.

22. That as a result of the multiplicity of conflicts allowed by Respondent, the complaint against Rubenstein has languished at First Department since its filing on or about February 25, 2003.

23. That as a result of the multiplicity of conflicts allowed by Respondent, the complaint against Joao has languished at First Department since its filing on or about February 26, 2003.

24. That on or about February 1, 2004, Complainant filed a complaint with the Commissioner of Patents and Trademarks ("Commissioner"), at the bequest of Harry I. Moatz ("Moatz"), the Director of the Office of Enrollment and Discipline, for registered patent attorneys, a unit of the United States Patent and Trademark Office ("USPTO"). , Moatz has found problems with inventors, assignments and ownership of the patent applications filed by Rubenstein and Joao for Complainant, culminating in charges

against Rubenstein and Joao of Fraud Upon the United States Patent and Trademark Office , and a true copy of which is attached herein as Exhibit “D”.

25. That on or about January 2, 2003, Moatz, inquired as to the status of the Complainant’s complaints at the First Department against Rubenstein and Joao, both which languished at First Department since their filing on or about February 25, 2003 and February 26, 2003, respectively. That Complainant, upon contacting Respondent with the patent office information and Moatz’s request to speak to Respondent regarding the status of the First Department investigations and further giving Respondent Moatz’s telephone number to contact, find that as of today, several months after the request from the USPTO to speak to Respondent, that he still has failed to contact the USPTO per his own admission.

26. That the Commissioner has heard Complainant’s specific, factual allegations and has granted a six (6) month suspension of four out of six patent applications (Complainant expects similar suspensions for the remaining two patent applications and Complainant has also filed formal responses with the European and Japanese Patent Offices) from further prosecution at the USPTO, while matters pertaining to the attorney misconduct can be further investigated. That Respondent’s failure to work with the USPTO points to Respondent’s culpability and is further a sign that Respondent has been influenced by Krane to further avoid his office duties to protect Proskauer, Rubenstein and Joao.

27. That as a result of the multiple conflicts allowed by Respondent at First Department, and as a result of the languishing of Complainant’s complaints against Rubenstein and Joao since February 2003, Complainant is confronted with time of the

essence patent prosecution matters to repair patent applications, if possible, the detriments of which are at the nexus of the complaints against Rubenstein and Joao. Whereby, due to the failure of Respondent to investigate, discipline, or review the Complainant's complaints over a sixteen-month period, further damage to the Complainant's patent portfolio has occurred due to a failure of the First Department to take disciplinary actions, and that has precluded Complainant from performing next step actions. Therefore, Complainant asks for immediate investigation into all complaints and allegations, including the new complaints against Respondent and Krane with the First Department.

28. That since the Spring 1999, where the specific factual allegations of Complainant have been deflected by Proskauer through the misuse of the First Department, thereby alluding formal investigation where from: (i) charges of patent theft against these patent attorneys (ii) knowing and willful falsification of patent applications by these attorneys, (iii) to purposeful falsification of inventors by these attorneys; (iv) to a patent application filed whereby no right, title and interest are currently held by Complainant per the USPTO, and to further wrongful assignments to some entities, in one particular instance concerning several core patent applications, the equity which may be held by Proskauer rather than the investors of Complainant; (v) to the forced insertion by Proskauer of individuals that mismanaged Complainant and some now stand accused before the USPTO and the Boca Raton, Florida Police Department of misappropriation of patent applications in conjunction with Proskauer attorneys; (vi) to the alleged misappropriation and conversion of funds by Proskauer and Wheeler; (vii) to Wheeler's failure to report to the Board of Directors of Complainant when requested regarding his

questionable actions; (viii) to Proskauer's May 2001 billing lawsuit against Complainant; (ix) to material false and misleading statements by Rubenstein, Joao and Krane to the First Department, The Florida Bar, and the Virginia State Bar; (x) to Krane, an individual so engorged in conflicts, making ill-advised personal attacks on Complainant's principal inventor, Eliot I. Bernstein, where he parenthetically states that Mr. Bernstein is a murder, conspiracy, and patent theft theorist, yet Mr. Bernstein's specific factual allegations are supported by volumes of evidence already submitted to the First Department and further supported by Stephen J. Warner, Co-Founder and Chairman of Crossbow Ventures, Inc., Complainant's lead investor as well as many other shareholders; (xi) to Proskauer's ill-advised tactic to defer the Wheeler complaint, (xii) to Proskauer's repeated ill-advised tactic to defer the Rubenstein and Joao complaints; and (xiii) to Respondent's Deferment Letter used as a lever for these issues to go unchallenged, and where the events of (i) through (xiii) have all been successfully used by Proskauer with the First Department acting as a shield to avoid investigation that should have been instituted by Respondent. Complainant asserts that Respondent knowingly and willfully allowed these conflicts and did not review or investigate the above series of events for sixteen months due to his close professional relationship with Krane.

Wherefore, Complainant requests that this Court enter an order directing the immediate investigation of the complaint against Respondent and all other Complainant complaints presently residing with the First Department.

II -- MOVE COMPLAINT TO NEXT HIGHEST LEVEL OF REVIEW DEVOID OF CONFLICT

29. That as a result of the multiple conflicts allowed by Respondent at the First Department, Complainant, as per Wolfe, determines that it cannot obtain an unbiased review of the complaint against Respondent.

30. That as a result of the multiple conflicts allowed by Respondent at the First Department, and the close knit nature of the First Department with the remaining three Judicial Department Disciplinary Committees, Complainant determines, as per Wolfe, that it cannot obtain an unbiased review of the complaint against Respondent at any of these departments and should be elevated to the appropriate department by Wolfe, void of conflicts of both Krane and Respondent.

Wherefore, Complainant requests, at the suggestion of Wolfe as it pertained to the Rubenstein complaint, that this Court enter an order moving the complaint against Respondent to next highest level of review as determined by this Court to be void of conflicts of interest with Respondent and Krane.

III – DECLARATORY RELIEF.

31. That, as a result of the ways in which Respondent’s Deferment Letter was used in other venues to create an aura of the lack of professional misconducts by Rubenstein and Joao, and that led to Dick’s false statements of a “trial” in Florida and a “dismissal” of the matters with prejudice by the First Department and The Florida Bar, Complainant requests a formal written statement of the history, including all correspondences from all parties and any communications to third parties, and the present status of the complaints filed by Complainant against Joao, Rubenstein, Krane and Respondent.

32. That, as a result of the ways in which Respondent's Deferment Letter was used in other investigations to create a false impression of innocence after due process for Rubenstein and Joao, and that further led to Dick's false statements of a "trial" in Florida and a "dismissal" of the matters with prejudice by the First Department and The Florida Bar, the Complainant requests a written statement pertaining to Respondent's now acknowledged conflicts of Krane.

33. That, as described herein, Respondent's Deferment Letter was used to prejudice other complaints, in other states, on behalf of other attorneys, that now causes Complainant to request a written statement pertaining to the series of events leading up to the Deferment Letter, including, but not limited to: the exact date information was submitted to First Department; who submitted the information to First Department; what form of delivery was effected to put the information into the hands of First Department, and providing the cover letter, if any, that was submitted with the information; and, what deliberations took place prior to the execution of the Deferment Letter by the Department and all records of how such correspondence was misaddressed and never returned to the Department or delivered to the Company.

Wherefore, Complainant requests that this Court enter an order for declaratory relief for: a written statement of the history and the status of the complaints against Rubenstein, Joao, Respondent, and Krane; an order for declaratory relief for a written statement pertaining to the now acknowledged conflicts of Krane with respect to the Rubenstein, Joao, and Krane responses to Complainant's complaints; and an order for declaratory relief pertaining to the series of events leading up to the Deferment Letter.

This ___ day of June 2004.

Iviewit Holdings, Inc.
10158 Stonehenge Circle, Suite 801
Boynton Beach, Fla. 33437
Telephone: (561) 364-4240

Eliot I. Bernstein
Founder, President & Inventor

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was furnished by facsimile this __ day of June 2004, to Thomas J. Cahill, Esq., 61 Broadway, 2nd Floor, New York, N.Y. 10006, (212) 401-0810.

Eliot I. Bernstein
Founder, President & Inventor

CERTIFICATE OF AFFIRMATION

**STATE OF FLORIDA
COUNTY OF PALM BEACH**

Before me, the undersigned authority, personally appeared Eliot I. Bernstein, who was duly sworn and says that the facts alleged in the foregoing motion are true and correct to the best of his knowledge.

Eliot I. Bernstein
Founder, President & Inventor

Sworn to and subscribed to me on this ___ day of June 2004.

Notary Public

EXHIBIT A

PROSKAUER ROSE LLP

1585 Broadway
New York, NY 10036-8299
Telephone 212.969.3000
Fax 212.969.2900

LOS ANGELES
WASHINGTON
BOCA RATON
NEWARK
PARIS

Steven C. Krane
Member of the Firm

Direct Dial: 212.969.3435
skrane@proskauer.com

May 21, 2004

By Facsimile and Mail

Thomas J. Cahill, Esq
Chief Counsel
Departmental Disciplinary Committee
61 Broadway
New York, New York 10006

Re: Complaint of Iviewit Holdings, Inc. -- Docket No. 2003.0531

Dear Mr. Cahill:

I represented my partner, Kenneth Rubenstein, in connection with the complaint filed against him in March 2003 by Iviewit Holdings, Inc. That proceeding was closed pursuant to your letter of September 2, 2003.

Iviewit has now asked that the response I submitted on April 11, 2003 be stricken on the ground that I had a conflict of interest by virtue of my various position with the New York State Bar Association. Obviously, Iviewit is not aware that there is no connection between the Departmental Disciplinary Committee, which operates under the aegis of the Appellate Division of the Supreme Court, and the New York State Bar Association, which is a voluntary organization of lawyers. This confusion is not surprising, since the principals of Iviewit are from Florida, where it is the Florida Bar that investigates and disciplines lawyers.

Accordingly, I respectfully request that Iviewit's "Demand to Strike Response" be rejected and that any complaint against me arising out of my representation of Mr. Rubenstein be dismissed. I stand ready to provide the Committee with whatever additional information it may require in connection with this matter.

Yours very truly,



Steven C. Krane

PROSKAUER ROSE LLP

Thomas J. Cahill, Esq

May 21, 2004

Page 2

cc: Mr. Eliot Bernstein
Mr. P. Stephen Lamont

EXHIBIT B

STEVEN C. KRANE



Phone 212.969.3435
skrane@proskauer.com

New York, NY
 PARTNER

New York, NY Office:

1585 Broadway
 Fax 212.969.2900

Practice Areas:

Alternative Dispute Resolution
 Constitutional
 Commercial Litigation
 Securities

Sports**Trademark & False Advertising**

Appellate
 Legal Ethics Counseling
 Gambling / Lotteries
 Licensing / Sports
 Limited Liability Companies And Partnerships

Education:

- NEW YORK UNIVERSITY SCHOOL OF LAW, J.D., 1981
- EDITOR, NEW YORK UNIVERSITY JOURNAL OF INTERNATIONAL LAW AND POLITICS, 1979-1981
- STATE UNIVERSITY OF NEW YORK AT STONY BROOK, B.A., CUM LAUDE, 1978
- PHI BETA KAPPA

Bar Admission:

- 1982 NEW YORK

Court Admissions:

- 1982 U.S. DISTRICT COURT, NEW YORK, EASTERN DISTRICT
- 1982 U.S. DISTRICT COURT, NEW YORK, SOUTHERN DISTRICT
- 1987 U.S. COURT OF APPEALS, SECOND CIRCUIT
- 1987 U.S. SUPREME COURT
- 1997 U.S. COURT OF APPEALS, SIXTH CIRCUIT

Bar Affiliations:

- NEW YORK STATE BAR ASSOCIATION, PRESIDENT, 2001-2002
- NEW YORK STATE BAR ASSOCIATION, MEMBER, HOUSE OF DELEGATES, 1996 - PRESENT
- NEW YORK STATE BAR ASSOCIATION, VICE-CHAIR, COMMITTEE ON THE FUTURE OF THE PROFESSION, 1997 - PRESENT
- NEW YORK STATE BAR ASSOCIATION, CHAIR, SPECIAL COMMITTEE TO REVIEW THE CODE OF PROFESSIONAL RESPONSIBILITY, 1995 - PRESENT
- NEW YORK STATE BAR ASSOCIATION, MEMBER, SPECIAL COMMITTEE TO REVIEW THE CODE OF PROFESSIONAL RESPONSIBILITY, 1992-1995
- NEW YORK STATE BAR ASSOCIATION, MEMBER, SOMMITTEE ON PROFESSIONAL ETHICS, 1990-1994
- NEW YORK STATE BAR ASSOCIATION, CHAIR, TASK FORCE ON SIMPLIFICATION OF LAW, 1989-1991; MEMBER 1988-1989, 1991-1992
- NEW YORK STATE BAR ASSOCIATION, MEMBER, COMMITTEE ON COURTS OF APPELLATE JURISDICTION, 1984-1988
- ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK, CHAIR, COMMITTEE ON PROFESSIONAL AND JUDICIAL ETHICS, 1993-1996
- ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK, SECRETARY, COMMITTEE ON PROFESSIONAL AND JUDICIAL ETHICS, 1985-1988
- ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK, MEMBER, COMMITTEE ON PROFESSIONAL AND JUDICIAL ETHICS, 1990-1993
- ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK, CHAIR, DELEGATION TO THE NYSBA HOUSE OF DELEGATES, 1997 - PRESENT; MEMBER 1996 - PRESENT
- ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK, MEMBER, COMMITTEE ON PROFESSIONAL RESPONSIBILITY, 1985-1988
- ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK, CHAIR,

EXHIBITS
THOMAS CAHILL MOTION
SUPREME COURT OF NEW YORK

06/24/2004

Page 23 of 88

6/24/2004

- SUBCOMMITTEE ON PROVISION OF LEGAL SERVICES, 1987-1988
- ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK, MEMBER, COMMITTEE ON FEDERAL COURTS, 1996 - PRESENT
- ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK, MEMBER, AD HOC COMMITTEE ON PRIVATE LEGAL REFERRAL SERVICES, 1987-1989
- ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK, MEMBER, AD HOC COMMITTEE ON MASS DISASTER PREPAREDNESS, 1996 - PRESENT
- ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK, MEMBER, SPECIAL COMMITTEE ON GOVERNMENT ETHICS, 1988-1990
- NEW YORK STATE BAR ASSOCIATION, MEMBER, EXECUTIVE COMMITTEE, JUNE 1998 -

Other Affiliation:

- AMERICAN LAW INSTITUTE, MEMBER, 1993 - PRESENT

Clerkship:

- LAW CLERK, HON. JUDITH S. KAYE, NEW YORK STATE COURT OF APPEALS, ALBANY, NY, 1984-1985

Government Service:

- CHAIR, GRIEVANCE PANEL, UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK, 1995 - PRESENT
- MEMBER, DEPARTMENTAL DISCIPLINARY COMMITTEE OF THE APPELLATE DIVISION, FIRST DEPARTMENT, 1996 - PRESENT
- SPECIAL TRIAL COUNSEL, DEPARTMENTAL DISCIPLINARY COMMITTEE OF THE APPELLATE DIVISION, FIRST DEPARTMENT, 1991-1993
- MEMBER, NEW YORK STATE OFFICE OF COURT ADMINISTRATION TASK FORCE ON ATTORNEY PROFESSIONALISM AND CONDUCT, 1996 - PRESENT

Biography:

Steven Krane joined Proskauer upon his graduation from the New York University School of Law in 1981, taking a year off in 1984-85 to serve as law clerk to Judge Judith S. Kaye of the New York Court of Appeals. He became a partner in the Litigation and Dispute Resolution Department in 1989. Although a general commercial litigator, Steven has considerable experience in representing sports leagues and teams in a wide variety of matters, and also maintains a practice concentration in the field of legal ethics and professional responsibility.

Sports Law

Sports leagues and teams frequently need advice on a wide variety of issues, and Steven has been consulted by them on questions relating to, among other things, antitrust law, trademark law and labor relations. Over the past several years, Steven has represented the National Basketball Association, National Hockey League, Major League Baseball, Major League Soccer and the Women's National Basketball Association in a broad range of litigated and non-litigated matters. Among the more prominent matters in which Steven has been involved were the NBA's successful challenge to Oregon's basketball lottery, the Bridgeman and Williams antitrust lawsuits that led to the NBA's 1988 and 1994 collective bargaining agreements, the NBA players' 1995 campaign to "decertify" their union, and the 1991 arbitration concerning Patrick Ewing's claimed status as an unrestricted free agent.

A few months ago, Steven brought to a successful conclusion a racketeering case brought against the NHL by an alleged class of former players against the League and Alan Eagleson, the former Executive Director of the players' union. The players contended that the NHL and its team owners permitted Eagleson to divert money from the players' union for his own personal benefit in exchange for concessions in collective bargaining. Steven is currently defending Major League Soccer in an antitrust class action challenging the terms and conditions under which professional soccer players are employed. Major League Soccer is not a traditional, franchise-based sports league, but is structured as a single entity. The litigation, which challenges the structure of the league, has far-reaching implications for all sports leagues.

He has also been involved in successfully lobbying the U.S. Congress, which led to the Professional and Amateur Sports Protection Act of 1992 -- the law that prohibits most sports betting in the United States -- and the Governor of Oregon who, in response to legal arguments, withdrew his support for sports betting at gambling casinos in the state.

Professional Responsibility/Ethics

It has been said that "sometimes even lawyers need lawyers." Steven has been active in representing lawyers and law firms in a variety of professional matters, such as defending them against charges before grievance and disciplinary committees, representing them in disputes concerning admission to the bar, defending them in cases charging that they participated in securities fraud committed by their clients, as well as rendering opinions and otherwise counseling them on a broad range of ethical issues. He has served as a litigation consultant and has been an expert witness on a variety of issues such as conflicts of interest and solicitation of clients by lawyers leaving a law firm. Steven has written extensively on issues of professional responsibility. One of his major articles, "When Lawyers Represent Their Adversaries: Conflicts of Interest Arising out of the Lawyer-Lawyer Relationship," was published in the Hofstra Law Review in 1995 and has been relied upon by the American Law Institute's Restatement of the Law Governing Lawyers.

Steven currently serves as Chair of the New York State Bar Association's Committee on Standards of Attorney Conduct, the successor to the Special Committee to Review the Code of Professional Responsibility. These groups conducted a five-year project of reviewing and proposing a series of amendments to the ethical rules governing lawyers, which were adopted by the New York courts in 1999. He is a member at large of that Association's Executive Committee and a Fellow of the New York Bar Foundation. He served as a member of the NYSBA Committee on Professional Ethics for four years (1990-94). On June 1, 2001, he took office as President of the NYSBA, the youngest person ever to hold that post.

Steven spent nine of the 11 years from 1985 to 1996 associated in various capacities with the Committee on Professional and Judicial Ethics of the Association of the Bar of the City of New York, most recently serving a three-year term as the Committee Chair. During his tenure, the City Bar Ethics Committee published an unprecedented 35 formal opinions on a broad range of topics of general interest to the bar. Additionally, he has been a member of the New York State Office of Court Administration Task Force on Attorney Professionalism and Conduct since 1996, and was elected to membership in the American Law Institute in 1993. Steven served as a Hearing Panel Chair for both the Departmental Disciplinary Committee for the First Judicial Department and the Committee on Grievances of the United States District Court for the Southern District of New York. He also previously served as a special prosecutor for the First Department Disciplinary Committee.

Steven has taught and lectured extensively in both of his fields of concentration. He developed and taught a course in sports law at the Georgia Institute of Technology, and for several years taught legal ethics at the Columbia University School of Law as a member of its adjunct faculty. He is a frequent lecturer on professional responsibility and on antitrust and other issues affecting the sports industry.

EXHIBIT C

EXHIBIT D



EXHIBIT A

USPTO LETTER REGARDING PATENTS NOT OWNED BY THE COMPANY
SUSPENSION LETTERS FOR IVIEWIT PATENTS
IVIEWIT & STEPHEN WARNER CLAIM OF FRAUD UPON ON THE USPTO

CONFIDENTIAL

Ken,

Thank you again for your most valuable information. I was inquiring regarding application number 60/233,341 and if I could get the owner, inventor and assignee information on this application.

Thank you,

Eliot Bernstein

To: Kenneth Weider

From :

Pages: 1

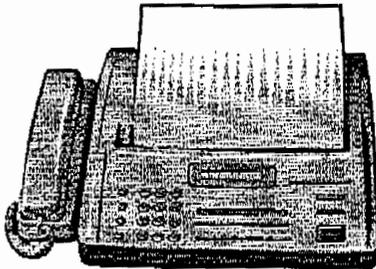
For Information Call:

Fax Number :



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov



TELECOPY/FACSIMILE
TRANSMISSION
COVER SHEET

DATE: 3/23/03

SERIAL #: / Ref #:

TO: ELIOT BERNSTEIN
(NAME)

(COMPANY OR FIRM)

561-364-4240
(FAX NO.)

(VOICELINE NO.)

FROM: K. WIEDER
(NAME)

703-305-4710
(VOICELINE NO.)

NUMBER OF PAGES 2 (including this page)

If you have not received all pages of this transmission, please contact the sender (see FROM lines above).

TECHNOLOGY CENTER 2600

TELEFAX MACHINE: 703-305-3991

TELEFAX LOCATION: CRYSTAL PARK 2, ROOM 8A36

CONFIDENTIAL

Ken,

Thank you again for your most valuable information. I was inquiring regarding application number 60/233,341 and if I could get the owner, inventor and assignee information on this application.

Thank you,

Eliot Bernstein

REPLY:

I AM UNABLE TO PROVIDE YOU THE
INFORMATION REQUESTED ABOVE

Kenneth Wieder
KENNETH WIEDER
SPECIAL PROGRAM EXAMINER
TECHNOLOGY CENTER 2600

To: Kenneth Weider
From :
Pages: 1
For Information Call:
Fax Number :

CONFIDENTIAL

Ken,

Can you please state the reason that you cannot provide such information to me or Iviewit.

Eliot

To: Kenneth Weider

From :

Pages: 3

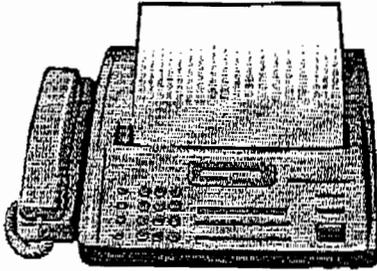
For Information Call:

Fax Number :



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov



TELECOPY/FACSIMILE
TRANSMISSION
COVER SHEET

DATE: 3/23/03

SERIAL #: / Ref #:

TO: ELIOT BERNSTEIN
(NAME)

(COMPANY OR FIRM)

521-364-4240
(FAX NO.)

SAMA
(VOICELINE NO.)

FROM: K. WIEDER
(NAME)

703-305-4710
(VOICELINE NO.)

NUMBER OF PAGES 2 (including this page)

If you have not received all pages of this transmission, please contact the sender (see FROM lines above).

TECHNOLOGY CENTER 2600
TELEFAX MACHINE: 703-305-3991
TELEFAX LOCATION: CRYSTAL PARK 2, ROOM 8A36

CONFIDENTIAL

Ken,

Can you please state the reason that you cannot provide such information to me or Iviewit.

Eliot

SEE 37 CFR 1.14
35 U.S.C. 122

- ... APPLICATIONS ARE KEPT IN CONFIDENCE ...

Eliot Note:

USPTO cannot give information to Iviewit or Eliot Bernstein because we are not listed on the application and have no rights, title or interest in it. USPTO will not even discuss with Iviewit any details of this patent which is listed in the name of Brian Utley. All portfolios prepared by our attorneys with this patent as the property of Iviewit are blatantly false and misleading.

Kenneth A. Weider
KENNETH WIEDER
SPECIAL PROGRAM EXAMINER
TECHNOLOGY CENTER 2601

To: Kenneth Weider

From :

Pages: 3

For Information Call:

Fax Number :

VIEWIT.COM PATENT PORTFOLIO

No.	F&L Dkt. No.	Country (Type)	Appl. No.	Filing Date	Application Title
10	57103/111	PCT (International)	PCT/US00/15408	6/2/2000	System and Method for Streaming an Enhanced Digital Video File
11	57103/112	PCT (International)	PCT/US00/15405	6/2/2000	System and Method for Providing an Enhanced Digital Video File
12	57103/113	PCT (International)	PCT/US00/15406	6/2/2000	System and Method for Playing a Digital Video File
13	57103/114	U.S. (Non-Provisional)	09/587,730	6/5/2000	System and Method for Streaming an Enhanced Digital Video File
14	57103/115	U.S. (Non-Provisional)	09/587,026	6/5/2000	System and Method for Playing a Digital Video File
15	57103/116	U.S. (Non-Provisional)	09/587,734	6/5/2000	System and Method for Providing an Enhanced Digital Video File
16	57103/118	PCT (International)	PCT/US00/15602	6/7/2000	System and Method for Video Playback Over a Network
17	57103/119	U.S.	09/522,721	3/10/2000	Apparatus and Method for Producing Enhanced Digital Images
18	57103/120	PCT (International)	PCT/US00/21211	8/2/2000	System and Method for Providing an Enhanced Digital Image File
19	57103/121	U.S. (Non-Provisional)	09/630,939	8/2/2000	System and Method for Providing an Enhanced Digital Image File
20	57103/122	U.S. (Provisional)	60/223344	09/18/2000	Zoom and Pan Imaging Using a Digital Camera
21	57103/123	U.S. (Provisional)	60/233341	09/18/2000	Zoom and Pan Imaging Design Tool

Utey patents
with arrows

This portfolio was prepared and submitted by William Dick for the Virginia Bar and further corresponds to the one prepared by Foley and Lardner after Utey was found with two sets of patent books. Prior, Utey only patents were not in any records. Further it is wrong to list assets like 341 which are not the property of the Company on a patent portfolio that is distributed to shareholders and investors.

VIEWIT.COM Spreadsheet

IVIEWIT.COM PATENT STATUS REPORT

05707

TITLE	OUR REF.	INVENTOR/ PATENTEE	COUNTRY	SERIAL NO./ PATENT NO.	FILED/ISSUE DATE	ASSIGNEE
-------	----------	-----------------------	---------	---------------------------	---------------------	----------

Zoom and Pan Imaging Using a Digital Camera	P020Z	Brian Utley	United States	Serial No. 60/223,344	Filed 09/18/00	Not assigned.
Zoom and Pan Imaging Design Tool	P021Z	Brian Utley	United States	Serial No. 60/233,341	Filed 09/18/00	Not assigned.

Blakely, Sokoloff, Taylor & Zafman

Updated 11/20/2003



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/630,939	08/02/2000	Eliot I. Berstein	5707P018	8688

7590 03/04/2004
IVIEWIT HOLDINGS
10158 STONEHENGE CIRCLE
SUITE 801
BOYNTON BEACH, FL 33437

EXAMINER

BRINICH, STEPHEN M

ART UNIT PAPER NUMBER

2624

15

DATE MAILED: 03/04/2004

RECEIVED
By eliot at 0:36 am, 3/10/04

Please find below and/or attached an Office communication concerning this application or proceeding.

The request for deferral/suspension of action under 37 CFR 1.103 has been approved.



UNITED STATES DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
--------------------------------	-------------	---	---------------------

EXAMINER

ART UNIT	PAPER
----------	-------

14

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

See Attached

John W. Miller
SPE
Art Unit: 2614

EXHIBITS
THOMAS CAHILL MOTION
SUPREME COURT OF NEW YORK
06/24/2004
Page 39 of 88

Art Unit: 2614

1. Pursuant to applicant's request filed on 2/26/04, action by the Office is suspended on this application under 37 CFR 1.103(a) for a period of 6 months. At the end of this period, applicant is required to notify the examiner and request continuance of prosecution or a further suspension. See MPEP § 709.


JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600



I View It Technologies, Inc.
 10158 Stonehenge Circle
 Suite 801
 Boynton Beach, FL 3343-3546
 Tel: 561 364 4240
 Fax: 561 364 4240

CONFIDENTIAL FACSIMILE COVER PAGE

MESSAGE:

Ken,

Attached is the inventor change form for 09 630 939 signed by the assignor on the patents. I am still awaiting the other inventors to sign and will forward when I get them. Also, I will be sending in similar signatures for the other applications.

Eliot

To: Kenneth Weider	From: Eliot I Bernstein
Fax #: 17033053991	Fax #: 561 364 4240
Company: United States Patent &	Tel #: 561 364 4240
Subject: 09 630 939 Iviewit Inventor Change Form	
Sent: 3/3/2004 at 2:39:52 PM	Pages: 9 (including cover)

THIS MESSAGE AND ITS EMBEDDED FILES INCORPORATED HEREIN CONTAIN INFORMATION THAT IS PROPRIETARY AND CONFIDENTIAL PRIVILEGED INFORMATION. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE PROHIBITED FROM READING, OPENING, PRINTING, COPYING, FORWARDING, OR SAVING THIS MAIL AND IT'S ATTACHMENTS. PLEASE DELETE THE MESSAGE AND ITS EMBEDDED FILES WITHOUT READING, OPENING, PRINTING, COPYING, FORWARDING, OR SAVING THEM, AND NOTIFY THE SENDER IMMEDIATELY AT 561.364.4240. IF YOU ARE THE INTENDED RECIPIENT, YOU ARE PROHIBITED FROM FORWARDING THEM OR DISSEMINATING THEIR CONTENTS TO OTHERS, UNLESS EXPRESSLY DESIGNATED BY THE SENDER. THANK YOU!

EXHIBITS
THOMAS CAHILL MOTION
SUPREME COURT OF NEW YORK



IVIEWIT HOLDINGS, INC.

Elliot I. Bernstein
Founder
Direct Dial: 561.364.4240

VIA - FACSIMILE

Thursday, February 12, 2004

U.S. Patent and Trademark Office
Commissioner of Patent & Trademarks

Re: CHANGE OF INVENTOR REQUEST - INTENT TO DECIEVE AND
COMMITT FRAUD UPON THE USPTO IS CLAIMED

US SERIAL NO. 09 630 939

Dear Commissioner of Patent & Trademarks:

Please let the attached changed of inventors request serve as an official request pursuant Section 37CFR 1.48 to change the inventors. Whereby, intent to commit fraud on the USPTO is the listed reason.

Very truly yours,

Eliot I Bernstein
President
I View It Holdings, Inc. and any/all affiliates

10158 Stonehenge Circle ♦ Suite 801 ♦ Boynton Beach, FL 33437-3546 ♦ T: 561.364.4240 ♦ F: 561.364.4240



U.S. Patent and Trademark Office
Commissioner of Patent & Trademarks
Thursday, February 12, 2004
Page 2 of 8

CHANGE OF INVENTOR REQUEST
US SERIAL NO. 09 630 939

PURSUANT TO 37CFR 1.48
INTENT TO DECEIVE AND COMMIT FRAUD UPON THE USPTO

I, Eliot I. Bernstein, as acting President of Iviewit and its affiliates, and as a named inventor on this application, hereby request that the true and correct inventors be added and the wrong inventors removed from this Non Provisional application 09 630 939 to properly name the inventors of this invention.

The listed and incorrect inventors for this application are:

Eliot I. Bernstein
Brian G. Utley

The true and correct inventors for this application are:

Eliot I. Bernstein
Zakirul Shirajee
Jude Rosario

The reason for this correction:

The true and correct inventors have been purposefully been left off this patent application by three different counsels all failing to correctly fix the inventor issues and wrong disclosures. Since the creation of the invention, our initial counsel in the Provisional filing **60 125 824** attorneys Kenneth Rubenstein of Proskauer Rose LLP ("PR") and Raymond Joao of Meltzer, Lippe, Goldstein, Wolf & Schlissel, P.C., ("MLGS") failed after repeated requests to make the inventor and content changes, although they had full knowledge of the correct inventors and the correct invention. In addition, the content of the Provisional application had changed from what the inventors disclosed initially and pertinent disclosures were left out with malice and intent to deceive the USPTO and further deprive the inventors of their inventions. Subsequent counsel to "PR" attorneys William Dick, Douglas Boehm and Steven Becker of Foley & Lardner ("FL") on this Non Provisional filing, created further errors with the inventors and failed to correct either the inventors or the content of the Provisional. This may now leave the pertinent disclosures left off and incorrect inventors, to serve as new matter in the in subsequent



U.S. Patent and Trademark Office
Commissioner of Patent & Trademarks
Thursday, February 12, 2004
Page 3 of 8

Non Provisional filings that claim priority to the Provisional application. Successor counsel to "FL" attorneys Norman Zafman, Thomas Coester and Farzad Amini of Blakely Sokoloff Taylor & Zafman LLP ("BSZT") also failed to file the corrections despite repeated requests by the Company to get the corrections to the patent office.

Initially, attorneys Kenneth Rubenstein of "PR" and Raymond Joao of "MLGS" knowingly, with malice and intent to commit fraud upon the USPTO, left inventors off the Provisional application after obtaining their signatures and disclosures in meetings. Mssrs: Rubenstein and Joao, on the subsequent Non Provisional Filing (**09 522 721**) and the PCT (**00 07772**) filings, despite being aware of the prior problems discovered, made no attempt to fix their errors on the Non-Provisional filing. They further continued the errors of their Provisional filing, despite having the inventors sign and fix the new Non-Provisional filings; these changes and signatures were completely discarded by them and again a different application was filed. Mr. Rubenstein, an Advisor to the Board and Shareholder, who under deposition claimed to not know the Company now, had been the first patent attorney to meet with the inventors and receive the disclosures and he represented that he was directing his underling Mr. Joao to do the Provisional filings with his oversight. Raymond Joao was terminated as counsel for this and other patent malfeasances that became uncovered.

To replace "MLGS", "FL" was retained to make corrections to the patents and get the correct inventors listed. Again, it was fully disclosed who the correct inventors were and what the inventions were to each of these attorneys at "FL" for this application and other applications of the Company. After reviewing Mssrs: Joao and Rubenstein's work "FL" found that Raymond Joao had failed to properly list the inventors and left out pertinent disclosures on the filings. Upon finding out about the correct inventors, "FL" attorneys stated that the corrections were being made to the Provisional & Non-Provisional applications. After meeting with and taking disclosures and signatures of the true inventors, "FL" failed to make the corrections knowingly, with malice and intent to further commit fraud on the USPTO in their Provisional, Non-Provisional and PCT applications filed by them. Further, in instances such as this application where Brain G. Utley is a listed inventor, "FL" added inventor Brian G. Utley, knowingly, with malice and intent to further commit fraud upon the USPTO, knowing that he was not an inventor in any material way to the patents and was not even there when they were invented. Finally, in instances such as this filing, true and correct inventors have been partially left off the application and others were replaced by Mr. Utley as a new inventor.

This application is also a replacement of the original patent the Company had filed with Mssrs: Joao and Rubenstein for the original invention in an effort to let the original patent expire and replace it with this application. Yet, amazingly, the application does not get



U.S. Patent and Trademark Office
Commissioner of Patent & Trademarks
Thursday, February 12, 2004
Page 4 of 8

corrected it further gets an entirely new set of inventors, again these inventors are wrong knowingly, with malice and intent to commit fraud on the USPTO. In this Non Provisional application, some of the true and correct inventors were dropped and replaced by Brian G. Utley. Mr. Utley should not be on any applications for the Company, as he has not invented anything.

It will serve to note here that it has come to the attention of the Company after an investigation into Mr. Utley's background that quite the opposite of what his resume states about his prior employment to the Company is true. At his former job as President of Diamond Turf Equipment Inc. in Florida, a company owned by a Mr. Monte Friedkin of Benada Aluminum of Florida, Mr. Utley with the aid of Mr. William Dick of "FL", had stolen off with ideas learned while employed at Friedkin's company relating to turf equipment. Mr. Utley had written these patents into his own company, Premiere Consulting, and his own name as inventor with no assignment to the company he worked for, Premiere Consulting was separate and apart from his employer. Upon discovering the absconded with patents, Mr. Friedkin demanded that the patent applications be turned over to the company as they were learned while working at his company by Mr. Utley. Mr. Utley refused to sign them over to his employer and was fired with cause immediately for these patent malfeasances. Mr. Friedkin was forced to immediately close the business and take a substantial multi-million dollar loss on the company due directly to this incident. Additionally, the company, Premiere Consulting, that was set up to receive the patents Mr. Utley misappropriated, was set up by Christopher Wheeler of Proskauer Rose LLP, who was the first person to see the technologies, who then brought to the Company to handle our patents Mssrs: Rubenstein, Joao, Utley and Dick. What Mssrs: Wheeler, Utley and Dick failed to disclose to our Company was the past patent malfeasances and the damage caused to Mr. Friedkin by their actions. I quote from the resume Mr. Wheeler submitted on behalf of his dear friend Mr. Utley to the Company to hire him as President and handle our most prized possession the patents:

Personal Resume

Professional History:

President, Diamond Turf Equipment, Inc. July, 1995 to July 1999.
In 1995 the company was engaged in refurbishing obsolete and run-out golf course maintenance equipment and had annual sales of \$250K. Since that time the company has been transformed into a manufacturer of new machines which compete favorably with the best of the market leaders and an expected revenue for 1999 of \$6M. The design of the machines was by Brian and was accomplished while putting together a manufacturing and marketing team capable of supporting the rapid growth of the company.

10158 Stonehenge Circle ♦ Suite 801 ♦ Boynton Beach, FL 33437-3546 ♦ T: 561.364.4240 ♦ F: 561.364.4240



U.S. Patent and Trademark Office
Commissioner of Patent & Trademarks
Thursday, February 12, 2004
Page 5 of 8

This resume is materially different from the truth. Mr. Utley was fired for cause and the company Diamond Turf Equipment Inc. closed upon his firing. Understanding that the same people (Wheeler, Utley & Dick) who had caused this calamity are the very same people who have caused similar harm to our Company, using similar patent malfeasances is core to understanding why our patents have such a bizarre array of problems. The very fact that this was not disclosed in writing and waivers, by any of the attorneys and further lied about in Utley's resume by Mr. Wheeler who procures the false resume to cover this up, is a sign of their intent to commit similar crime upon our Company and perpetrate similar fraud upon the USPTO. Had the Company been aware of this past patent malfeasance they were involved with the Company surely would have never hired any of them.

With this understanding, it appears that the intent of "FL" was to replace patents of the original inventions with patents whereby Mr. Utley was now named an inventor and finally in some instances Mr. Utley was named sole inventor of certain inventions of the Company. These applications in Utley's sole name are for part of the core technology that he did not invent such as this application. Further, "Zoom and Pan Imaging Design Tool" Provisional patent 60 233 341 and "Zoom and Pan Imaging Using A Digital Camera" Provisional patent 60 233 344 are further instances whereby "FL" writes patents directly into Mr. Utley's name in an attempt to abscond with core formula's and ideas of the original inventions by the true and correct inventors. These Provisional patents with Mr. Utley as sole inventor with no assignment to the Company, were not disclosed to the Company or its shareholders and were only revealed when the Company found in Mr. Utley's possession a set of patents that was markedly different than what the inventors were seeing and signing for. These inventions were undisclosed to the Company and appear to be filed in an attempt to abscond with core features of the original inventions from the true and correct inventors listed above. When caught with two sets of patent books, similar to maintaining cooked accounting books, Mr. Utley was terminated with cause and "FL" was terminated as patent counsel. This patent 09 630 939, has similar elements to their prior patent scam at Diamond Turf, Inc. in that Mr. Utley rewrites with the aid of Mr. Dick and other "FL" attorneys, patents again into his name that were not his inventions. This Non Provisional patent 09 630 939 was replacing the original Provisional, which Joao had already filed as Non Provisional, which "FL" then claimed Joao's work was so wrong, that correcting it was impossible, and this new Non-Provisional needed to be filed with the correct content and correct inventors. Knowing the true and correct inventors and having had them sign applications for what appeared the true invention, "FL" attorneys then threw those signatures and the application out and replaced it with this application before the USPTO, claiming Mr. Utley as an inventor and replacing himself with inventors Mssrs: Rosario and Shirajee.



U.S. Patent and Trademark Office
Commissioner of Patent & Trademarks
Thursday, February 12, 2004
Page 6 of 8

Finally, "BSZT" the last attorneys of record handling the patents, also failed to file the correct inventors knowingly, with malice and intent to further perpetrate and cover up such fraud of prior attorneys to the USPTO, after repeatedly being requested to make the changes to them. Upon finding that Mr. Utley was not an inventor of anything and that the inventors were wrong, "BSZT" assured the Company that these issues were being corrected. They had me sign a power of attorney on Mr. Utley's behalf to turn the inventions back over to the Company in his name and remove him from any applications his name appeared on, due to his employment and invention agreements signed with the Company that strictly prohibited such misappropriations. Mr. Utley was to be removed from any/all patents that have his name on them and the ones in which he was named as the sole inventor, were to be corrected and turned back over to the Company. Now, upon contacting the USPTO we find that many of these changes remain unchanged, in what appears another attempt to continue this fiasco and cover up for the attorneys before them, "BSZT" made virtually no changes requested by the Company.

At all times, all attorneys were fully cognizant of the true inventors and the true invention for this application. Finally, all these attorneys failed to report the prior counsels misconduct in these matters to the OED Director or any other department at the USPTO or other Federal Agencies and left the Company with many serious problems in the patents. The incorrect inventors are a great risk to the shareholders of the Company and need to be remedied immediately if possible, as the assignment of these patents to the Company and any successive assignments are not signed by the true and correct inventors and thus pose the question of what they currently have rights to in relation to their investments. Finally, many of the attorneys involved in these patents appear to have financial interests and severe conflicts of interest with the Company whereby the company's inventions being approved would stand in direct conflict with either with inventions of their own (Raymond Joao) or patent pools overseen by them (Kenneth Rubenstein).

Currently, I am listed on the patents for examination purposes and after reviewing the inventors listed have determined on behalf of Iviewit and its affiliates, and, on my own behalf as an original inventor at the time of creation, that the true inventors are as listed above and not what exists currently on this application. I was there at the time of invention and all times relevant hereto, and, swear that all of the following statements are true and correct statements to the best of my knowledge.



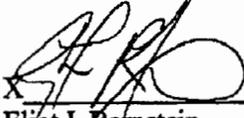
U.S. Patent and Trademark Office
Commissioner of Patent & Trademarks
Thursday, February 12, 2004
Page 7 of 7

These issues and many other of attorney misconduct in the above mentioned application are currently under a pending investigation with the Director of OED whom advised me to begin correcting the inventor issues with the USPTO Examiners.

Signed on this 11th day of February 2004,

By:


X _____
Eliot I. Bernstein
President Iviewit and any/all affiliates


X _____
Eliot I. Bernstein
Inventor



U.S. Patent and Trademark Office
Commissioner of Patent & Trademarks
Thursday, February 12, 2004
Page 8 of 8

I have read the attached reasons for change in inventor with the USPTO and approve of the changes.

By:

X _____
Zakirul Shirajee - Inventor

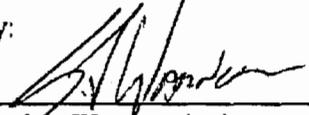
On this ____ day of February 2004

By:

X _____
Jude Rosario - Inventor

On this 2nd day of ^{March} ~~February~~ 2004 *sw*

By:

X 
Stephen Warner - Assignee
Alpine Venture Capital Partners LP

STEPHEN WARNER IS CEO AND CO-FOUNDER OF CROSSBOW VENTURES, A PROMINENT SOUTH FLORIDA VENTURE FUND. THE FUND HAS INVESTED APPROXIMATELY FOUR MILLION DOLLARS IN IVIEWIT THROUGH ALPINE VENTURE CAPITAL PARTNERS LP.

COMPANY PROFILE

OVERVIEW

Crossbow Ventures is a West Palm Beach based venture capital firm managing over \$160 million on behalf of European and American institutions and individuals.

With headquarters in Florida, Crossbow is positioned as one of the leading venture funds in the Southeast U.S., the nation's third largest region in terms of venture capital investments. The firm also has a strong network in Europe with an active Advisory Board and a representative office in Zurich, Switzerland.

Through its two managed funds, Crossbow Equity Partners LP and Crossbow Venture Partners LP, a Small Business Investment Company (SBIC), Crossbow typically invests \$1 to \$6 million in each Portfolio Company, often over several stages of an investment.

TEAM

Crossbow's team consists of seasoned venture capitalists with extensive experience in various industries and market cycles. Investment professionals include:

- *Stephen Warner, Chairman and Co-Founder.* Over 30 years of experience on Wall Street as Investment Banker and Venture Capitalist. Former President/CEO of Merrill Lynch Venture Capital. Consultant to the U.S. Government on the evaluation of the American Enterprise funds in Eastern Europe. BS degree from MIT and MBA from Wharton.
- *Rene Eichenberger, Managing Partner and Co-Founder.* Responsible for the overall management of the firm. Former General Counsel of the Jet Aviation Group of Companies. Ph.D. in law from Zurich University and Alumni Stanford Graduate School of Business, SEP 2002. Director Florida Venture Forum, Chairman Swiss-American Chamber of Commerce, Florida Division.
- *Ravi Ugale, Partner.* Over 17 years of high-tech industry experience with IBM, Siemens and Xerox. BS (Engineering), MS (Computer Science) Marquette University and Executive MBA from Florida Atlantic University. Director/Co-Founder TIE-Florida, Program Chairman Florida Venture Forum, and Director EDC.

- *Matthew Shaw, Partner.* Financial industry experience with Deloitte & Touche and over 5 years of venture capital experience with Prime New Ventures and Centennial Ventures. BS degree from University of Miami and MBA from Harvard.

Crossbow's experience and the firm's U.S. and international network provide portfolio companies with the guidance and the resources needed to confront many of today's business challenges and opportunities.

INVESTMENT APPROACH

Crossbow concentrates its lead investments in the Southeast U.S. Industry sectors include:

- *Information Technology.* Emerging growth businesses in the IT services, network infrastructure, software, and Internet enabled technology areas.
- *Telecommunications.* Companies that provide enhanced services for broadband voice and data applications.
- *Healthcare.* Companies in the fields of diagnostics, therapeutics, healthcare services and the application of information technology toward the improvement of efficiency and cost reductions in the medical industry.
- *Financial Services/Others.* Emerging companies that have a breakthrough technology, high growth prospects, and the potential to become industry leaders.

Crossbow Ventures endorses a proactive, hands-on approach that permits maximization of core competencies and top-level assistance to portfolio companies via a long-term commitment.

Further information on Crossbow Ventures can be found at www.crossbowventures.com

Crossbow Ventures Inc. is a West Palm Beach based venture capital firm managing \$160 million on behalf of European and American institutions and individuals.

Placing investments through two managed funds, Crossbow Equity Partners LP and Crossbow Venture Partners LP (a Small Business Investment Company, "SBIC"), our firm concentrates its lead investments in the Southeastern US and co-invests with a number of other venture capital funds across the US. Industry sectors include Information Technology, Telecommunications, Life Sciences/Healthcare and Financial Services/Transaction Processing.

CROSSBOW MANAGEMENT

As one of the leading funds in the Southeastern US, Crossbow Ventures consist of a team of successful investment professionals with exceptional credentials and strong backgrounds in a variety of industries and divisions.

We strive to provide our portfolio companies with the guidance and the resources needed to confront many of today's business challenges and opportunities. Our mission is to assist each entrepreneur and portfolio company on a value added basis to enhance their continued success.

Stephen J. Warner brings over 30 years of experience as a Wall Street investment banker and venture capitalist to Crossbow Ventures. Prior to co-founding Crossbow Ventures, Stephen served as president, chief executive officer, and co-founder of Merrill Lynch Venture Capital, Inc. which, under his leadership, grew to more than \$250 million in venture funds under management. In addition, Stephen served on internal investment committees for the selection of venture capital, leveraged buyout, research and development, real estate, oil & gas and equipment leasing investments for Merrill Lynch executives. Stephen has also served as a U.S. government consultant to evaluate the American Enterprise Funds, established by U.S. Congress to promote the development of free enterprise and entrepreneurship in Eastern Europe. His education includes a Bachelor of Science degree from the Massachusetts Institute of Technology and a Master of Business Administration from the Wharton School of Business.

Name:	Stephen J. Warner
Function:	Co-Founder and Chairman
E-Mail:	SWarner@crossbowventures.com
Market Focus:	Information Technology, Financial Services, Environment
Education:	<ul style="list-style-type: none">• LL.B Blackstone School of Law• Master of Business Administration Wharton School of Business• Bachelor of Science MIT
Current Board Positions:	<ul style="list-style-type: none">• Reward Solutions Corporation• Skylight Financial Corp.

EXHIBIT E

{INSERT CAHILL COMPLAINT}



Facsimile

To: Paul J. Curran, Esq. - Chairman
First Judicial Department Disciplinary
Committee

From: Iviewit Holdings, Inc. – Eliot I. Bernstein &
P. Stephen Lamont

Fax: 212-401-0810

Pages: 34 Including Cover Page

Phone: 212-401-0800

Date: 6/9/2004 2:33 PM EST

Re: Complaint – Thomas J. Cahill

CC:

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

● **Comments:**

PLEASE DELIVER TO PAUL J. CURRAN ONLY

Please contact Iviewit to acknowledge receipt of this message at 561.364.4240.

Thank you

THIS MESSAGE AND ITS EMBEDDED FILES INCORPORATED HEREIN CONTAIN INFORMATION THAT IS PROPRIETARY AND CONFIDENTIAL PRIVILEGED INFORMATION. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE PROHIBITED FROM READING, OPENING, PRINTING, COPYING, FORWARDING, OR SAVING THIS MAIL AND IT'S ATTACHMENTS. PLEASE DELETE THE MESSAGE AND ITS EMBEDDED FILES WITHOUT READING, OPENING, PRINTING, COPYING, FORWARDING, OR SAVING THEM, AND NOTIFY THE SENDER IMMEDIATELY AT 561.364.4240. IF YOU ARE THE INTENDED RECIPIENT, YOU ARE PROHIBITED FROM FORWARDING THEM OR OTHERWISE DISCLOSING THESE CONTENTS TO OTHERS, UNLESS EXPRESSLY DESIGNATED BY THE SENDER. THANK YOU!



I VIEW IT HOLDINGS, INC

FACSIMILE TRANSMITTAL SHEET

TO:	Attorney General for the State of New York - Eliot Spitzer	FROM:	Eliot I. Bernstein
FAX NUMBER:	212-416-8787	DATE:	June 10, 2004
COMPANY:	New York State Office of the Attorney General	TOTAL NO. OF PAGES INCLUDING COVER:	35
PHONE NUMBER:	212-416-8345	SENDER'S REFERENCE NUMBER:	[Click here and type reference number]
RE:	COMPLAINT AGAINST THOMAS J. CAHILL - CHIEF COUNSEL FIRST DEPARTMENT DISCIPLINARY	YOUR REFERENCE NUMBER:	[Click here and type reference number]

- URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:
PLEASE DELIVER TO NEW YORK ATTORNEY GENERAL ELIOT SPITZER FOR REVIEW.



IVIEWIT HOLDINGS, INC.

Elliot L. Bernstein
President, Founder & Inventor
Direct Dial: 561.364.4240
Email: elliot@iviewit.com

By: FACSIMILE

Wednesday, June 09, 2004

Paul J. Curran, Esq.
Chairman
First Judicial Department Disciplinary Committee
61 Broadway, 2nd Floor
New York, NY 10006

RE: COMPLAINT OF IVIEWIT HOLDINGS, INC. AGAINST THOMAS J. CAHILL

Dear Mr. Curran:

Please accept this letter to serve as a formal complaint by Iviewit Holdings, Inc. ("Company") and its shareholders against Thomas J. Cahill ("Respondent"). On May 27, 2004, Respondent acknowledged a conflict of interest caused by the responses of Steven C. Krane ("Krane"), a partner of Proskauer Rose LLP ("Proskauer") made on behalf of himself, his firm and its partners. The clearest conflict is that Krane is a member both past and present at the New York State Supreme Court Appellate Division First Department – Departmental Disciplinary Department ("Department") where the conflict has already had an effect that constitutes immediate action by the Department or its oversight. The Department must take immediate action to prevent further corruption or even the continued appearance of impropriety in the complaint process at the Department and the Company further demands that the complaints listed below be given immediate due process void of conflicts by Krane and/or Cahill:

- Complaint against Kenneth Rubenstein ("Rubenstein") and Proskauer Docket 2003.0531 – See Respondent for copies of the complete file
- Complaint against Raymond A. Joao ("Joao") and Meltzer Lippe Goldstein & Schlissel (MLGS) Docket 2003.0532 – See Respondent for copies of the complete file
- Complaint against Steven C. Krane – Filed May 20, 2004
- Complaint against Proskauer Rose LLP and all partners – To be filed
- Complaint against Thomas J. Cahill - Filed

10158 Stonehenge Circle * Suite 801 * Boynton Beach, FL 33437-3564 * T/F (561) 364-4240

www.iviewit.com * iviewit@adcfilm.net

PAGE 1 OF 33
6/9/2004 9:09 AM

A handwritten signature in dark ink, appearing to be the initials "LB", is written over the page number and date information.

EXHIBITS
THOMAS CAHILL MOTION
SUPREME COURT OF NEW YORK
06/24/2004
Page 56 of 88



Paul J. Curran, Esq.
Chair
First Judicial Department Disciplinary Committee

It is the Company's contention that due to Rubenstein's inability to adequately defend himself against the charges he faces, that he intentionally sought to buy himself out of investigation through the selection of Krane, a man so well known throughout the Department having served public office with the Department since 1991, so influential as to have no doubt of conflict, to aid him in his defense, clearly knowing the conflict and hoping that Krane's influence at the Department would cause prejudice in his favor. That once Rubenstein recruited Krane, an underling in his department at Proskauer, that Krane then sought favoritism through Respondent, using his past relationship with Respondent and his position of influence at the Department, to deny due process to the Company's complaints. Finally, that once this system of abuses was established, that the Department was used, as a Proskauer shield, to influence other state and federal agencies investigating these matters, through false and misleading information regarding the outcome of the Company complaints, so as to cause prejudice in these investigations.

Krane's past and present affiliations, vis-à-vis the Department and additionally his conflicted roles at New York State Bar Association ("NYSBA") preclude him from any involvement even with disclosure of the conflict which shockingly was never made in his responses, in the complaints against his firm, the firm's partners and finally himself. As you will see from Respondents files the complaints are significantly greater than malpractice and ethics violations and further seeks redress from other regulatory bodies for including but not limited to; fraud against government agencies, theft of patents by patent attorneys, falsification of documents and conversion. To this end the Company feels that every move made prior in the complaint process becomes highly tainted throughout the Department when viewed knowing the conflict that existed, that it is now impossible to now have fairness restored and due process at the Department given. Therefore, let this letter serve as a request to move the entire matter herein and all Company complaints, to the Departments direct oversight under §605.6 of the New York Code, Rules and Regulations ("NYCRR") and any other applicable codes that govern the Department and its members that may apply.

I. INTRODUCTION

For your convenience the following timeline of events regarding the complaints at the Department is provided below:

- February 25, 2003 – Rubenstein/Proskauer complaint filed.
- February 26, 2003 – Joao/MLGS complaint filed.
- February 2003 - Unexplained combining of the Rubenstein and Joao complaints, even though the Joao filing was initially made in the proper jurisdiction at the Second Department and then transferred to the Department.
- April 11, 2003 - Rubenstein Response submitted and authored by Krane as counsel for Rubenstein and the firm of Proskauer.
- June 2003 - Iviewit Rebuttal to Rubenstein's response submitted and authored by Krane.
- September 2, 2003 - Misaddressed and never received by the Company letter from Respondent to the Company of the deferment of the complaints pending against Rubenstein and Joao until the final adjudication of the irrelevant and not similar Florida state billing litigation by and between the Company and Proskauer.

10158 Stonehenge Circle * Suite 801 * Boynton Beach, FL 33437-3564 * T/F (561) 364-4240

www.iviewit.com * iviewit@cedipbl.com

PAGE 2 OF 33
6/9/2004 9:09 AM

EXHIBITS
THOMAS CAHILL MOTION
SUPREME COURT OF NEW YORK
06/24/2004
Page 57 of 88



Paul J. Curran, Esq.
Chair
First Judicial Department Disciplinary Committee

- January 9, 2004 – the Company, after learning that Proskauer and others were claiming in other state and federal actions against them, that the Department had “dismissed” the case after investigation involving the attorney’s Rubenstein and Joao, calls Respondent to find the Department’s September 2, 2003 letter had been “lost” and never returned to the Department although clearly misaddressed.
 - Upon review of the lost letter, the Company finds contrary to false claims to other investigatory bodies by Respondents and their cohorts, that the case had been “dismissed” that the letter does not state that the case had been “dismissed” and that it had been delayed only pending a billing litigation with Proskauer.
 - Respondent is notified that the Florida billing litigation has completed and that none of the charges other than billing issues had been addressed by the Florida court.
 - Respondent states he is opening the file for immediate investigation and reviewing the complaint personally. He apologizes for the delay caused by the “lost” letter and promises a prompt review with a report back the following week.
- January–May 2004: Then the farce continues as five months of unanswered calls goes by with Respondent not returning a single call.
 - Further submissions by the Company showing further allegations of perjury and false and misleading statements by both Rubenstein and Joao in their responses to the Department.
 - Notification to Respondent of United States Patent and Trademark findings leading to suspension of patent applications pending further investigations.
- May 20, 2004 - Discovery of Krane conflicts at the Department.
 - Respondent receives a letter from the Company requesting the striking of the first Krane response on behalf of Rubenstein citing conflict of interest.
 - The Company files a written formal complaint against Krane for conflicts of interests
- May 21, 2004 – Krane letter to Respondent requesting to not strike Rubenstein response and requesting that the Company’s complaint be disregarded against himself, Exhibit (“A”).
 - Krane in his response fails to disclose his current Department position.
 - Krane wrongly states the position of the case against Rubenstein as being “dismissed” by the Department and uses Proskauer’s pattern of behavior of confusion and delay to further stymie due process.
- May 2004 – Numerous calls to Respondent whereby he refuses to document Krane’s positions at the Department
 - Refuses to file charges of conflict against Krane or begin investigation despite receiving formal written requests by the Company and a formal written response by Krane.
 - Refuses to have Krane’s prejudicial response stricken in the Rubenstein and Joao complaints.
- May 28, 2004 – Respondent is confronted with conflict verified by the Clerk of the Court and the Clerk’s request to have the case motioned out of the Department to an independent review panel.

10158 Stonehenge Circle * Suite 801 * Boynton Beach, FL 33437-3564 * T/F (561) 364-4240

www.i-viewit.com * i-viewit@i-viewit.com

PAGE 3 OF 33
6/9/2004 9:09 AM

A handwritten signature in blue ink, appearing to be the initials "AB" or similar, written over the page number and date information.

EXHIBITS
THOMAS CAHILL MOTION
SUPREME COURT OF NEW YORK
06/24/2004
Page 58 of 88



Paul J. Curran, Esq.
Chair
First Judicial Department Disciplinary Committee

- o Respondent suddenly admits conflicts exist and agrees to have a motion to move the complaint against Rubenstein to another authority void of conflict, in accordance with the Clerk's request.
- o Respondent admits that the case has NEVER been reviewed and states that a paralegal will start after college graduation.
- o Company demands that Respondent move the matter.
- June 7, 2004 – Complaint against Respondent filed.
- Year 2003, Department's September 2, 2003 decision being used to influence the Florida state court stating false and misleading conclusion of the complaints against Rubenstein and Joao.
- Year 2003-2004, Department's September 2, 2003 decision being used to influence The Florida Bar stating false and misleading conclusion of the complaints against Rubenstein and Joao.
- Year 2003-2004 Department's September 2, 2003 decision being used to influence The Virginia Bar stating false and misleading conclusion of the complaints against Rubenstein and Joao.

That, after the Company discovered a conflict with Krane, and prior to Respondent's eventual admission of such conflict, the Company sent a May 20, 2004 letter to Respondent requesting the striking of the response of Krane on behalf of Rubenstein, and simultaneously the Company filed a complaint against Krane for a conflict of interest and false advertising. As a result of his April 2003 response on behalf of Rubenstein and his May 21, 2004 response on behalf of himself, the Company claims that Krane used his conflicted position to influence the Department and has already prejudiced the Company's complaints against Rubenstein, Joao and now Krane so severely as to deny them due process completely.

On May 21, 2004 responding for the complaint against himself, which was conducted in a manner void of ethics and lack of Department rules, Krane directly requests that Respondent personally dismiss the complaint against himself based on wholly false, factually incorrect and misleading statements to the Department. Although Krane tenders a Response to the Complaint, Respondent refuses to make the complaint formal and requests the Company submit another complaint against Krane, knowing the Company's position it appears that Respondent is conforming to Proksauer's behavior; in this case to cause the Company to redo that which it already has done. The Company asserts that the answer by Krane to his complaint be considered Krane's formal response under Department rules. Respondent allows this response of Krane on behalf of Krane to estoppel action against Krane, and refuses to file the Company's complaint, knowing all the while that Krane serves as a current Referee at the Department and failing to disclose it.

Please note that in Krane's response to his own complaint, he attempts to also deny his conflict citing that the NYSBA and the Department are not inter-related and do not cause conflict for him. So engorged in his denial of the conflict, Krane purposely, with malice and intent to deceive, fails to list his current relations with the Department that cause irrefutable conflict. Krane further attempts to mislead the Company and the Department citing Complainants, who are Southerners, are therefore ignorant of the New York separation between the NYSBA and the Department to defend his conflict. Krane attempts to distance himself through this normal separation of the

10158 Stonehenge Circle * Suite 801 * Boynton Beach, FL 33437-3564 * T/F (561) 364-4240

www.fidelsol.com * www.iviewit.com



Paul J. Curran, Esq.
Chair
First Judicial Department Disciplinary Committee

Department and the NYSBA using this false logic, as the separation applies to everyone but Krane who serves numerous roles at both Organizations that overlap regarding the creation and enforcement of The Lawyer's Code of Professional Responsibility ("Code"). The statement although true on the one hand for almost all attorneys who are members of the NYSBA or the Department does not apply when one is a member of both Organizations and serves committees that similarly create the Code for NYSBA and then sits in numerous positions which enforce the Code through the Department, for these few attorneys a conflict clearly exists. Due to the shared rules of the NYSBA and the Departments enforcement of the rules of the NYSBA, certain ethics committees, rules committees and other roles have conflicts. These positions absolutely conflict him in acting for any party in these matters, as the duality of his roles and his partner position at Proskauer creates a major conflict. So large is the conflict, that Krane, a professor of ethics, has no defense in his failure to avoid impropriety. Respondent knowing of Krane's conflict failed in his duties from preventing Krane to act on behalf of anyone in these matters and further failed in his duties by not filing immediate charges against Krane under the Department rules and under the NYSBA Code. On a final note, Krane's attack against the Company as southern hillbillies incapable of understanding New York conflicts of interest also fails in that one of the Complainants, P. Stephen Lamont, was born and raised in "Southern" New York and graduated Columbia Law school located deep in the heart of the South.

The Company points to positions held by Krane at the Department that cause conflict and as a member of the Department should have constituted immediate actions by Respondent. The company references § 603.1 Application § 605.6 Investigations and Informal Proceedings of the Departmental Rules, Exhibit ("B").

The Company states that Krane has conflict in his roles both past and present with the Department as listed below:

2004	COMMITTEE, APPELLATE DIVISION, FIRST JUDICIAL DEPARTMENT REFEREE
*2004-1996	MEMBER, DEPARTMENTAL DISCIPLINARY COMMITTEE OF THE APPELLATE DIVISION, FIRST DEPARTMENT
*2004 -1996	MEMBER, NEW YORK STATE OFFICE OF COURT ADMINISTRATION TASK FORCE ON ATTORNEY PROFESSIONALISM AND CONDUCT
2004-1995	CHAIR, GRIEVANCE PANEL, UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK
1999-1998	COMMITTEE, APPELLATE DIVISION, FIRST JUDICIAL DEPARTMENT - HEARING PANEL CHAIR)
1997-1996	COMMITTEE, APPELLATE DIVISION, FIRST JUDICIAL DEPARTMENT HEARING PANEL MEMBER
1998	COMMITTEE, APPELLATE DIVISION, FIRST JUDICIAL DEPARTMENT - HEARING PANEL REFEREE
1993-1991	SPECIAL TRIAL COUNSEL, DEPARTMENTAL DISCIPLINARY COMMITTEE OF THE APPELLATE DIVISION, FIRST DEPARTMENT.

Further, the Company asserts that the following positions held at the NYSBA also pose a conflict problem for Krane, whereby the NYSBA and the Department work together on the creation of the Code and the enforcement of such Code.

10158 Stonehenge Circle * Suite 801 * Boynton Beach, FL 33437-3564 * T/F (561) 364-4240

www.iviewit.com * info@iviewit.com

PAGE 5 OF 33
6/9/2004 9:09 AM

EXHIBITS
THOMAS CAHILL MOTION
SUPREME COURT OF NEW YORK
06/24/2004
Page 60 of 88



Paul J. Curran, Esq.
Chair
First Judicial Department Disciplinary Committee

2004-1996	NEW YORK STATE BAR ASSOCIATION, MEMBER, HOUSE OF DELEGATES
2004-1998	NEW YORK STATE BAR ASSOCIATION, MEMBER, EXECUTIVE COMMITTEE
2004-1997	NEW YORK STATE BAR ASSOCIATION, VICE-CHAIR, COMMITTEE ON THE FUTURE OF THE PROFESSION
2004-1995	NEW YORK STATE BAR ASSOCIATION, CHAIR, SPECIAL COMMITTEE TO REVIEW THE CODE OF PROFESSIONAL RESPONSIBILITY
2004-1997	ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK, CHAIR, DELEGATION TO THE NYSBA HOUSE OF DELEGATES
2004-1996	ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK, DELEGATION TO THE NYSBA HOUSE OF DELEGATES MEMBER
2004-1996	ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK, MEMBER, COMMITTEE ON FEDERAL COURTS, 1996
2002-2001	NEW YORK STATE BAR ASSOCIATION, PRESIDENT, 2001-2002

***Appointments listed currently by Krane in his recently updated biography and disputed by Respondent**

Accordingly, and for ease of reference, the Company inserts the major allegations of the Complaint within the framework of the Code, cross referencing Title 22 of New York Codes, Rules and Regulations ("NYCRR"), in particular Section 603 (Attorney Conduct) and Section 605 (Rules Regulating the Department) and any other codes or sections of law as may apply to these circumstances and determined by the Department or other such review body.

II. DR 1-102 [§1200.3] MISCONDUCT AND ALL OTHER CODE OR DEPARTMENT CODE VIOLATIONS THAT MAY BE APPLICABLE.

The Company re-alleges and incorporates by this reference herein, as though fully set forth, Section I, inclusive. The Company alleges that Respondent failed to act in accordance with the Department's rules and the rules of NYSBA Code. The Company alleges misconduct in his failure to perform his obligations for the Department, while allowing and participating in a conflict of interest. Once aware of the conflict, the Company alleges that Respondent still took no corrective actions and further interfered with due process.

With respect to the Company's complaint against Rubenstein and Joao, upon information from the Department, the Joao complaint has been merged with the Rubenstein complaint to further stifle due process of the Joao complaint, although Joao had originally been filed in the proper district for his offices, Joao wrongly ends up at the Department. Where such a connection with Krane imparts further influence and still further prejudices the Company's complaint against Joao; Respondent, in his role as Chief Counsel, knowingly and willfully allowed the merger of the two complaints, thus prejudicing both by the conflicted response of Krane. The Company requests that both Respondent and Krane relinquish any positions held at the Department until the outcome of the complaints reach conclusion and cite § 603.4 Appointment of Disciplinary Agencies; Commencement of Investigation of Misconduct; Complaints; Procedure in Certain Cases, Exhibit ("C").

Respondent fails to follow Department procedures whereby he further delays the matter of Rubenstein & Joao based on a wholly irrelevant civil litigation. Upon the Company learning that Respondents and other accused perpetrators were claiming to other state and federal investigatory bodies that the Departments ruling after investigation was a dismal of charges, the

10158 Stonehenge Circle * Suite 801 * Boynton Beach, FL 33437-3564 * T/F (561) 364-4240

www.i-view-it.com * i-view-it@i-view-it.com

PAGE 6 OF 33
6/9/2004 9:09 AM

EXHIBITS
THOMAS CAHILL MOTION
SUPREME COURT OF NEW YORK
06/24/2004
Page 61 of 88



Paul J. Curran, Esq.
Chair
First Judicial Department Disciplinary Committee

Company called the Department to find that a letter had been sent and never received by the Company due to a misaddressed postmark by the Department. Finally, several days after asking for the letter, the Company found that the letter clearly did not dismiss the case after investigation into the matters, as was being claimed to other agencies investigating matters similar, it merely had put the matter on hold pending a civil billing litigation that should have never held up the investigations in the first place. The inclusion of Joao, who was never a part of the civil litigation with Proskauer, into similar delay, appears now a method used by Respondent to avoid due process against Joao. Therefore, the Company alleges Respondent violated the following rules § 605.9 ABATEMENT OF INVESTIGATION, Exhibit ("D").

Due to Respondents complete disregard for the rules by allowing such obvious conflict to prejudice the Company complaints, we ask Cahill to resign, citing § 603.11 Resignation of Attorneys Under Investigation or the Subject of Disciplinary Proceedings, Exhibit ("E").

Finally, the Company contacted Respondent and after being notified by the Company that the wholly dissimilar billing litigation with Proskauer was over for several months, Respondent promised a speedy personal review of the matters and then avoided the Company for another five months. Despite repeated calls and further submissions of newly discovered allegations and evidence against Rubenstein and Joao, including charges showing that Rubenstein and Joao had falsified and perjured information to the Department, Respondent would not return a call.

III. DR 1-103 [§1200.4] DISCLOSURE OF INFORMATION TO AUTHORITIES AND ALL OTHER CODE VIOLATIONS THAT MAY BE APPLICABLE.

The Company re-alleges and incorporates by this reference herein, as though fully set forth, Section I and II, inclusive. Moreover, the Company further re-alleges that Respondent possessed knowledge of a violation of DR 1-102 [§1200.3] that raises a substantial question as to the honesty of Respondent, Respondent's trustworthiness, Respondent's fitness as a lawyer, and who has allowed a conflicted response by Krane to remain as part of the record of the Rubenstein complaint and allowed a conflicted response of Krane on behalf of Krane to stop charges against him.

The charges against Proskauer Rose, LLP, Meltzer Lippe Goldstein & Schlissel, Rubenstein and Joao consist of the following, ethical, criminal and civil violations, that all should have led to immediate investigation and reporting to proper authorities by Respondent:

- Patent Theft by Proskauer, MLGS, Rubenstein & Joao
- Violation of Section 8 of the Constitution of the United States
- Violations of 15 U.S.C. Sherman Antitrust Act §§ 1 and 2
- Fraud Upon the United States Patent & Trademark Offices
- Fraud Upon Iviewit
- Mail & Wire Fraud
- Perjured Deposition of Rubenstein
- False and misleading statements to the Department by Joao, Rubenstein & Krane
- Violation of the Racketeer Influenced and the Corrupt Organizations Act, and

10158 Stonehenge Circle * Suite 801 * Boynton Beach, FL 33437-3564 * T/F (561) 364-4240

www.iviewit.com * i.viewit@adiphip.net

PAGE 7 OF 33
6/9/2004 9:09 AM



Paul J. Curran, Esq.
Chair
First Judicial Department Disciplinary Committee

- Supplemental state causes of action including, but not limited to:
 - Legal malpractice
 - Violations of Attorney Client relationship
 - Breach of contract
 - Breach of implied contract
 - Tortious interference with business relationships
 - Misappropriation and conversion of funds and
 - Breach of fiduciary duties as Advisory Board Members

After learning of Krane's conflict, Respondent refused to disclose in writing all of Krane's positions both past and present with the Department to the Company. The Company finally was forced to go outside the Department whereby it contacted the Clerk of the Court, Catherine O'Hagan Wolfe ("Wolfe"), New York State Supreme Court - Appellate Division First Department ("First Department Appellate") directly. After hearing of the allegations, Wolfe who knows both parties Krane and Respondent, instructed the Company to draft a motion to herself as Clerk at the First Department Appellate, requesting to have the complaint of Kenneth Rubenstein moved outside the Department void of the influence and the cited conflicts between Krane, Respondent and the Department. Also disclosed was the fact that despite Krane and Respondent's prior denial of Krane's current involvement with the Department, that Wolfe so informed the Company of a Referee position held by Krane currently and was unsure of the other positions he may currently hold and/or have held during the time since the Company's initial complaints were filed.

Furthermore, when Krane submitted his May 21, 2004 response addressed and faxed directly to Respondent and further copied Complainants, whereby Respondent received and acknowledged such fax, Krane responds as a pro-se respondent in his own complaint and asks Respondent to disregard the complaint filed against him based on false and misleading statements, while having an irrefutable current conflict. Respondent should have immediately, knowing of the conflict within the Department, moved this matter to the Chair and lodged the Company's written complaint against Krane for further proffering such conflicted response in defense of himself using his influence to influence his own complaint. Respondent clearly disregards the very ethics he is charged with enforcing, and refuses to file necessary charges against Krane, although having already received a formal response from Krane to the Company's complaint. The Company repeatedly requested that Respondent; (i) remove Krane from all positions of undue influence with respect to the Rubenstein, Joao and Krane complaints (ii) file charges against Krane and Rubenstein for blatant disregard for the Department rules on conflicts (iii) charge Krane and Rubenstein with abuse of public office (iv) de-merge the Joao complaint and (v) motion the complaints out the Department due to the conflicts damage thus far. We find Respondent so favors Krane, that Respondent does absolutely nothing.

Krane's current biography at the Proskauer website and the statements made by Respondent that Krane's biography is factually incorrect and misleading, as it states present positions held at the Department by Krane, should have also led to reprimand of Krane under rules of false and misleading advertising. Respondent's further refusal to disclose Krane's positions and times held in writing to the Company, based on his worry about his "integrity" at the Department, leads one

10158 Stonehenge Circle * Suite 801 * Boynton Beach, FL 33437-3564 * T/F (561) 364-4240

www.iviewit.com * iviewit@adehdbio.net

PAGE 8 OF 33
6/9/2004 9:09 AM



Paul J. Curran, Esq.
Chair
First Judicial Department Disciplinary Committee

to wonder what the precise timing of Krane's membership and positions within the Department are and further question if Respondent is capable and/or culpable in these matters. Respondent further attempts to dissuade the Company from filing a complaint against Krane reciting from Krane's response that he is affiliated only with the NYSBA, and since the NYSBA is not related to the Department, no charges should be filed. Again, Respondent has knowledge at the time that Krane is a member of the Department and fails to disclose his position with the Department. Respondent's recital of Krane's response of the separation of the organizations further fails whereby Respondent admits that Krane is conflicted and the organizations do overlap in certain roles that create conflict.

Once the Company informed Respondent of conversations with Wolfe, whereby it was learned that Krane had a conflict as he had current roles with the Department, Respondent immediately agrees with Wolfe, requesting that the Company motion the matter out of his jurisdiction suddenly remembering Krane's role and admitting to the conflicts. Both Krane and Respondent's attempts to deny the conflict citing that there is no correlation between the NYSBA and the Department in defense of Krane's conflict is a complete ruse when one sees that this excuse was promulgated to hide his current positions with the Department. The Company further illustrates that concerning members, such as Krane, serving both the Rules & Enforcement Committees of both of the Organizations; the statement of separation does not pertain. Conflict clearly exists and Krane should have never been allowed by Respondent to act as counsel in a matter so clearly conflicted under the Department Rules and NYSBA Code. The NYSBA and the Department conflict in roles such as those Krane possesses, that influence creation and enforcement for a shared set of rules for both Organizations and both contain strict guidelines regarding the avoidance of even the appearance of impropriety while serving public roles for the NYSBA and/or the Department. Both organizations have rules that would have precluded Krane from participating in any way with the complaints against his firm (Proskauer), Rubenstein a member of Proskauer, and himself a member of Proskauer and yet we find him representing all of the Respondents as counsel, violating all ethical considerations as if he were above the law. Respondent's failure to prosecute Krane immediately for violating Section 603 and 605 of the Department rules and concurrently the NYSBA rules, technically elevated Krane above the law. All the while Krane and Respondent, in collusion, hide and fail to list Krane's roles with the Department hoping that no one would see Krane's obvious conflict in his current and past roles with the Department that have caused the Company a complete loss of due process for the sixteen months that it was undetected.

IV. DR 7-101 [§1200.32] REPRESENTING A CLIENT ZEALOUSLY AND ALL OTHER ATTORNEY OR DEPARTMENT CODE VIOLATIONS THAT MAY BE APPLICABLE

The Company re-alleges and incorporates by reference herein, as though fully set forth, Section I-III, inclusive. Furthermore, Company re-alleges that Respondent intentionally failed to seek the lawful objectives of the Company through reasonably available means permitted by the disciplinary rules, and where client is synonymous with Complainant in this matter, that Respondent's position charges him with serving.

10158 Stonehenge Circle * Suite 801 * Boynton Beach, FL 33437-3564 * T/F (561) 364-4240

www.iviewit.com * iviewit@iviewit.com

PAGE 9 OF 33
6/9/2004 9:09 AM

EXHIBITS
THOMAS CAHILL MOTION
SUPREME COURT OF NEW YORK
06/24/2004
Page 64 of 88



Paul J. Curran, Esq.
Chair
First Judicial Department Disciplinary Committee

By the ethically incestuous breaches of the rules in favor of Krane by Respondent, in allowing the April 21, 2003 response and the May 21, 2004 letters of Krane, there was a deliberate attempt to deny due process to the Company's complaints. The disciplinary rules have been so bent by those who create and enforce them as to cause public concern that the Department has become a de facto attorney protection agency. Furthermore, the removal of due process by Respondent with respect to the Company's complaints for nearly one and half years have caused further harm to the Company's patent applications. Harmed by the same attorneys the Company complains of, left undisciplined through Cahill's professional misconduct, allowing them to further cloak themselves in the very laws designed to prosecute them. So weak is the Proskauer, Rubenstein and Joao defenses that they had to resort to this deceptive influence peddling to skirt due process. This now endangers public confidence in the Department because of Respondent's misconduct.

V. NYCRR 603. CONDUCT OF ATTORNEYS (AND ALL OTHER CODE VIOLATIONS THAT MAY BE APPLICABLE)

The Company re-alleges and incorporates by reference herein, as though fully set forth, Section I-IV, inclusive. The above complaints give the appearance of impropriety within the meaning of NYCRR Part 603.2 Professional Misconduct Defined, attached herein as Exhibit ("F"), in that the appearance of impropriety at Respondent's level constitutes an abuse of the power of his office. That Respondent further engaged in other conduct that adversely reflects on his fitness as a lawyer and his position as Chief Counsel, by his unconscionable failure to effectively deal with the entire matter and basically cover-up for Proskauer, et. al. Krane's attempt to exculpate himself without formal due process in his response and have his complaint dismissed, using a system of smoke and mirrors, with Respondent as his assistant, that on the one hand they not only fail to disclose Krane's current positions at the Department which conflict him, on the other hand they try to hide behind his New York State Bar Association positions stating they are separate from the Department and therefore constitute no reason for action. Clearly, by this deceptive pattern, Krane with his sidekick Cahill intended the response to mislead the Company and the Department and have the conflict charge against Krane dismissed by denying he was conflicted. Krane further misleads through deception when he states in his response that the case had been dismissed against Rubenstein and should remain dismissed, when factually it was never dismissed and Respondent had reopened it months earlier. These misstatements should have been seen by Respondent as misconduct and prompted him to file charges against Krane for further misconduct, instead we see Respondent aiding and abetting Krane from facing prosecution. Most shocking was that Respondent denied such current or past conflict in initial calls to his office and fails to disclose Krane's positions with the Department, until the Company confronted him with factual evidences of Krane's present and past positions within the Department learned by conversations with Wolfe and further notice that Wolfe had suggested the Company file a motion to transfer the Rubenstein complaint from the Department due to the conflict. Respondent, after learning of the call to Clerk Wolfe, acknowledged the conflicts by admitting Krane's position as current Referee at the Department and agreed to have the motion entered to remove the cases from his jurisdiction. The deceit by Respondent and Krane undermines the integrity of the Department and the profession of law, so much so, as to mandate immediate and swift reprimand of both Respondent and Krane by both the Department and the NYSBA. Finally, the Department claim of dismissal of the case against Rubenstein and Joao has been submitted to other investigatory bodies as a means to claim that after investigation the

10158 Stonehenge Circle * Suite 801 * Boynton Beach, FL 33437-3564 * T/F (561) 364-4240

www.iviewit.com * iviewit@adefuhia.net

PAGE 10 OF 33
6/9/2004 9:09 AM

EXHIBITS
THOMAS CAHILL MOTION
SUPREME COURT OF NEW YORK
06/24/2004
Page 65 of 88



Paul J. Curran, Esq.
Chair
First Judicial Department Disciplinary Committee

Department had dismissed the charges against Rubenstein and Joao and has caused prejudice in these investigations that must be corrected with full disclosure of the Departments actions and full disclosure of the conflict, so as to try and undue these false and misleading statements by Krane and his cohorts that have caused prejudice in these other investigations.

We cite reference to these statements in a Virginia Bar complaint against William J. Dick, Exhibit ("G") and the Department letter Exhibit ("H").

VI. CONCLUSION

The Company re-alleges and incorporates by this reference herein, as though fully set forth, Section I-V, inclusive. This above series of events, the attempts to dissuade, bury, or delay the complaints against Rubenstein, Joao, and Krane, so endangers the public confidence and integrity of the legal system, and the system which Respondent is entrusted (the protecting the public from such attorney misconduct), that the Chair must take immediate actions as requested herein, lest the misbehavior of Rubenstein, Joao, Proskauer, Krane, and, now, Respondent firmly tarnish the Department with the same misconducts that shook the very foundations of our society much in the way the Haldeman/Erlichman/Nixon events did in the early 1970's.

Lastly, the Company has filed a written statement, in conjunction with its largest investor, Crossbow Ventures, Inc., and its Co-Founder & Chairman, Stephen J. Warner, with the United States Patent and Trademark Office ("USPTO"), that currently causes the Commissioner of Patents and Trademarks, at the behest of Harry I. Moatz the Director of Office of Enrollment and Discipline of the USPTO, to witness charges against Proskauer, MLGS, Rubenstein and Joao of FRAUD UPON THE UNITED STATES PATENT AND TRADEMARK OFFICES. Moreover, this statement has led the USPTO to assemble a team of patent specialists appointed by Mr. Moatz that has effectively put the Company's patent applications into a six month suspension pending further investigation. Therefore, with the understanding that patents, with a twenty-year revenue life and potential totaling billions of dollars, are at risk, the Company demands that the Department or its oversight begin immediate investigations into all complaints filed by the Company, less further damages result and cause more liability to the State of New York and the Department.

We ask that the Department send the entire file for review to the Company with regard to any submissions by either party, including an inventory of all letters, CD's and notices by either party. We ask the Department to further do the following:

- Transfer all Company complaints, correspondences and file information to a non-conflicted authority for review
- Write a letter clarifying the status of each of the complaints so that information regarding the complaints that has already been disseminated containing false and misleading statements of the disposition may be corrected.
- Statement from the Department acknowledging the conflict with full disclosure
- Written confirmation from the Department with full disclosure as to Krane's past and present positions within the Department and further within any public or private organization in anyway associated to the Department, describing date of entry into the

10158 Stonehenge Circle * Suite 801 * Boynton Beach, FL 33437-3564 * T/F (561) 364-4240

www.iviewit.com * iviewit@adelphia.net

PAGE 11 OF 33
6/9/2004 9:09 AM



Paul J. Curran, Esq.
Chair
First Judicial Department Disciplinary Committee

position, post held and nature and duties of such post, periods held, date of termination of position, date of fully discharged duties, and a roster of all members served with so that the Company may measure the breadth of such conflict.

Sincerely,

IVIEWIT HOLDINGS, INC.

By: Eliot I. Bernstein
Eliot I. Bernstein
President, Founder & Inventor
By: P. Stephen Lamont
P. Stephen Lamont
Chief Executive Officer

Digitally signed by Eliot I. Bernstein
DN: CN = Eliot I. Bernstein, C = US, O = Iviewit
Reason: I am the author of this document
Date: 2004.06.09 09:11:05 -04'00'

Digitally signed by P. Stephen Lamont
DN: ou = P. Stephen Lamont,
ou = Iviewit Holdings, Inc.,
ou = Corporate, c = US
Date: 2004.06.09 11:02:45 -04'00'

cc:

New York County District Attorney, Robert Morgenthau – Intake Bureau, Frauds
New York State Attorney General, Eliot Spitzer
New York Clerk of the Appellate Division First Department, Catherine O'Hagan Wolfe

10158 Stonehenge Circle * Suite 801 * Boynton Beach, FL 33437-3564 * T/F (561) 364-4240

www.iviewit.com * iviewit@adelphia.net

PAGE 12 OF 33
6/9/2004 9:09 AM

EXHIBITS
THOMAS CAHILL MOTION
SUPREME COURT OF NEW YORK
06/24/2004
Page 67 of 88

LIMITED POWER OF ATTORNEY

I. PARTIES. I, P. Stephen Lamont ("Principal"), with a principal address of Four Ward Street, Brewster, New York hereby appoint Eliot I. Bernstein ("Attorney-in-Fact") with a principal address of 10158 Stonehenge Circle, Suite 801, Boynton Beach, Fla. and telephone number of 561-364-4240 as attorney-in-fact to represent me in affairs consisting only of those powers listed in Section II herein.

II. POWERS.

1. Execution of Signature Page for:
 - a. Complaint against Cahill.
 - b. Complaint against Krane.
 - c. Additional complaint against Rubenstein.
 - d. Motion -- Rubenstein
 - e. Motion -- Joao
 - f. Motion -- Cahill
 - g. Motion -- Krane

III. DURATION. Said Attorney-in-Fact shall, subject to revocation in writing, have authority to conduct items one (1) above and perform on behalf of Principal: All acts necessary and requisite to facilitate said functions and/or proceedings from the period June 2, 2004 through June 9, 2004 ("Duration").

IV. OTHER ACTS.

1. None.

V. MISCELLANEOUS.

1. **NOTICES.** Copies of notices and other written communications addressed to the Principal in proceedings involving the above matters should be sent to the address set forth above.
2. **CONFORMANCE TO STATE LAW.** It is the intention of the parties that this Limited Power of Attorney conform to the laws of the State of New York, and should any section of this Limited Power of Attorney not conform to the laws of the State of New York, it is the intention of the parties that said section(s) be substituted for that section that would otherwise conform to the laws of the State of New York. Should the laws of the State of New York require any other section(s) other than the sections of this Limited Power of Attorney, it is the intention of the parties, that said section(s) be construed to be included in this Limited Power of Attorney, as if said sections were included herein.

3. NO PRIOR POWERS. This Limited Power of Attorney revokes all prior powers of attorney by and between Principal and Attorney-in-Fact with respect to the same matters and years or periods covered by this instrument.

By:



Signature Valid

P. Stephen Lamont

P. Stephen Lamont, Principal

Digitally signed by P. Stephen Lamont
DN: cn=P. Stephen Lamont, o=Fax Iviewlt
Holdings, Inc., ou=Corporate, c=US
Date: 2004.06.02 11:18:07 -0400



EXHIBIT "A"

10158 Stonehenge Circle * Suite 801 * Boynton Beach, FL 33437-3564 * T/F (561) 364-4240

www.iviewit.com * iviewit@adelphia.net

PAGE 13 OF 33
6/9/2004 9:09 AM

A handwritten signature in black ink, appearing to be "SR" or similar initials, written over the page number and date.



Paul J. Curran, Esq.
Chair
First Judicial Department Disciplinary Committee

PROSKAUER ROSE LLP

1585 Broadway
New York, NY 10036-8299
Telephone: 212 966-2000
Fax: 212 966-2900

LOS ANGELES
WASHINGTON
HOUSTON
NEW YORK
SAN FRANCISCO
SEATTLE

Steven C. Krane
Member of the Firm
Direct Dial: 212 966 3435
skrane@proskauer.com

May 21, 2004

By Facsimile and Mail

Thomas J. Cahill, Esq.
Chief Counsel
Departmental Disciplinary Committee
61 Broadway
New York, New York 10006

Re: Complaint of Iviewit Holdings, Inc. - Docket No. 2003.0531

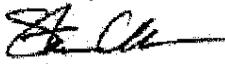
Dear Mr. Cahill:

I represented my partner, Kenneth Rubenstein, in connection with the complaint filed against him in March 2003 by Iviewit Holdings, Inc. That proceeding was closed pursuant to your letter of September 2, 2003.

Iviewit has now asked that the response I submitted on April 11, 2003 be stricken on the ground that I had a conflict of interest by virtue of my various position with the New York State Bar Association. Obviously, Iviewit is not aware that there is no connection between the Departmental Disciplinary Committee, which operates under the aegis of the Appellate Division of the Supreme Court, and the New York State Bar Association, which is a voluntary organization of lawyers. This confusion is not surprising, since the principals of Iviewit are from Florida, where it is the Florida Bar that investigates and disciplines lawyers.

Accordingly, I respectfully request that Iviewit's "Demand to Strike Response" be rejected and that any complaint against me arising out of my representation of Mr. Rubenstein be dismissed. I stand ready to provide the Committee with whatever additional information it may require in connection with this matter.

Yours very truly,


Steven C. Krane

10158 Stonehenge Circle * Suite 801 * Boynton Beach, FL 33437-3564 * T/F (561) 364-4240

www.iviewit.com * iviewit@audelphill.com

PAGE 14 OF 33
6/9/2004 9:09 AM

PROSKAUER ROSE LLP

Thomas J. Cahill, Esq
May 21, 2004
Page 2

cc: Mr. Eliot Bernstein
Mr. P. Stephen Lamont

EXHIBIT "B"

§ 603.1 Application

- a. This Part shall apply to all attorneys who are admitted to practice, reside in, commit acts in or who have offices in this judicial department, or who are admitted to practice by a court of another jurisdiction and who practice within this department as counsel for governmental agencies or as house counsel to corporations or other entities, or otherwise, and to all legal consultants licensed to practice pursuant to the provisions of subdivision 6 of section 53 of the Judiciary Law. In addition, any attorney from another state, territory, district or foreign country admitted pro hac vice to participate in the trial or argument of a particular cause in any court in this judicial department, or who in any way participates in any action or proceeding in this judicial department shall be subject to this Part.
- b. This Part shall apply to any law firm, as that term is used in the Disciplinary Rules of the Code of Professional Responsibility, section 1200.1(b) of this Title, that has as a member, employs, or otherwise retains an attorney or legal consultant described in subdivision (a) of this section.

§ 605.6 Investigations and Informal Proceedings

- b. Contents of Complaint.
 - 1. General Rule. Each Complaint relating to alleged misconduct of an attorney shall be in writing and subscribed by the Complainant and shall contain a concise statement of the facts upon which the Complaint is based. Verification of the Complaint shall not be required. If necessary the Office of Chief Counsel will assist the Complainant in reducing the Grievance to writing. The Complaint shall be deemed filed when received by the Office of Chief Counsel.
 - 2. Other Situations. In the case of an allegation of misconduct originating in the Court or the Committee, or upon the initiative of the Office of Chief Counsel, the writing reflecting the allegation shall be treated as a Complaint.

- g. Preliminary Screening of Complaints. Any complaint received by the Office of Chief Counsel against a member of the Committee or Staff counsel involving alleged misconduct shall be transmitted forthwith to the Committee Chairperson, who shall assign it either to the Office of Chief Counsel or to special counsel who shall conduct the appropriate investigation and determine the appropriate disposition of the Complaint.

EXHIBIT "C"

§ 603.4 Appointment of Disciplinary Agencies; Commencement of Investigation of Misconduct; Complaints; Procedure in Certain Cases

- d. When the Departmental Disciplinary Committee, after investigation, determines that it is appropriate to file a petition against an attorney in this court, the committee shall institute disciplinary proceedings in this court and the court may discipline an attorney on the basis of the record of hearings before such committee, or may appoint a referee, justice or judge to hold hearings.
- i. An attorney who is the subject of an investigation, or of charges by the Departmental Disciplinary Committee of professional misconduct, or who is the subject of a disciplinary proceeding pending in this court against whom a petition has been filed pursuant to this section, or upon whom a notice has been served pursuant to section 603.3(b) of this Part, may be suspended from the practice of law, pending consideration of the charges against the attorney, upon a finding that the attorney is guilty of professional misconduct immediately threatening the public interest. Such a finding shall be based upon:
 - ii. the attorney's default in responding to the petition or notice, or the attorney's failure to submit a written answer to pending charges of professional misconduct or to comply with any lawful demand of this court or the Departmental Disciplinary Committee made in connection with any investigation, hearing, or disciplinary proceeding, or
 - iii. a substantial admission under oath that the attorney has committed an act or acts of professional misconduct, or
 - iv. other uncontested evidence of professional misconduct, or,
 - v. the attorney's willful failure or refusal to pay money owed to a client, which debt is demonstrated by an admission, a judgment, or other clear and convincing evidence.
2. The suspension shall be made upon the application of the Departmental Disciplinary Committee to this Court, after notice of such application has been given to the attorney pursuant to subdivision six of section 90 of the Judiciary Law. The court shall briefly state its reasons for its order of suspension which shall be effective immediately and until such time as the disciplinary matters before the Committee have been concluded, and until further order of the court. Following a

temporary suspension under this rule, the Departmental Disciplinary Committee shall schedule a post-suspension hearing within 60 days of the entry of the court's order.

EXHIBIT "D"

§ 605.9 ABATEMENT OF INVESTIGATION

- a. Matters Involving Related Pending Civil Litigation or Criminal Matters.
 - I. General Rule. The processing of complaints involving material allegations which are substantially similar to the material allegations of pending criminal or civil litigation need not be deferred pending determination of such litigation

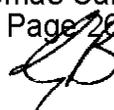


EXHIBIT "E"

§ 603.11 Resignation of Attorneys Under Investigation or the Subject of Disciplinary Proceedings

- a. An attorney who is the subject of an investigation into allegations of misconduct or who is the subject of a disciplinary proceeding pending in the court may submit his resignation by submitting to the Departmental Disciplinary Committee an affidavit stating that he intends to resign and that:
1. his resignation is freely and voluntarily rendered; he is not being subjected to coercion or duress; and he is fully aware of the implications of submitting his resignation;
 2. he is aware that there is pending an investigation or disciplinary proceeding into allegations that he has been guilty of misconduct, the nature of which shall be specifically set forth; and
 3. he acknowledges that if charges were predicated upon the misconduct under investigation, he could not successfully defend himself on the merits against such charges, or that he cannot successfully defend himself against the charges in the proceedings pending in the court.
- b. On receipt of the required affidavit, such committee shall file it with this court, together with either its recommendation that the resignation be accepted and the terms and conditions, if any, to be imposed upon the acceptance, or its recommendation that the resignation not be accepted.
- c. This court, in its discretion, may accept such resignation, upon such terms and conditions as it deems appropriate or it may direct that proceedings before the Departmental Disciplinary Committee or before this court go forward.
- d. This court, if it accepts such resignation, shall enter an order removing the attorney on consent and may order that the affidavit referred to in subdivision (a) of this section be deemed private and confidential under subdivision 10 of section 90 of the Judiciary Law.

EXHIBIT "F"

§603.2 Professional Misconduct Defined

a. Any attorney who fails to conduct himself both professionally and personally, in conformity with the standards of conduct imposed upon members of the bar as conditions for the privilege to practice law and any attorney who violates any provision of the rules of this court governing the conduct of attorneys, or with respect to conduct on or after January 1, 1970, any disciplinary rules of the Code of Professional Responsibility, as adopted by the New York State Bar Association, effective January 1, 1970, as amended, or with respect to conduct on or before December 31, 1969, any canon of the Canons of Professional Responsibility, as adopted by such bar association and effective until December 31, 1969 or with respect to conduct on or after September 1, 1990, any disciplinary rule of the Code of Professional Responsibility, as jointly adopted by the Appellate Divisions of the Supreme Court, effective September 1, 1990, or any of the special rules concerning court decorum, shall be guilty of professional misconduct within the meaning of subdivision 2 of section 90 of the Judiciary Law.



EXHIBIT "G"



V1. Additional Information to be Considered

80. On information and belief, I understand that the Proskauer Rose law firm brought suit in May of 2001 against three entities of Iviewit for failure to pay legal fees. The defendants

WJD Declaration .doc

Page 16

1/8/2004

Counterclaim was not allowed due to the fact that it was not entered timely and therefore none of the issues were ever heard or tried.

Because the counterclaim was not allowed due to the time it was filed and the case never went to trial, Iviewit filed the Bar responses. The Bars then put them on hold pending outcome of Court. The issues have NEVER been investigated, heard or tried by a court or Bar organization formally. Proskauer et. al. have avoided investigation and prosecution of all charges in any of these forums using the law to cloak themselves.

Wholly false statements of New York outcome. Tries to assert that counterclaim was heard, and led to Bar dismissals.

No investigation was done formally of any charges at the Florida Bar and therefore the Florida Bar does not tender a response in favor of Proskauer or Iviewit.

were Iviewit.com Inc., Iviewit Technologies Inc., and Iviewit Holdings Inc. The suit was commenced in Palm Beach County, Florida, 15th Judicial Circuit, as (Old Case Number CA0104671AB), the Case Number being later changed to 502001CA004671XXCDAB.

In early 2003, the defendants had requested leave to file a counterclaim alleging a conspiracy by the attorneys, which was substantially the same thing as they alleged in the bar complaints filed against Mr. Rubenstein and Mr. Joao (referred to above in Specific Allegation #3). This was denied. The case went to trial in November of 2003. Since the suit was brought in May of 2001, two firms representing the defendants had withdrawn and the defendants defaulted in September of 2003 causing the Court to strike their pleadings. Final judgement was ordered in November 2003 in favor of Proskauer. Since 30 days has passed since then, there can be no appeal of the final judgement. The final judgement was for \$368,975.97 plus \$75, 956.43 pre-judgement interest. The total final judgment was \$444,932.40 bearing post-judgment interest.

The case never went to trial, this is false and misleading statement. He tries to create impression that the counterclaim issues were tried in Florida Court!

As mentioned above, Iviewit has filed nearly identical bar complaints against many of its former attorneys, and they have all been dismissed. Specifically, Iviewit filed the New York Bar complaints against Mr. Rubenstein (Docket Number 2003.0531) and Mr. Joao (Docket Number 2003.0532), as recited in Specific Allegation #3 above. It is my understanding that both of these complaints have been dismissed, at first without prejudice giving Iviewit the right to enter the findings of the Proskauer Court with regard to Iviewit's counterclaims, but now with prejudice since the Iviewit counterclaims have been dismissed. It is my further understanding that Iviewit filed a similar complaint in the State Bar of Florida against Mr. Chris Wheeler of the Proskauer Rose law firm. I am informed that the Florida Bar ethics committee dismissed the complaint against Mr. Wheeler, at first subject to the Proskauer Court's findings relative to the Iviewit counterclaims, but now since the court has found in favor of Proskauer and denied the counterclaims, the bar complaint should be finally dismissed.

On or about March 15, 2001, Foley & Lardner proposed a monthly payment plan to Iviewit because of Iviewit's nonpayment of approximately \$140,000 in legal fees. The proposal stated that Foley would timely and properly withdraw as Iviewit's counsel if payment was not forthcoming, although Foley was not waiving any rights to recover the amounts due. The monthly payment plan was not accepted, and Foley terminated its representation.

EXHIBIT "H"

