



IVIEWIT HOLDINGS, INC

FACSIMILE TRANSMITTAL SHEET

TO:	Eric Montel Turner Anthony Boggs Kelly Overstreet Johnson Kenneth Marvon	FROM:	Eliot I. Bernstein
FAX NUMBER:	(954) 772-0660	DATE:	July 22, 2004
COMPANY:	The Florida Bar	TOTAL NO. OF PAGES INCLUDING COVER:	64
PHONE NUMBER:	(954) 772-2245 (3)(7)	SENDER'S REFERENCE NUMBER:	[Click here and type reference number]
RE:	FLORIDA BAR COMPLAINT MATTHEW TRIGGS AND PROSKAUER ROSE	YOUR REFERENCE NUMBER:	[Click here and type reference number]

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

Mr. Turner,

Please forward this complaint to all parties listed on this sheet. Please call to confirm receipt of all 64 pages.

Thank you in advance for your consideration.

Eliot I. Bernstein
Founder, President & Inventor
iviewit@adelphia.net

The Florida Bar Internet Inquiry/Complaint Form

Eliot I. Bernstein
P. Stephen Lamont
VIEWIT COMPANIES
ALL AS DEFINED

**MATTHEW H. TRIGGS &
THE LAW OF FIRM PROSKAUER
ROSE LLP
AS DEFINED IN PART TWO**

PART ONE:

Your Name _____ Address: 10158 Stonehenge Circle - Suite 801 _____ City: Boynton Beach _____ State: FL _____ Phone: 561-364-4240 _____ Zip Code: 33437 _____ ACAP Reference No. _____	Attorney's Name _____ Address: One Boca Place _____ Suite 340 West _____ City: 2255 Glades Road _____ Phone: Boca Raton, FL 33431-7360 _____ (561) 995-4702
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PART TWO: (See instructions, part two.) The specific thing or things I am complaining about are:

See attached - Part Two _____

PART THREE: (See instructions, part three.) The witnesses in support of my allegations are: [see attached sheet].



PART FOUR: (See instructions, part four.)

I did did not (circle one or the other) attempt to use ACAP to resolve this situation.
To attempt to resolve this matter, I did the following:

PART FIVE (See reverse, part five.): *Under penalty of perjury, I declare the foregoing facts are true, correct and complete. I have read and understand the information on the reverse of this page and contained in the pamphlet "Complaint Against a Florida Lawyer." I also understand that the filing of a Bar complaint will not toll or suspend any applicable statute of limitations pertaining to my legal matter.*

JULY 22, 2004

Signature Date
P. Stephen Lamont both individually and as
CEO of Iviewit Holdings, Inc.

Digitally signed by Eliot I. Bernstein
 DN: CN = Eliot I. Bernstein, C = US, O =
 Iviewit Holdings, Inc.
 Reason: I am the author of this document
 Location: BOYNTON BEACH, FL -
 PAGES 66, FL BAR TRIGGS JULY 22, 2004
 Date: 2004.07.22 10:46:38 -04'00'

Signature Date
Eliot Ivan Bernstein both individually and as Founder, President
and Inventor - Iviewit Holdings, Inc.

The Florida Bar Internet Inquiry/Complaint Form

**MATTHEW H. TRIGGS &
THE LAW OF FIRM PROSKAUER
ROSE LLP**

PART ONE: (See instructions, part one.)

Iviewit Holdings, Inc., Eliot Bernstein & P. Your Name Stephen Lamont Address: 10158 Stonehenge Circle - Suite 801 City: Boynton Beach State: FL Phone: 561-364-4240 Zip Code: 33437 ACAP Reference No. _____	_____ Attorney's Name Address: _____ Suite 340 West City: _____ 2255 Glades Road Phone: _____ Boca Raton, FL 33431-7360 (561) 995-4702
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PART TWO: (See instructions, part two.) The specific thing or things I am complaining about are:

See attached - Part Two

PART THREE: (See instructions, part three.) The witnesses in support of my allegations are: [see attached sheet].

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P. Stephen Lamont

Digitally signed by P. Stephen Lamont
DN: cn=P. Stephen Lamont, o=Iviewit Holdings, Inc., ou=Corporate, c=US
Date: 2004.07.22 10:17:05 -04'00'

7/22/04

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[Signature]

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Date: 2004.07.22 08:03:25 -04'00'

7/22/04

Signature
 P. Stephen Lamont both individually and as CEO of Iviewit Holdings, Inc.

Date

Signature
 Eliot Ivan Bernstein both individually and as Founder, President and Inventor - Iviewit Holdings, Inc.

Date

**FLORIDA BAR COMPLAINT – PART TWO
MATTHEW H. TRIGGS &
THE LAW OF FIRM PROSKAUER ROSE LLP**

That Eliot I. Bernstein (“Bernstein”) and P. Stephen Lamont (“Lamont”), individually, pro se, on behalf of the following companies as acting officers and third party beneficiaries, and, on behalf of shareholders, or any shareholder wishing to join this complaint individually who has vested interest in the following companies:

THE IVIEWIT HOLDINGS COMPANIES

1. **UVIEW.COM, INC. – DELAWARE;**
 - WHEREBY PROSKAUER MAINTAINED CORPORATE RECORDS ARE NOW MISSING AND INCOMPLETE**
 - HEREINAFTER, (“IVIEWIT HOLDINGS (1)”)**
2. **IVIEWIT HOLDINGS, INC. – DELAWARE - (fka UVIEW.COM, INC.);**
 - WHEREBY PROSKAUER MAINTAINED CORPORATE RECORDS ARE NOW MISSING AND INCOMPLETE**
 - HEREINAFTER, (“IVIEWIT HOLDINGS (2)”)**
3. **IVIEWIT HOLDINGS, INC. – DELAWARE;**
 - NOT APPROVED BY THE IVIEWIT BOARD**
 - WHEREBY PROSKAUER MAY OWN THIS COMPANY TO THE DETRIMENT OF IVIEWIT SHAREHOLDERS**
 - WHEREBY THIS COMPANY MAY HAVE HELD OR STILL HOLD CORE PATENTS OF COMPLAINANTS IN A COMPLEX LEGAL SHELL GAME INVOLVING THE USE OF MULTIPLE AND SIMILAR NAMED CORPORATIONS**
 - WHEREBY FURTHER NO INCIDENCE OF OWNERSHIP WAS FOUND OR PRESENTED TO AUDITORS UNDER AN AUDIT OF COMPLAINANT COMPANIES WHEN DIRECTLY REQUESTED, WHEREBY NO INTEREST BY IVIEWIT IN SUCH PROSKAUER ENTITY HAS BEEN FOUND;**
 - WHEREBY PROSKAUER MAINTAINED CORPORATE RECORDS ARE NOW MISSING AND INCOMPLETE**
 - HEREINAFTER, (“PROSKAUER ENTITY”) OR (“IVIEWIT HOLDINGS (3)”)**
4. **IVIEWIT TECHNOLOGIES, INC. (fka IVIEWIT HOLDINGS, INC. (3)) – DELAWARE;**
 - NOT APPROVED BY THE IVIEWIT BOARD**
 - WHEREBY PROSKAUER MAY OWN THIS COMPANY TO THE DETRIMENT OF IVIEWIT SHAREHOLDERS**
 - WHEREBY THIS COMPANY MAY HAVE HELD OR STILL HOLD CORE PATENTS OF COMPLAINANTS IN A COMPLEX LEGAL SHELL GAME INVOLVING THE USE OF MULTIPLE AND SIMILAR NAMED CORPORATIONS**
 - WHEREBY FURTHER NO INCIDENCE OF OWNERSHIP WAS FOUND OR PRESENTED TO AUDITORS UNDER AN AUDIT OF COMPLAINANT COMPANIES WHEN DIRECTLY REQUESTED,**

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WHEREBY NO INTEREST BY IVIEWIT IN SUCH PROSKAUER ENTITY HAS BEEN FOUND;

- WHEREBY PROSKAUER MAINTAINED CORPORATE RECORDS ARE NOW MISSING AND INCOMPLETE**
- HEREINAFTER, (“PROSKAUER ENTITY”) OR (“IVIEWIT HOLDINGS (4)”)**

5. IVIEWIT HOLDINGS, INC. – FLORIDA;

- NOT APPROVED BY THE BOARD OF IVIEWIT**
- AN ENTITY APPEARING NON-EXISTENT IN FLORIDA STATE RECORDS**
- AN ENTITY PROSKAUER SECURED AND PLACED AN OFFICER AND DIRECTOR POLICY FOR IVIEWIT ON SUCH NON-EXISTENT COMPANY**
- AN ENTITY CURRENTLY UNDER INTERNAL AFFAIRS AND FRAUD INVESTIGATION AT AMERICAN INTERNATIONAL GROUP (AIG)**
- WHEREBY PROSKAUER MAINTAINED CORPORATE RECORDS ARE NOW MISSING AND INCOMPLETE**
- HEREINAFTER, (“IVIEWIT HOLDINGS (5)”)**

THE IVIEWIT.COM COMPANIES

6. IVIEWIT.COM, INC. – FLORIDA;

- NOT APPROVED BY THE BOARD OF IVIEWIT**
- A SEPARATE AND DISTINCT COMPANY FROM, AS TO BE DEFINED LATER AS IVIEWIT.COM (2), IVIEWIT.COM (3) AND IVIEWIT.COM (4)**
- WHEREBY PROSKAUER MAINTAINED CORPORATE RECORDS ARE NOW MISSING AND INCOMPLETE**
- HEREINAFTER, (“IVIEWIT.COM (1)”)**

7. IVIEWIT.COM, INC. – DELAWARE;

- WHEREBY PROSKAUER MAINTAINED CORPORATE RECORDS ARE NOW MISSING AND INCOMPLETE**
- HEREINAFTER, (“IVIEWIT.COM (2)”)**

8. I.C., INC. – FLORIDA - (fka IVIEWIT.COM (1))

- NOT APPROVED BY THE BOARD OF IVIEWIT**
- WHEREBY PROSKAUER MAINTAINED CORPORATE RECORDS ARE NOW MISSING AND INCOMPLETE**
- HEREINAFTER (“IVIEWIT.COM (3)”)**

9. IVIEWIT.COM LLC – DELAWARE;

- WHEREBY PROSKAUER MAINTAINED CORPORATE RECORDS ARE NOW MISSING AND INCOMPLETE**
- HEREINAFTER (“IVIEWIT.COM (4)”)**

THE IVIEWIT COMPANIES

10. IVIEWIT LLC – DELAWARE;

- WHEREBY PROSKAUER MAINTAINED CORPORATE RECORDS ARE MISSING AND INCOMPLETE
- HEREINAFTER (“IVIEWIT (1)”)

11. IVIEWIT CORPORATION – FLORIDA;

- WHEREBY THERE IS NO KNOWN LISTING WITH FLORIDA STATE RECORDS FOR THIS PROSKAUER FORMED ENTITY
- WHERE PROSKAUER BILLS FOR SERVICES TO SUCH UNKNOWN ENTITY, FURTHER SUBMITTING SUCH BILLINGS TO THE FIFTEENTH JUDICIAL CIVIL CIRCUIT COURT (“15C”)
- WHERE IT APPEARS CORPORATE FORMATION PAPERS WERE SIGNED FOR SUCH ENTITY;
- WHEREBY PROSKAUER MAINTAINED CORPORATE RECORDS ARE NOW MISSING AND INCOMPLETE
- HEREINAFTER (“IVIEWIT (2)”)

12. IVIEWIT, INC. – FLORIDA;

- WHEREBY PROSKAUER MAINTAINED CORPORATE RECORDS ARE NOW MISSING AND INCOMPLETE
- HEREINAFTER (“IVIEWIT (3)”)

AND,

13. ANY OTHER JOHN DOE COMPANIES (“JOHN DOE”) NOT KNOWN AT THIS TIME

Hereinafter, the companies listed above collectively referred to as (“Iviewit”), and taken together with the individual complainants (“Complainant”), Iviewit interchangeable with Complainant hereinafter. Complainant complains of the following violations of the The Florida Bar (“Flabar”) Rules Regulating the Florida Bar (“Rules”) and any other federal or state laws as The Supreme Court of Florida (“This Court”) may deem applicable to invoke, by, including but not limited to;

Matthew H. Triggs (“Triggs”), in this matter before This Court and its department Flabar, hereinafter this matter referred to as the (“Triggs Complaint”);

and,

Proskauer Rose LLP, a New York Limited Liability Partnership with offices located at: One Boca Place, Suite 340 West, 2255 Glades Road, Boca Raton, FL 33431-7360 in Florida and domiciled in New York and any subsidiaries or affiliates, and further with all

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THE LAW OF FIRM PROSKAUER ROSE LLP**

of its partners, associates and any other employee, as both partners and individually, hereinafter referred to collectively as (“Proskauer”) and all matters before This Court regarding Proskauer, hereinafter (“Proskauer Complaint”);

and,

Let this serve as an individual complaint, in a related nexus of events as cited herein, against the following Florida lawyers of Proskauer individually, and any other partner or members of the firm individually, as governed under the Flabar Rules or any other laws as This Court finds applicable:

- **KIMBERLY L. BARBAR**
- **ANDREA ROSENBLUM BERNSTEIN**
- **CORY W. EICHHORN**
- **JOHN M. FOX-SNIDER**
- **ALBERT W. GORTZ**
- **MARCY HAHN-SAPERSTEIN**
- **LISA BERKOWITZ HERRNSON**
- **ROBERT JACOBOWITZ**
- **STUART T. KAPP**
- **GEORGE D. KARIBJANIAN**
- **ARLENE KARIN KLINE**
- **ANDREW D. LEVY**
- **FRED W. MATTLIN**
- **GEORGE A. PINCUS**
- **JURATE SCHWARTZ**
- **DONALD E. 'ROCKY' THOMPSON II**
- **STEPHANIE REED TRABAND**
- **MICHAEL R. TRICARICO**
- **MATTHEW H. TRIGGS**
- **LAURA J. VARELA**
- **ALLAN H. WEITZMAN**
- **CHRISTOPHER C. WHEELER**
- **MARA LERNER ROBBINS**
- **GAYLE COLEMAN**
- **JILL ZAMAS**
- **OTHER JOHN DOE PROSKAUER PARTNERS NOT KNOWN**

And whereby Complainant complains of all of the following, including but no limited to:

1. That all Iviewit companies were formed by Proskauer and now appear part of a complex shell game of companies to transfer Iviewit intellectual property patent pending applications:

All with fraudulent intent by Proskauer and certain other cohorts, whereby;

- i. incomplete corporate records were maintained by Proskauer;

FLORIDA BAR COMPLAINT – PART TWO
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- ii. entire stock ledgers are now missing. In certain instances, where again Proskauer controlled the entity records, the stock held by Proskauer in Iviewit, issued to Proskauer by Proskauer, in the Proskauer Entity, whereby such securities transactions relating to Proskauer's shares of Iviewit in the Proskauer Entity, are now missing from corporate records maintained entirely throughout by Proskauer, and finally, where Iviewit shareholders may own nothing in this company which holds core patent applications;
- iii. audits into the Proskauer Entity and Iviewit by Arthur Andersen and Co. ("Andersen") were purposely derailed by Proskauer and others, and, Iviewit was cancelled as a client by Andersen after a year long audit, when Iviewit, through Proskauer referred management, refused to comply with the auditors requests, including a request for Proskauer to turn over proof, as in valid stock certificates, of the Proskauer shares issued by Proskauer to themselves in the Proskauer Entity. These proofs were never provided to the Andersen auditors and still remains missing and shrouded in fraud and destruction of corporate records, at all times maintained and controlled by Proskauer, failing to appear even under a court ordered production demand for all documents to be turned over by Proskauer, all to the detriment of Iviewit and its shareholders;
- iv. evidence shows that the Andersen auditors had complained of false and misleading information regarding the audit being provided to mislead auditors intentionally, and further, Andersen failed to find ownership interest by the shareholders of Iviewit in such Proskauer Entity;
- v. further evidence from the United States Patent & Trademark Office ("USPTO") recently finds that certain critical and core patents may have been purposely redirected to the Proskauer Entity to the detriment of Iviewit shareholders, and thus elaborate steps were taken by Proskauer to cover-up this shell game of companies with the intent of stealing off with core inventions in identically named companies;
- vi. patents of Complainant were purposely and wrongfully assigned by Proskauer agents, to companies, including but not limited to, the Proskauer Entity and in some instances no assignments were made to any Iviewit companies and remain today unassigned in the sole name of Proskauer referred management all to the detriment of Iviewit shareholders;
- vii. in other instances inventors were fraudulently changed (through submission of false and felonious "Oath and Declaration" forms to the USPTO, claiming false inventors for patents now found solely owned by other unbeknownst parties. The patent office cannot disclose any information on patents listed by Proskauer and others listed on Iviewit intellectual property dockets submitted to investors by Proskauer and discovered, on or about February 2004, in conversation with OED and a team assembled by such OED of five senior members of the USPTO, who have righteously aided Iviewit into the current suspension granted by the Commissioner of Patents at the USPTO, who have now confirmed that such application is not the property of Iviewit as stated on such investor dockets, and further that much more was revealed when the assignees and

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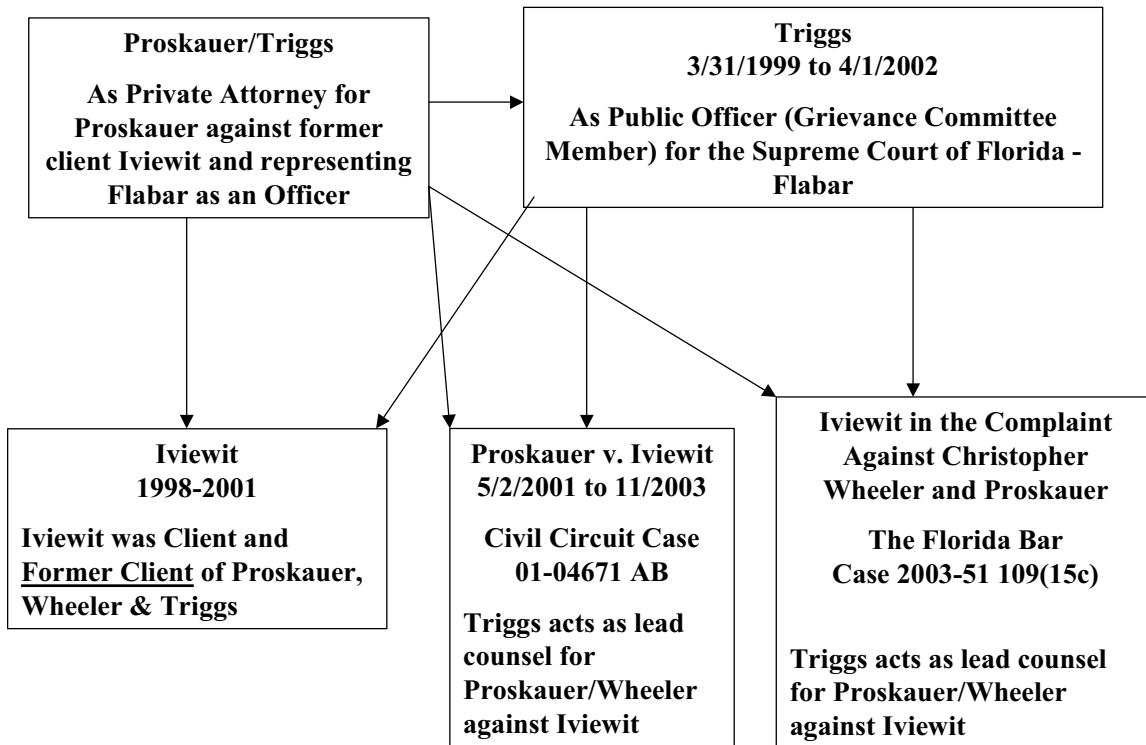
inventors were also confirmed inapposite of the Iviewit dockets prepared by Iviewit patent counsel. Evidence has been submitted to Flabar in this matter as well as the contact information for Harry I. Moatz, Director, Office of Enrollment and Discipline of the United States Patent & Trademark Office (“OED”) and herein as, Exhibit “”.

- viii. two sets of patent books were maintained in a patent shell game similar and in conjunction with the corporate shell game of identical named companies;
- ix. patents end up in the name of Proskauer referred management, whereby sole inventor status is claimed by a one Brian G. Utley (“Utley”) with no ownership or assignment in such inventions (“Zoom and Pan Imaging Design Tool” and “Zoom and Pan on a Digital Camera”) by Iviewit or its investors in such fraudulently applied for patents, with no approval or consent of the Iviewit board members or investors, and sent to Utley directly at his home. Finally, it has been evidenced to the Flabar in the Triggs Complaint that Proskauer partner Christopher C. Wheeler (“Wheeler”) in the Flabar Case No. 2003-51, 109 (15C) (“Wheeler Complaint”), (Florida Bar File Wheeler Complaint - **see Flabar for entire copies of files as maintained by Flabar, filed sometime on or about February 2003**).
- x. Whereby Utley perjures himself under deposition, stating he holds no such rights in any Iviewit patents and knows nothing about Iviewit technology being on a digital camera, now confirmed patently false by USPTO OED by evidence at the USPTO that Utley is listed as an inventor on a patent application for “Zoom and Pan on Digital Camera”, contrary to his deposition Proskauer Rose, LLP v. Iviewit Holdings, Inc., et. al. in the Fifteenth Judicial Civil Circuit Court Case No. 01-04671 AB (“Litigation”), and whereby Wheeler similarly in deposition in the Litigation attempts to claim that he also knows nothing about Iviewit technology on a digital camera and other false and misleading statements, contrary to masses of evidence showing he had full knowledge, masses of information sent to Flabar and thereafter ignored;
- xi. Utley further was a decades old friend of Wheeler, vouched for by Proskauer/Wheeler on a resume fraught with outright lies submitted by Wheeler on behalf of Utley, where disclosure of past patent malfeasances by Utley at his former job are masked and concealed with intent to deceive by Wheeler and Utley. In fact, on information and belief, Wheeler was also involved in the corporate setup whereby patents similarly were diverted out of Utley’s last employer, Diamond Turf Equipment (“DTE”), unbeknownst to the owner, into a company Wheeler setup for Utley, Premier Connections, this led to Utley again being fired for cause and the owner of DTE forced to close such business at a multi-million dollar loss as testified to by Monte Friedkin, **(954) 972-3222 x310**;
- xii. fraud was committed upon the USPTO by Proskauer attorneys, fraud on a cabinet level agency created by the Constitution, in the filing of patently false inventor oaths and declarations made to such federal agency and currently under investigation by the USPTO OED, The Federal Bureau of Investigation (“FBI”)

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- and other state and federal agencies, all to the detriment of Iviewit shareholders by loss of rights and ownership in the patents, and all appear to benefit Proskauer;
- xiii. Proskauer set up identically named corporations to receive patents, whereby the shareholders of Iviewit, venture capital firms invested in Iviewit and the inventors now hold no definable interest in such exactly identical named company as the Proskauer Entity, according to OED, certain core technologies which are supposed to be owned by Iviewit and invented by Iviewit inventors are not, and although listed as Iviewit assets by Proskauer for inducement to invest, they end up in the Proskauer Entity or other John Doe companies that may not be known to exist, all through fraud and deceit;
 - xiv. all of these actions have now caused actions in the state Supreme Courts of New York and Florida and federal actions by the USPTO Commissioner of Patents (“Commissioner”) as will be recited herein.
 - xv. The cost of this “corporate general advice and corporate set-up” as Proskauer bills for it, cost Iviewit, a start-up technology company with intellectual property, approximately eight hundred thousand dollars (\$800,000.00) with none of that bill for protecting the patents, according to the Proskauer story. According to Proskauer’s tale but the truth of this, and it is Iviewit’s contention all along, that Proskauer falsified all of their bill and further submitted such false and fraudulent records, whereby in an attempt to cover up after being caught, and now for an additional two years as Iviewit learned what happened in this conspiracy, whereby patent work in the billings and hosts of meetings in the beginning of the Iviewit and Proskauer relationship are all missing from bills Proskauer submitted in the Litigation, all evidenced prior in the Wheeler Complaint. In fact, much of the bill submitted to the 15C, in the billing case is on an Iviewit entity that does not exist or whereby other billings are missing for each of the 13 companies known. Further, in the original billing case Proskauer levied on Iviewit, Proskauer in fact sued entities that they factually had no billings or retainers with, some of which appear to be attempts to build debt on Iviewit patent companies, which at the time seemed very strange when Complainant did not know such companies at the time held patents as it was not discovered by OED at that time, yet it seem strange and Proskauer was forced to re-file the complaint against Iviewit in the 15C.
 - xvi. Which after changing such billings, to remove Kenneth Rubenstein (“Rubenstein”) State of New York Supreme Court – Appellate Division First Department (“NY Department”) Docket 2003.0531 (“Rubenstein Complaint”), Rubenstein, Wheeler and Rubenstein felt confident in deposition stating they new nothing of the technologies and did no patent work, and other such false and misleading statements, made to tribunals inapposite the truth. Complainant feels that a review of such matters as in the Wheeler Complaint alone, will prove these statements false.

Matthew H. Triggs - Conflicts of Interest



□ **1998-2001**

Proskauer thereby Wheeler and Triggs as partners, represented Iviewit as a client for services including; patents, trademark, securities, corporate, immigration, etc...

□ **3/31/1999 to 4/1/2002**

Triggs served in public office as a fully insured Member of Flabar as afforded under the Bylaws of the Rules ("Bylaws"). It is imperative to note that Complainant complains that specific factual allegations in the Wheeler Complaint may have begun before appointment, and, simultaneously throughout Triggs' entire term as a public official, and after review of the entirety of the Triggs conflicts herein, it will be shown to be cause for concern that Triggs was planted to spearhead the diversion of any complaints filed in This Court, and further evidences that through Wheeler's brother, James Wheeler ("James") a partner at Broad and Cassel, there may be further evidence of such planted individuals reaching the Executive offices of Flabar;

□ **5/2/2001 to 11/2003**

Triggs, acted as lead counsel for Proskauer v. Iviewit in concurrence with his Member term and in conflict with his former Member term, representing Proskauer privately against a former client;

□ **2/2003 to Current**

Triggs, acted as counsel, again in conflict, for Wheeler in the Wheeler Complaint on behalf of Proskauer\Wheeler, as a former Member, in a prohibition period

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whereby Triggs was excluded from representing any party for a period of no less than one-year after his term, without express consent of the board of Flabar.

I. VIOLATION ONE – CONFLICT OF INTEREST

**VIOLATION AS MEMBER AND FORMER MEMBER OF
A GRIEVANCE COMMITTEE OF THE SUPREME COURT OF
FLORIDA - (“MEMBER”);**

GENERAL RULES OF PROCEDURE

2. That Proskauer and Wheeler selected Triggs to represent Wheeler while conflicted as a former Member, knowing of several conflicts of interest as they relate to the prohibition period of former Members representing any party for a period of **no less** than one year from public office service as a public officer of The Florida Supreme Court without full disclosure and further subject to written waiver by the Flabar Board and thereby it conveys that they had intent to deceive and conceal the conflict as will be evidenced throughout the Proskauer Complaint, Complainant cites from the Rules:

RULE 3-7.11 GENERAL RULES OF PROCEDURE

(i) Disqualification as Trier and Attorney for Respondent Due to Conflict.

(3) Attorneys Precluded From Representing Parties Other Than The Florida Bar. An attorney shall not represent any party other than The Florida Bar in proceedings provided for in these disciplinary rules under any of the following circumstances:

(A) If the attorney is a member or former member of the board of governors, member or former member of any grievance committee, or employee or former employee of The Florida Bar and while in such capacity participated personally in any way in the investigation or prosecution of the matter or any related matter in which the attorney seeks to be a representative or if the attorney served in a supervisory capacity over such investigation or prosecution.

(E) A member of a grievance committee shall not represent any party except The Florida Bar while a member of a grievance committee

and shall not thereafter represent such party for a period of 1 year without the express consent of the board.

(F) A partner, associate, employer, or employee of an attorney prohibited from representation by subdivisions (3)(C), (3)(D), and (3)(E) of this rule shall not represent any party except The Florida Bar without the express consent of the board of governors.

3. That Triggs was prohibited as a former Member from acting on behalf of any party until April of 2003 and in February of 2003 began representation of Wheeler. Clearly, without disclosure and without express Flabar board consent, a violation of public office of The Supreme Court of its department Rules for Flabar. A violation that opens the portal for the appearance of impropriety that reflects on a fully insured Member of Flabar by a public officer serving a Member term.

4. That by the conflicted Triggs representation of Wheeler for however short a period it may have been, that Proskauer, Triggs and Wheeler knowingly, willfully, and with malice failed to disclose it and seek Flabar board waiver, knowing that other conflicts would be exposed if such waiver were requested. This leaves open for however long a time period, a serious conflict which automatically creates bias in the Wheeler Complaint through violation of public office by Triggs, where conflicted Member Triggs intentionally fails to disclose a conflict and further fails to gain express consent of the board, all causing the appearance of impropriety for Flabar and all pointing to flagrant abuse of public office, all professional misconducts as governed by Flabar and oversight by This Court.

II. VIOLATION TWO – CONFLICT OF INTEREST

CONFLICT AS A MEMBER OF THE SUPREME COURT OF FLORIDA;

RULES OF DISCIPLINE; JURISDICTION TO ENFORCE RULES; GRIEVANCE COMMITTEES; GENERAL RULES OF PROCEDURE; SUCCESSIVE GOVERNMENT AND PRIVATE EMPLOYMENT

5. That Triggs, also while serving his Member term, served conflicting parties by representing personally and substantially, as lead counsel no less, to a private client (his very own firm of Proskauer), in a civil lawsuit, against Iviewit a former client, and at the same time of his term as a public officer, and further and most shamefully, at the same time that he begins representing Wheeler as a former Member of Flabar in conflict, he know increases the conflicts again in the Litigation. Not only now guilty of the conflict outlined in Conflict One, but now additionally in conflict with his private representation in the ongoing Litigation while a public officer and further a public officer failing to follow proper procedure in flagrant disregard for the Flabar Board rule, whereby Triggs represents Proskauer\Wheeler as a private client against Iviewit in the Litigation, and simultaneously for a period of time and concurrent with his representation of Wheeler while a former Member in conflict. Again, Triggs fails to disclose yet another conflict, his civil and private representation of Proskauer and his public service representation of Wheeler in the Wheeler Complaint, and again seeks no express consent of the Flabar board, where in light of the Conflict One and now Conflict Two and where the appearance of impropriety from allowing such conflicts would be clear, the Flabar would most likely not have approved any attempted waivers for Triggs and thus why Triggs fails to disclose, further conceals and further advances his conflicts.

6. That this a most serious conflict interest and again an undeniable conflict and further a never disclosed conflict indicating concealment, that Triggs failed to ever get the conflicts waived by the board of Flabar, causes liability to the Flabar, for a fully insured former Member of the Flabar. That had Triggs revealed his representation in the civil matter while in conflict with another matter before the Flabar, that certainly the board of Flabar would have not allowed such adverse simultaneous conflicted representations to be allowed through waivers, which could certainly have had the appearance of impropriety. Implications of this conflict lead Triggs, for however short a period, as public officer with access to private and confidential Supreme Court of Florida files, in matters related to Iviewit (as Iviewit can be viewed as a party before This Court and represented by Flabar as a client) in the Wheeler Complaint, for use or abuse in his concurrent private representation of Proskauer privately in the Litigation. Iviewit alleges that not only did this potential exist but was further exploited throughout his conflicted representations and throughout the process.

7. That all the while Triggs failed to disclose such concurrent and conflicting representations of related matters against Iviewit to the Committee, and whereby it went undetected for eighteen months, all again to avoid having to obtain express and written approval by the board of Flabar to waive out of the conflicts, and therefore constituting intent to deceive Flabar. Triggs knew these conflicts would never be waived, as it would further increase liability to Flabar to now have to issue two waivers for two conflicts, and Complainant cites that what motivated Triggs was that Triggs had obvious personal interest in the outcome of both proceedings which would bias him towards Complainant and give him access to Complainant private and confidential case files and Complainant cites:

**3 RULES OF DISCIPLINE
3-3 JURISDICTION TO ENFORCE RULES
RULE 3-3.4 GRIEVANCE COMMITTEES**

No member of a grievance committee shall perform any grievance committee function when that member:

(2) has a financial, business, property, or personal interest in the matter under consideration or with the complainant or respondent;

(3) has a personal interest that could be affected by the outcome of the proceedings or that could affect the outcome; or

(4) is prejudiced or biased toward either the complainant or the respondent.

Upon notice of the above prohibitions the affected members should recuse themselves from further proceedings. The grievance committee chair shall have the power to disqualify any member from any proceeding in which any of the above prohibitions exist and are stated of record or in writing in the file by the chair.

8. That Triggs was conflicted with his public office role as a Flabar Member representing a party other than Flabar, Proskauer in the Litigation, while prohibited and expressly excluded from such representation due to a public office prohibition, causing yet another conflict of interest, furthering the appearance of impropriety and constituting again a direct violation of the Rules in regards to his public office position with The Supreme Court of Florida as a fully insured Member of Flabar, and as may now cause liability to Flabar as the Bylaws of the Rules provides coverage for such Members, to be

discussed herein. That Triggs acted as counsel for a party within an exclusory period and further failed to disclose such conflict or seek waiver from the board of Flabar both actions constituting instances of professional misconduct where it is clearly a violation of the Rules and Complainant cites again:

RULE 3-7.11 GENERAL RULES OF PROCEDURE

(i) Disqualification as Trier and Attorney for Respondent Due to Conflict.

(3) Attorneys Precluded From Representing Parties Other Than The Florida Bar. An attorney shall not represent any party other than The Florida Bar in proceedings provided for in these disciplinary rules under any of the following circumstances:

(A) If the attorney is a member or former member of the board of governors, member or former member of any grievance committee, or employee or former employee of The Florida Bar and while in such capacity participated personally in any way in the investigation or prosecution of the matter or any related matter in which the attorney seeks to be a representative or if the attorney served in a supervisory capacity over such investigation or prosecution.

(B) A partner, associate, employer, or employee of an attorney prohibited from representation by subdivision (3)(A) shall likewise be prohibited from representing any such party.

(E) A member of a grievance committee shall not represent any party except The Florida Bar while a member of a grievance committee and shall not thereafter represent such party for a period of 1 year without the express consent of the board.

(F) A partner, associate, employer, or employee of an attorney prohibited from representation by subdivisions (3)(C), (3)(D), and (3)(E) of this rule shall not represent any party except The Florida Bar without the express consent of the board of governors.

9. That Complainant cites, yet another violation of the Rules by Triggs:

**RULE 4-1.11 SUCCESSIVE GOVERNMENT AND
PRIVATE EMPLOYMENT**

(a) Representation of Private Client by Former Public Officer or Employee. A lawyer shall not represent a private client in connection with a matter in which the lawyer participated personally and substantially as a public officer or employee, unless the appropriate government agency consents after consultation. No lawyer in a firm with which that lawyer is associated may knowingly undertake or continue representation in such a matter unless:

(1) the disqualified lawyer is screened from any participation in the matter and is directly apportioned no part of the fee therefrom; and

(2) written notice is promptly given to the appropriate government agency to enable it to ascertain compliance with the provisions of this rule.

10. That Triggs knowingly, willfully, and incestuously acts on behalf of Wheeler, in violation of The Rules of his public office and represents his firm Proskauer, in conflict, if only for a short period, a period in which multiple conflicts existed, which opens unlimited potentials for appearance of impropriety, of unknown depth to the tentacles of the conflict and further imputing an intentionally concealed conflict of interest that furthers the appearance of impropriety and causes liability upon the Flabar a Supreme Court department, all constituting further instance of professional misconduct unbecoming of a Florida attorney and that further cause a loss of public confidence in the Flabar and causes shame on This Court by its affiliated Members.

III. VIOLATION THREE – CONFLICT OF INTEREST

CONFLICT OF INTEREST; PROHIBITED AND OTHER TRANSACTIONS

11. That as a shareholder of Iviewit stock, Proskauer and all of its partners including Triggs and Wheeler accepted Iviewit stock as a gift, where under sworn deposition testimony, Proskauer partner Wheeler refers to such stock as a gift by Eliot Bernstein to members of the Iviewit team, of two and one half percent (2.5%) of founder shares, whereby Proskauer partners prepared such stock instruments granting founder stock in Iviewit to Proskauer, whereby these Proskauer maintained stock certificates and corporate records relating to all such Proskauer stock transactions are now missing from the Iviewit corporate record, appearing to be in violation of Rules, and yet another Triggs\Proskauer\Wheeler conflict, and Complainant cites:

RULE 4-1.8 CONFLICT OF INTEREST; PROHIBITED AND OTHER TRANSACTIONS

(c) Gifts to Lawyer or Lawyer’s Family. A lawyer shall not prepare an instrument giving the lawyer or a person related to the lawyer as parent, child, sibling, or spouse any substantial gift from a client, including a testamentary gift, except where the client is related to the donee.

12. That from Wheeler’s deposition in the Litigation, Complainant cites:

A. Eliot wanted to - wanted us to own shares
in the corporation. He felt that - that - that

everyone should - that all members of his team should be stakeholders in his company.

Q. Okay. There was no discussion as to whether or not there was any value to those shares?

A. Well, he was hoping there would be value.

Q. There was no discussion as to whether or not those shares had any value at the time?

A. No. I mean, they - I don't think they could be valued at that time. I mean, everyone could try to value something, but no, there was no discussion as to what they were valued at at that time.

13. That in relation to the estimated value of the technologies one might consider this a large percent of stock in a company with technologies valued at seventeen billion dollars (\$17,000,000,000.00) but what one fails to see and what Wheeler attempts to deny in his deposition was that this Proskauer stock, unlike other founder stock was taken with Proskauer partners representing to multitudes of witnesses that the stock grant to Proskauer would be offset by the enormous royalties paid when Rubenstein acting as Iviewit patent counsel and an Iviewit board member, and also, acting as sole gatekeeper of MPEGLA, the sole decision maker on essential patent inclusion into such pools, put the Iviewit patents into the patent pools.

14. Whereby royalties were promised by Proskauer, Wheeler and Rubenstein to be enormous because of the fact that they were being heralded by leading world experts, as "holy grail" inventions akin to digital electricity and with a value Thomas A. Edison would have admired. These royalties promised as part of the enticement by Wheeler to have Proskauer take stock in Iviewit, whereby royalties were to inure to Iviewit shareholders as return on the stock grant as soon as the patents were ready and additionally, fees were agreed to be waived and delayed so as to pay these legal fees out of such future promised royalties. Proskauer takes such stock after a thorough review by Rubenstein of the patents, whereby he has full access to the Iviewit inventions and processes, and thereafter Proskauer sent written patent opinions in the name of

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Rubenstein to prospective investors, which claimed Iviewit technologies to be “novel” and “superior” to anything Proskauer had ever reviewed, and in the case of Rubenstein a patent evaluator for a standards bodies like MPEGLA who reviews many patents, a stellar opinion, which was the motivation behind the acceptance of the Iviewit stock. A very nice gift. Wheeler’s lie under deposition in the Litigation and false and misleading statements made by conflicted Triggs in the Wheeler Complaint, whereby the lie, that the stock was a “gift” which had no value, another lie as all other investors paid in kind, and which now such lie costs Proskauer and Triggs yet another conflict of interest in the same matters.

15. That Rubenstein’s opinion, in fact, was what many shareholders testify in written sworn statements as to having been a major influencing factor in their investing in Iviewit at that time, and certainly when he became, not only lead patent counsel for Iviewit but also when Rubenstein joined the Iviewit board, which increased investor confidence and further induced securities to be transacted, all evidence previously submitted to Flabar, and ignored, in the Wheeler Complaint. The reason Wheeler claims the stock a “gift” is because he now claims to know nothing of the technologies and under deposition and statements sworn to Flabar, Wheeler claims Iviewit is a “portal” and Iviewit further is a failed and bankrupt “dot com” where such bankruptcy was instigated by Wheeler referred management Utley and other Wheeler referrals, in United States Bankruptcy Court Southern District of Florida Case No. 01-33407-BKC-SHF (“Bankruptcy”). Whereby such lies are attempts to distance Rubenstein from the technologies he has stolen as if they never existed, once Proskauer was caught and so has begun a long process where by Proskauer has been trying to change recorded history in what amounts to some of the most heinous cover-ups, including shaming This Court, and many other crimes as will be cited herein. Rubenstein’s deposition in the Litigation is fraught with perjured statements, whereby first Triggs writes to the Litigation judge that Rubenstein is refusing a deposition because he has never heard of Iviewit and is being harassed, imagine that, and that he knows nothing of Iviewit or its inventions and has never billed Iviewit for a single minute of time (it is of interest to note his name appears in the bills in meeting after meeting over three years, and he is submitted entire patent portfolios for review for investors by inventors as documented in the bills, and in internal documents found in Proskauer’s records under a production demand in the Litigation, by Wheeler himself sending the entire patents for review by Rubenstein. It is not until at his deposition where he is confronted evidence that he begins to recant and change his story from his written statement prior to the Judge and in fact, after deposition tries to submit to the Judge and explanation of why he is interfacing with Iviewit clients and the Judge compels him back to deposition to answer such questions. Iviewit never got a chance as the case was dismissed after the Judge relieved two simultaneous lawyers representing Iviewit, only days before trial, and days after a mysterious cancellation of a scheduled trial where Iviewit showed up with counsel ready to go, and to begin asking these questions that Rubenstein was now compelled to answer. During a rescheduling hearing, Iviewit’s counselors both submitted withdrawal papers to the Judge stating the other lawyer would be representing Iviewit at trial, and almost unbelievably on the same day, in the same

15C, the judge granted both counselors a relief, leaving Iviewit without counsel, after two years fully represented and even more bizarrely, the Judge then called Bernstein, a non-lawyer to the podium and demanded that he act on behalf of Iviewit (against Florida state laws as Bernstein is not a licensed attorney) and when Bernstein refused and stated conflicts he had with Iviewit as an inventor prevented him further from acting as a non-licensed attorney in a corporate matter, whereby the judge gave only two weeks to find replacement counsel, where in those weeks Iviewit had no counsel deprived by what appears yet again another Proskauer motivated scam which could also have been influenced, as Triggs in the Litigation was in conflict with his public office representation in the Wheeler Complaint and therefore casts a further shadow of doubt and appearance of impropriety, in case that appears a mockery to justice, especially now in light of the exposed conflict/

IV. VIOLATION FOUR – CONFLICT OF INTEREST

CONFLICT OF INTEREST; FORMER CLIENT

16. That further, Triggs in the Wheeler Complaint and simultaneously in the Litigation, appears further prohibited from representing Wheeler, in yet another conflict, as Iviewit was a former client for the following services from Proskauer and Wheeler and Triggs as partners, including but not limited to legal services for; patent, trademark, copyright, securities and general work and therefore Iviewit was considered a former client and whereby Triggs' representation of Wheeler as a conflicting party with adverse interests in similar matters to his former client Iviewit in both the Wheeler Complaint and the Litigation, with further adverse interests and conflicts both personally and professionally in his public office role with Flabar, again, this conflict would have required a waiver by the board of Flabar. All the while, Triggs concealing his conflicts with a former client, and yet another violation of his ethics. Proskauer\Wheeler\Triggs clearly have personal vested interests in all the Iviewit matters, that clearly prejudice all of them from representing parties in adversary to such former client Iviewit, again failing to even seek a waiver or consent from either party, and, again failing to disclose to Flabar same, yet again further imparting intent to deceive This Court and Complainant cites :

RULE 4-1.9 CONFLICT OF INTEREST; FORMER CLIENT

A lawyer who has formerly represented a client in a matter shall not thereafter:

(a) represent another person in the same or a substantially related matter in which that person's interests are materially adverse to the interests of the former client unless the former client consents after consultation; or

(b) use information relating to the representation to the disadvantage of the former client except as rule 4-1.6 would permit with respect to a client or when the information has become generally known. For purposes of this rule, “generally known” shall mean information of the type that a reasonably prudent lawyer would obtain from public records or through authorized processes for discovery of evidence.

17. That the duty of confidentiality continues after the client-lawyer relationship has terminated.

(a) Representing Adverse Interests. A lawyer shall not represent a client if the representation of that client will be directly adverse to the interests of another client, unless:

- (1) the lawyer reasonably believes the representation will not adversely affect the lawyer's responsibilities to and relationship with the other client; and**
- (2) each client consents after consultation.**

18. That under this rule Proskauer and any partners, should have further been precluded from representing Proskauer/Wheeler against Iviewit in any matter, as Iviewit was a former client and certainly in Flabar Wheeler Complaint where Wheeler is a client of Triggs in a matter before Flabar, where Wheeler and Triggs have an adversarial position to Iviewit, a former client. Triggs may have also been prohibited from acting as counselor in the Litigation, as this conflicted with his public office as a Member, in the matter of a former client, and again no proper disclosures were ever presented to such tribunal. The minute the conflicts existed, once it also became a complaint before Flabar, Triggs certainly should have secluded himself from one of the representations and instead of taking the proper steps towards reclusion from such conflicted matters, we instead find Triggs jumping to represent Wheeler while prohibited from representation, without any formal disclosure, which again appears as yet another conflict. Due to the multiplicity of conflicted hats worn by Triggs against a former client, it furthers the appearance of impropriety and conduct unbecoming of a Florida attorney and further shows intent.

19. That certainly cognizant of the conflicts, Triggs with no disclosure of his myriad of conflicts and prohibitions of representing Wheeler and no waiver or any disclosure is procedurally granted in apposite the Rules, Triggs' concealment of these conflicts fails to properly protect Flabar from liability of one of its fully insured members as provided in the Bylaws, causing multiple conflicts and multiple appearances of impropriety, no matter for how long such conflicted existed. Where because no waiver is ever properly sought from the board of Flabar, no waiver is ever granted by express consent of the

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board of the Florida Bar, all extremely unethical failures to disclose, leading to the appearance of impropriety in public office which all is conduct unbecoming of a Florida attorney and with perhaps detrimental effects to the establishment of Flabar, This Court, and, all respective insurance carriers or other insurance funds that may be affected.

20. That had Triggs disclosed and sought proper board approval to remove the prohibition, no waiver would have been granted due to his multiple conflicts, his prohibitions from representing Wheeler in multiple areas of concern, his former client relationship and other issues, that all would have had the potential for even the appearance of impropriety, and, waiver by the board of Flabar certainly would never have been granted had Triggs disclosed properly;

- i. his private representation of Proskauer\Wheeler during his term as a Member, in matters adversarial to Iviewit in the Litigation;
- ii. his prohibition from serving as representative to any party under his prohibition as a former Member; and
- iii. Proskauers former representation of Iviewit as a former client of Proskauer;
- iv. the conflict caused by representing a party in adversary to Iviewit, as in his representation of Proskauer\Wheeler as client in a matter before Flabar, the Wheeler Complaint, while prohibited by public office rules;

21. That, in light of all these conflicts and the obvious appearances of impropriety it would have imputed at the time, the board of Flabar would have told Proskauer/Wheeler/Triggs to find any of thousands of Florida lawyers not conflicted, that would represent no liability to Flabar for any waivers considering the nexus of events in conflict, to represent Wheeler in the Wheeler Complaint or Proskauer in the Litigation.

22. That due to these conflicts, Complainant hereby demands that Flabar and This Court, immediately prevent Proskauer or any affiliate lawyer with conflict, to cease and desist representing Proskauer in any Iviewit related matters either before;

- i. Flabar in matters related to Iviewit or Complainants,**
- ii. This Court in matters related to Iviewit or Complainants,**
- iii. Any other court of law in the United States or abroad;**
- iv. Any matter before any insurance carrier related to the Iviewit matters,**

all to prevent further conflicts of interest in Proskauer continuously representing themselves, as fools often do, in matters relating to Iviewit and stop further abuses of public offices of the Supreme Court of Florida and New York or any other court whereby these matters are heard.

23. That Proskauer must no longer represent themselves individually or as the firm Proskauer, in any further Iviewit matters and must be compelled by This Court and Flabar to seek third-party independent counsel from this point forward, counsel that is

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further screened heavily for conflict or collusion, unbiased and not conflicted with Ivewit in any way. Due to the potential for further conflicts and appearances of further impropriety by Proskauer shaming This Court, this demand is of reasonable request, as there are thousands of lawyers for Proskauer to choose from, and in view of the conflicts already discovered and the damages unknown as of this date to all parties, all caused by Proskauer, it seems mandatory to protect all parties from further Proskauer liabilities.

24. That further, this should constitute cause for review and immediate and full investigation of the Wheeler Complaint and now all matters before This Court, in compliance with all state procedural laws, in light of the recently discovered multiple misrepresentations, conflicts of interests, and appearances of improprieties by Triggs and now others, and the apparent influence, so strong as to already have allowed;

- i. conflict after conflict to go unchecked,
- ii. conflicts to go undisciplined as Flabar,
- iii. the overlooking of evidence after evidence
- iv. the denial of due-process,
- v. the complete ignoring that notice by USPTO that patents were being suspended pending a filed charge with the Commissioner, of Fraud Upon the United States Patent & Trademark Office by Rubenstein, Proskauer, Wheeler, a one William J. Dick (“Dick”) Virginia State Bar (“VSB”) Complaint No. 04-052-1366 (“Dick Complaint”), Dick formerly of Foley and Lardner (“Foley”), a one Raymond A. Joao (NY Department Complaint No. 2003.0532), (“Joao Complaint”) and others, all complaints together against all attorneys at the USPTO OED (“OED Complaints”), such suspensions coming after review by the Commissioner, of such claims made and exhibited in the OED Complaints filed with USPTO OED and further submitted to This Court in the Wheeler Complaint and others matters before This Court, and all ignored by Flabar,
- vi. issuing of opinions whereby Flabar letterhead was used to tender opinion in favor of Wheeler and Proskauer while admittedly Flabar had done no investigation into the matter they opined upon, and proper procedure may not have been followed, in a case that was merely dismissed without investigation. When asked to explain their opinion from the chair of the district, a fully insured member of Flabar, Joy A. Bartmon, Grievance Committee Chair 15th Judicial (“Bartmon”) and Eric Montel Turner, Chief Discipline Bar Counsel (“Turner”) of whom a complaint with no number exists (“Turner Complaint”), as Flabar is trying to dismiss the matter as a minor oversight, like the minor oversight of the many Triggs conflicts, when in fact, these are some pretty heavy charges of a crime perhaps that will live in infamy as the most ungodly abuses of the law by those entrusted to uphold it has ever existed, Complainant asks This Court to re-investigate this matter for Rules violations against a fully insured member of Flabar, and is currently subject to review in light of the Triggs conflicts that may have influenced Turner’s review. Properly docketed as a formal complaint, filed against Turner for Rules violations, and further

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immediately causing removal of Turner, until investigation into the now undeniable, irrefutable and unbelievable violations already caused upon a most honored court as This Court, by those who have been involved to this point.

- vii. Turner, further refused an explanation to a further unintelligible Turner penned letter on behalf of Bartmon, Exhibit “”, that may not have been in compliance, and, whereby calls went unanswered both by Turner and Bartmon, week after week, month after month, with a patent deadline looming on the suspensions well known by the Flabar at this point, Complainant then escalated matters and got no responses, and were further met by hostilities from all executive management of Flabar in a hasty rush to attempt to close the file and perhaps destroy evidence as evidenced in their repeated attempts to close and destroy the file, even from the executive office level of Flabar, even after This Court has already stopped such destruction once based on the absurdity and appearance that it may have of obstruction in multitudes of ways, and it will be further evidenced herein, that the appearance of impropriety is undeniable at such level, and may be part of the irrational behavior of those already involved, as fully insured Members of the Flabar
- viii. where when it was shown to Flabar that Dick further was misrepresenting the dismissal without investigation to the Virginia Bar in grotesque misrepresentations, such as that a **formal investigation**, including claims that Florida had investigated counts contained in an unheard counter complaint in the Litigation which were unheard on a technicality, which due to those issues not being heard in the Litigation, the Flabar Wheeler Complaint, the Rubenstein Complaint, the Joao Complaint, were all filed. At the time Iviewit was nearly bankrupt as management had stolen money as alleged and investment was nearly impossible with the amount of controversy being discovered where investors found not only that the patents had been absconded with, but their monies as well. Where through diabolical methods such as; Proskauer’s Litigation, the Bankruptcy, the conflict laden Supreme Court manipulations by Proskauer agents, all have made investment impossible, so much so that Iviewit is deprived of even basic defense fees or lawyers who are willing to take on an issue as sticky as this, and, Iviewit is only here telling this story but for the graces of G-d, tremendous help from friend after friend of the company, and a grass roots effort by shareholders to bring these issues to the surface, even when being prevented due process through such dubious methods, and still hanging on, and finally, building a strong enough case to stop this nonsense at all levels, especially as it has already violated all that our Constitution was created to prevent and without swift and severe remedy as This Court possesses power to do to restore order in its ranks, it could have further appearances of impropriety, if any leniency is granted, where intent was so malicious.
- ix. to Hoffman putting the Wheeler Complaint on hold, citing that Complainant was in a Litigation and therefore the issues in the counter complaint and the Wheeler Complaint eluded investigation for over another year, after already not being heard or tried in the Litigation for a year prior, again merely dismissed

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pending the outcome of the Litigation, again Proskauer appeared to have eluded confronting a single piece of evidence, spreading a maliciousness against Iviewit in a myriad of legal tricks, lawsuits, and bankruptcies with intent to drive Iviewit out of business before any of these issues surfaced, at any cost.

- x. to Proskauer in state after state it appears, where in some states they had positioned well and penetrated deep into the bar agencies, had already prepared and positioned with members in New York such as Steven C. (“Krane”), NY Department Docket 2004.1883 (“Krane Complaint”), as Krane is nationally known and conflicted at the very N.Y. Department handling the Rubenstein and Joao complaints, and, Triggs ready and waiting in Florida, as a Member for the Wheeler Complaint and Triggs again spearheading the harassing Litigation. With Triggs now gone from the Flabar as a Member, it will be shown that the executive offices of Flabar may have been already manipulated giving greater access, if not the ultimate access, again to Proskauer/Wheeler of private Iviewit government files,
- xi. allows the Triggs response on behalf of the Wheeler Complaint to go unchallenged in frozen animation for eighteen months, despite the mounting evidence submitted to Flabar repeatedly over that time, which may not have remained confidential and still may be at risk if all conflicts are not ceased immediately, knowing the Wheeler Complaint is tainted, leads one of sound mind to believe that only influence at the top could have prevented discipline at this point, with full knowledge of conflicts. All responses of Triggs on behalf of Wheeler should therefore be stricken, causing Wheeler to default on all claims against him in the Wheeler Complaint for failure to prepare a proper response in time, causing a most certain further investigation, and the conflicted response constituting further misconduct. That Flabar does nothing in full knowledge of the conflicts, is a testament to the why laws are enacted by This Court, to prevent even a slight appearance, and whereby this is flagrant, apparent and with intent to deceive This Court and other such regulatory agencies.

25. That once Triggs became counsel for Wheeler in the Flabar Wheeler Complaint, Complainant asserts that Triggs most certainly would have been conflicted to continue to represent Proskauer in the Litigation and should have secluded himself of one or the other representations, certainly for any period in which the conflicted misrepresentations existed simultaneously, or in any conflict, which in these matter they did, of which Triggs instead continues to represent both matters, all in conflict of his duties while a fully insured Member of Flabar. Triggs maneuvers all this without any disclosure ever or seeking any written consent or waiver from the board of Flabar, all the while having vested personal and professional interests in the outcome of related matters of Iviewit, representing Proskauer in the civil court case and representing Proskauer\Wheeler in Flabar Wheeler Complaint, all together and each alone conflicting with his public office Rules, all evidencing malice and intent. Triggs should have ceased either his continued representation in private practice for client Proskauer the Litigation and/or should have immediately ceased representation of Wheeler at the Bar, or both to truly be free of all

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conflicts and Triggs callously and obviously confident in the disposition of Iviewit matters at This Court, as if he were above the law or had the law in his hip pocket, ceases neither of the conflicted misrepresentations and continues representing both parties, all the while again failing to disclose any of these matters, thereby representing further misconduct evidencing intent at dishonoring This Court, which should lead to an to the immediate disbarment and other remedies This Court may have at its disposal.

V. VIOLATION FIVE

VIOLATION OF RULES – SUCCESSIVE GOVERNMENT AND PRIVATE EMPLOYMENT

26. That Triggs' personal interests in the outcome of the proceedings in civil court and simultaneously his interests in the outcome of the Wheeler case as a Member, are obvious in that if Iviewit succeeds in proving its claims, Triggs would need a new job perhaps in jail preparing appeals for his other partners and cohorts. That these personal interests in defending the Wheeler Complaint, may have led to further abuses of public office to suppress the factual allegations in the Wheeler Complaints and whereby Triggs as counselor to Wheeler in the Wheeler Complaint and further at that very time a conflicted Member, recently enough to have had access to the entire private and confidential government Iviewit Flabar file, access afforded to members and former members of Grievance Committees. Access to these files for even a moment in conflict with his public office term, could have, and it is further alleged to have been, used against Iviewit in the Litigation by Triggs. And whereby if that potential for access to Iviewit bar files existed for even a moment whereby there was conflicts, and failures to disclose, which factually did exist, leading to possible and alleged misuse of public offices, by a Member, which provided Triggs private governmental information on Iviewit's Wheeler Complaint for use in his civil Litigation, and which may now be cause to appeal the entire Litigation in that case, for similar violations of his ethics in that representation while in conflict, Complainant seek remedies as This Court can offer to have that Litigation review again with a view towards Iviewit in light of the conflicts.

RULE 4-1.11 SUCCESSIVE GOVERNMENT AND PRIVATE EMPLOYMENT

- a. Use of Confidential Government Information. A lawyer having information that the lawyer knows is confidential government information about a person acquired when the lawyer was a public officer or employee may not represent a private client whose interests are adverse to that person in a matter in which the information could be used to the material disadvantage of that person. A firm with which that lawyer is associated may undertake or continue representation in the matter only if the disqualified lawyer is screened from any participation in the matter and is apportioned no part of the fee therefrom.**

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27. That the tentacles of the conflict concealed by Proskauer, Triggs and Wheeler since February 2003, now only recently discovered after eighteen months not detected due to knowingly, willful and with intent to conceal by Proskauer\Triggs\Wheeler, whereby such conflict may now have permeated to places little known to Complainant, and thus represent unlimited and unknown perversions of due process already deeply entrenched in Flabar, even a second of conflict without express waiver of the board, opens the possibility, and alleged violations, that any of hundreds of unknown improprieties may have already occurred from the myriad of conflicts and other malfeasances allowed thus far.

28. That a scheme exists whereby Proskauer partners in two separate states are conflicted in disciplinary offices where complaints are lodged against their partners and they further represent such partners in violation of their public office oaths and rules of conduct, in matters before the state bar associations under the aegis of the respective Supreme Courts in both Florida and New York, and abuse their public office positions through conflicts to suppress the complaints from due-process and review, and further, suppressing and falsifying evidence to such tribunals to pull such hoax off. All of these actions to cover-up such high crimes as Proskauer stands accused of, with all partners of their firm, including but not limited to; Fraud Upon the United States Patent and Trademark Office (as illustrated in the OED Complaints, available upon written request from Iviewit) and Patent Theft with an estimated value of seventeen billion dollars (\$17,000,000,000.00) as alleged and further validated in Complainant's Wheeler Complaint against the patent attorneys of Proskauer that represented Iviewit; and now adding conflicts with Supreme Courts of the United States to their list of reprehensible actions, including actions to cause dishonor to This Court, all in an effort to cover up the specific factual allegations of Complainants complaints at all agencies. A scheme which will be theorized and shown with probable cause, to involve conflict and influence of public officials, even to the highest levels within Flabar, to prevent exposure.

29. That these conflicts and abuses of public Supreme Court agencies are not innocent mistakes but are desperate attempts to cover-up the specific, factual allegations of the incomprehensible professional misconducts cited in the Wheeler Complaint, the recently submitted second Wheeler complaint, the Supreme Court of Florida case of Iviewit Holdings, Inc. v. The Florida Bar, the Litigation; **the recently submitted motion to the Supreme Court of the State of New York Appellate Division: First Department ("NY Department") – by Chief Counsel of such Department in a motion to the State of New York Supreme Court ("NY SC"), to move the attorney complaints against Rubenstein and Joao out of conflict with Krane, due to the appearance of impropriety and conflicts discovered, as illustrated herein. Per NY Department rules, the conflicts with Krane in the Krane Complaint, have been forwarded to Chair of the NY Department, Paul J. Curran, Esq. ("Curran") and further actions against, Chief Counsel of the NY Department, have been moved to an internal affairs review, headed by Martin R. Gold ("Gold"), Special Counsel NY Department, all with oversight by the ("NY SC"). Florida should similarly follow a**

logical series of events since the matters in all regards of the conflicts are similar in their abuse of public office committed at the NY Department.

30. That these crimes and professional misconducts have gone without any formal investigation for eighteen months, unheard and further not investigated, suspicious in and of itself, through a disingenuous scheme to prevent review of all Proskauer complaints by Complainant through conflicted public officials concealing their public office conflicts and securing no written or express waivers, acting in violation of their legal professional rules of conduct as public officers, so as to cause disgrace upon two State Supreme Courts whereby, again Proskauer is caught in definable and factual conflicts that that not only have an appearance of impropriety, but are factually improper and have caused actions by such NY SC NY Department. That similar to NY Department, This Court needs to remove all conflicts and appearances of impropriety immediately and by the book, to an unbiased third party review, perhaps federally, or any other method This Court may see fit. Federally, perhaps in the violation these events have had on the rights of the inventors under Section 8 of the Constitution, which are designed, along with creation of the USPTO, to protect the inventors but more importantly protect the rights of the very fabric of free trade and democracy. If such push forward by This Court to the federal court is taken, Complainant still demands immediate resolution of the internal issues to this point, so that any prior damage to Complainant prior is resolved and with disclosure to all parties involved, to erase any influences of damages already done in influencing other investigations, to prevent future misrepresentations by any parties, to find out how deep these conflicts penetrated with full written waiver from any Flabar representative who was in anyway involved, and for any other relief This Court may find at its disposal to a victim of such misuse of This Court as evidenced herein.

31. That it is factually alleged that knowing that approval would not be granted under such circumstances, Triggs then conceals his conflict and seeks no express consent of the board, the concealed conflict imparting an imprudent abuse of power and public office conveying upon a Supreme Court agency the appearance of influence pedaling and perhaps bribery, all an ill-advised instance of Triggs, Wheeler's, and Proskauer's efforts to leave the Wheeler Complaint unheard, and as such Rule below is designed to protect against:

**4 RULES OF PROFESSIONAL CONDUCT
4-6 PUBLIC SERVICE**

**RULE 4-6.3 MEMBERSHIP IN LEGAL SERVICES
ORGANIZATION**

A lawyer may serve as a director, officer, or member of a legal services organization, apart from the law firm in which the lawyer practices, notwithstanding that the organization serves persons having interests adverse to

the client of the lawyer. The lawyer shall not knowingly participate in a decision or action of the organization:

(a) if participating in the decision would be incompatible with the lawyer's obligations to a client under rule 4-1.7; or

(b) where the decision could have a material adverse effect on the representation of a client of the organization whose interests are adverse to a client of the lawyer.

VI. VIOLATION SIX

VIOLATION OF RULES; MAINTAINING THE INTEGRITY OF THE PROFESSION; REPORTING PROFESSIONAL MISCONDUCT

32. That the concealed conflicts of Triggs, further allows for tainted responses to be tendered on behalf of Wheeler, which should now be invalidated in the Wheeler Complaint, where Triggs knowingly makes a series of false and misleading claims in defense of Wheeler, to cover-up, to further aid and abet the professional misconducts cited in the Wheeler Complaint, all instances of professional misconduct unbecoming of a Florida attorney and Complainant cites:

4 RULES OF PROFESSIONAL CONDUCT 4-8 MAINTAINING THE INTEGRITY OF THE PROFESSION RULE 4-8.3 REPORTING PROFESSIONAL MISCONDUCT

(a) Reporting Misconduct of Other Lawyers. A lawyer having knowledge that another lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question as to that lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects shall inform the appropriate professional authority.

33. That Complainant factually alleges that Triggs, in his attempts to mislead Flabar, in his failure to disclose his conflicts or seek an appropriate waivers from the board, and in his further failure to disclose the professional misconducts of Wheeler to a proper tribunal, thereby aids and abets Wheeler in the professional misconducts cited in the Wheeler Complaint and Complainant now complains to This Court, that Triggs is guilty

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of the same professional misconducts alleged against Wheeler in the Wheeler Complaint, both members of Proskauer who along with all partners of the Proskauer firm stand accused of the allegations cited herein and in the Wheeler Complaint, as it transcends to the partnerships involvement in patent thefts as a firm and manipulation of state Supreme Courts as firm, and therefore Complainant alleges that Triggs and all Proskauer partners, have now become an accomplice to all allegations herein and in the Wheeler Complaint and thereby Complainant now charges Triggs and Proskauer with all allegations contained in the Wheeler Complaint and any other complaint as mentioned herein, all previously submitted to Flabar and ignored.

VII. VIOLATION SEVEN

VIOLATION OF RULES; MAINTAINING THE INTEGRITY OF THE PROFESSION; MISCONDUCT

34. That Complainant complains of a violation of the Rules, in Triggs' role as an accomplice to Proskauer in all allegations contained herein, and, in all complaints of Complainant on file with Flabar and This Court and any other state or federal complaint in related matters and Complainant states for reasons contained herein that Triggs has flagrantly violated the following Rule in entirety if not multiply in all counts:

4 RULES OF PROFESSIONAL CONDUCT 4-8 MAINTAINING THE INTEGRITY OF THE PROFESSION RULE 4-8.4 MISCONDUCT

A lawyer shall not:

(a) violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another;

(b) commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects;

(c) engage in conduct involving dishonesty, fraud, deceit, or misrepresentation;

(d) engage in conduct in connection with the practice of law that is prejudicial to the administration of justice, including to knowingly, or through callous indifference, disparage, humiliate, or discriminate against litigants, jurors, witnesses, court personnel, or other lawyers on any basis, including, but not limited to, on account of race, ethnicity, gender, religion, national origin, disability, marital status, sexual orientation, age, socioeconomic status, employment, or physical characteristic;

(e) state or imply an ability to influence improperly a government agency or official;

35. That Triggs, by his conflicts and actions in accomplice with all charges (criminal, civil and ethical) contained in the Wheeler Complaint, violates all of the privileges

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accorded to a Florida attorney and an individual who further held membership in Flabar as a fully insured Member. Further, Complainant alleges that Proskauer/Triggs/Wheeler uses this deviously obtained influence as a Member of Flabar, to induce and have suppressed the evidences in the Wheeler Complaint and create an adversarial relationship between Flabar and Iviewit leading to the Supreme Court of Florida case of Iviewit Holdings, Inc. v. Flabar. So much so, that in recent calls and emails to Johnson, she refused to help or talk with representatives of Iviewit in matters as grave as those contained herein, prior to legal action at The Supreme Court, and refused as a fully insured Executive Officer of Flabar to return calls for information and assistance in these malfeasant matters. That these matters were of utmost concern to an executive officer of the Flabar, especially in regards to an employee misconduct, and the Triggs' conflicts, where such executive although new on the job, should handled matters long before This Court was burdened, yet all attempts to contact Johnson ignored until after the Supreme Court case was filed, whereby she had Marvin call, Johnson joining now Bartmon and Turner in a bad habit of failing to return calls. With email after email ignored and call after call deflected, Iviewit was forced to file the Turner Complaint, and which charges seem unbelievable against Turner, unless viewed through the influence the Triggs conflicts and in the amount of impropriety already created prior to discovery of the conflicts, whereby seemingly prior, rule after rule appears broken by Turner and his staff and where delay after delay is cited to Complainant by Turner and his staff, where Turner further takes the position of Wheeler in Turner authored letters, that contrary to popular belief and hosts of factual evidence contrary, state that "Proskauer did no patent work" when no formal investigation was ever conducted, to Turner's outright lie to the Complainant several months ago, well documented in letter to Marvin, whereby Turner claims his review his file and there is no higher appeal, and that the Supreme Court had no jurisdiction or appeal process, whereby prior to hanging up on Complainants Lamont & Bernstein he gave us a general number at Flabar headquarters with a good-luck in over-ruling him goodbye and hung up providing no contact name, whereby Complainant contacted such number and found Marvin, who explained that there were several more levels of review and to again contact Turner, under Marvin's direction, and have Turner move the matter to the next highest level, which Turner did when he handed it over to Bartmon, working with Turner since has been unbearable and impossible as evidenced in the Turner Complaint filed with This Court and still remaining with no internal or formal complaint number with Flabar. This leads one to wonder how such a actions remain unchecked and all with without investigation into the matters, all evidences that the Wheeler Complaint has not been reviewed properly by Bar Counselors due to influences caused by fully insured members, including but not limited to:

- Kelly Overstreet Johnson, President ("Johnson")
- Lorraine Christine Hoffman, Bar Counsel ("Hoffman")
- Eric Montel Turner, Chief Discipline Bar Counsel ("Turner")
- (Florida Bar Complaint officially filed but not processed formally by Flabar)
- Kenneth L. Marvin, Director of Lawyer Regulation ("Marvin")
- Anthony Boggs, Director, Legal Division ("Boggs")

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- Joy A. Bartmon, Grievance Committee Chair 15th Judicial (“Bartmon”)
- Jerald S. Beers, Designated Review (“Beers”)

36. That the complaint filed against Turner was filed before Complainant had knowledge of the Triggs conflict and in light of the multiple conflicts and other violations now discovered of the Rules by Triggs it now appears to make sense, how such cover-up has taken place at the Flabar.

37. That this influence pedaling by Proskauer and its partners, to cover their involvement in the heinous crimes alleged, has now been exposed in two states constituting manipulation of state Supreme Court offices, that may have caused Flabar members and employees to become tainted through a multitude of devious ways stemming from the conflicts, which have lasted throughout the Wheeler Complaint process undisclosed, as Triggs’ influence as a Member while conflicted was planted immediately in the opening days of the Wheeler Complaint and remained for the remainder of the Wheeler Complaint undisclosed, and as a Member, it may have taken a wink and nod and promise of future benefits for aiding to suppress the Iviewit Wheeler Complaint or it may have taken the form of payola, enough so, that such members and employees of Flabar would take the missteps and miscues that effectively bury the Wheeler Complaint, denying due process or formal investigation over eighteen months. This degrades The Supreme Court of Florida’s agency the Flabar’s function, to be an unbiased and not conflicted entity setup as a consumer protection organization, and transforms it into an attorney protection agency, whereby undisclosed and not approved conflicts and violation of the Rules by fully insured Members and employees prevails, allowing abuse by attorneys of their public office positions, as shields, and whereby, such conduct is allowed by Flabar to go further undisciplined after exposure, yet certainly Complainant knows not unreported for insurance purposes as required in the Bylaws when there are real or perceived actions pending against any member covered in the Bylaws of which such matters as conflicts and appearances of impropriety would certainly have already deemed for such full disclosure upon being informed of the complaints against Member Triggs and employee Turner. These matters, all caused by Proskauer/Wheeler/Triggs, have now caused actions to be filed in the Supreme Courts of the states of Florida and New York and actions to be taken by the Commissioner of Patents for the United States Patent and Trademark Office, all further requiring notice, these matters should be taken seriously by This Court as insurance carriers now face risk, and in review of recent letters from Boggs, he asserts that the matter is closed and supports the opinions in errors that Proskauer did no patent work and further attempts to minimize conflicts that he knows existed and admits, all this leading one to believe that Triggs’ defense fund may be paid by Flabar insurance and perhaps exposed Flabar further.

38. That Complainant states that other state bar agencies were influenced by Flabar statements that were misused by other attorney’s, such as Dick who came to Iviewit through Wheeler and Utley, with a past patent malfeasance which was covered up,

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whereby Dick, Utley and perhaps Wheeler, were involved in the similar events of DTE. Dick brought in to “fix” the work of Joao and oversights by Rubenstein, in the filings of the patent applications, and to investigate Joao’s patents, where it had come to the attention of the Iviewit board, that Joao had recently, while retained by Iviewit and after, was filing patents similarly related to inventions learned at Iviewit, as fully described herein, and almost unfathomable to imagine. More strangely, when obtaining records directly from the USPTO it has become apparent that Joao was filing patents lacking critical information which was also turning up in his sudden surge of patents (90+) Joao filed in his name, as all illustrated with evidence and witnesses to Flabar and ignored.

39. That PR\Triggs\Proskauer and others, further attempt to slander and libel the principal inventor of Complainant, Bernstein, whereby the facts of the Wheeler Complaint find Wheeler so unmasked that Triggs in his conflicted responses on behalf of Wheeler, has no defense against a single piece of evidence submitted with the rebuttals of Lamont and Bernstein (these are separate rebuttals filed by Lamont and Bernstein and Bernstein’s response is several hundred pages filled with masses of evidence against PR\Wheeler, all ignored by Flabar) and Triggs fails to deal with any the complaints allegations, evidences and witnesses, so in a desperate attempt to shift focus, Triggs resorts in his responses tendered in conflicts on behalf of Wheeler, to creating phantasmagorical tales of;

- i. a retaliation by Iviewit against Proskauer for a billing dispute (filed after Proskauer was confronted by Iviewit board members regarding conversion of funds and patent theft),
- ii. to factually incorrect statements that Proskauer did no patent work for Iviewit. Contrary to documents, witness statements, investors statements, all showing contrary evidence, all submitted to Flabar and ignored, claiming Iviewit was a failed dot.com and forgetting to mention the companies underlying patent pending applications, where such technologies of the Complainant are patent pending and have estimated values over the life of the patents to be worth billions of dollars and whereby it is alleged that Proskauer and all of it’s partners directly inure benefits from Complainant technologies all to the detriment of Iviewit shareholders.
- iii. to statements trying to portray Bernstein as a madman,
- iv. to denials that Rubenstein knew who Complainant was and that he was being harassed by Iviewit and never billed a minute, forgetting to explain why he is being listed in the bills over a three year period.

All these tactics mere smoke and mirrors knowing that the review of the Complaint was never going to happen with conflicts undisclosed and concealed in place, and it worked for some time now to cloak Proskauer, yet the conflicts now revealed offer explanation as to how such events have gone unchecked or validated by Flabar, and now offer reasonable explanation for the missteps and miscues that led to Flabar to supporting a

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story without a single piece of evidence to prove such fairy tale true in the face of masses of evidence showing these claims false.

40. That members of the Proskauer patent department stand accused before the USPTO of charges of Fraud Upon The United States Patent & Trademark Office, Exhibit "" for such patent thefts and frauds. Further, Triggs, now in accomplice and acting as a fully insured Member of This Court, claims that Proskauer did no patent work and hosts of other false and misleading statements, all to interfere and perverse due process, contrary to masses of evidence and witness statements submitted to Flabar by Iviewit and contained in the rebuttals and further submissions of Lamont and Bernstein, to the Wheeler Complaint and furthered in the Supreme Court of Florida Case, Iviewit Holdings, Inc v. The Florida Bar.

41. That in fact, in a recent submission to Flabar, it was shown that the Complainants largest investor, Crossbow Ventures ("Crossbow") one of the largest and most prominent venture funds in West Palm Beach Florida had similarly signed jointly and in full agreement alongside Iviewit in the complaint against Proskauer and its patent department with the USPTO OED in OED Complaints – Exhibit "". Crossbow who maintains approximately a four million dollar (\$4,000,000.000) investment must also now be confirmed to be crazy with inventor Bernstein for the Proskauer story to be true. Yet, as a recent phone call from Wheeler and Triggs to Stephen J. Warner ("Warner"), Chairman and Co-Founder of Crossbow, whom can be reached at (561) 310-2124 or (561) 838-9005, reveals that Wheeler, on information and belief, asks Warner to confirm that he in fact has joined Complainant in allegations represented to the USPTO OED in the OED Complaints whereby Proskauer and its patent department currently stand accused of committing fraud upon the USPTO and Warner stated that indeed he had signed jointly with Complainant as illustrated by his signature in Exhibit "". That further Wheeler and Triggs then inquired into the status of the patents and the loans made by Crossbow, and, further where Wheeler and Triggs made inundations that they were inquiring as to suing Iviewit on their ill-fated judgment against Iviewit, and it seems strange in light of their sworn statement to Flabar, in the conflicted Triggs response, and again recounted in the the conflicted response of Krane in the Rubenstein Complaint, whereby Proskauer swears that Iviewit is a failed and bankrupt dot com looking for someone to blame and that they know nothing about patents and did no patent work, leaving one to wonder why would one sue a failed dot com in the first place as in Proskauer v. Iviewit, and further sue to collect from such bankrupt and failed company?

42. That further, evidence was submitted showing that Crossbow was given a Wachovia Private Placement Memorandum ("PPM") for use in a federally backed Small Business Administration ("SBA") loan document whereby Rubenstein the head of Proskauer's patent department is listed as both an Advisory Board Member and as "patent counsel for Iviewit" and further as "retained patent counsel", whereby the PPM was then used to raise investor monies, and perhaps from entities such as the SBA on such exhibited loan documents, and other shareholders, ready to testify to This Court as

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witnesses, who invested based upon such information contained in the PPM, several have already written such statements to Flabar, that have gone ignored. The PPM clearly listing Proskauer, Rubenstein, Wheeler, and Dick as Advisory Board Members. Whereby further, Rubenstein at deposition when asked about such roles, claims he cannot remember if he did or did not hold such roles, and a strange comment from a man formerly claiming he never heard of Complainant or Complainant technologies and was being harassed by the failed bankrupt dot com in sworn written statements to 15C, that make one wonder how if Wachovia did any due-diligence whatsoever, how such information could have been widely disseminated and further led to investors monies being raised, as if, at the time of the PPM, the following claims would have had to been false than somebody lied to Wachovia at the time, and so far all fingers are pointing at Proskauer with nobody having an alternate explanation for all the conflicting stories. Th

43. That some of the conflicting stories of the realities back then versus the fantasies told now to This Court, will astound This Court as to the amount of fraud that either was perpetrated on Wachovia and other investors who used such document or is now being perpetrated on This Court, as Rubenstein who now claims to never heard of Complainant and Triggs who supports Rubenstein's statements in writing to Flabar and in Litigation, and if one reads the Rubenstein deposition as Complainant urges This Court to do, and then side by side reads the widely distributed and sworn statements contained in PPM, Exhibit "" and sees the black and white conflicting statements, wherein the PPM separately calling Rubenstein "retained" lead patent counsel and Dick and Foley "shepherds" of the applications and then in deposition statements see Rubenstein's utter denial of any knowledge, it leaves one choosing between two wholly different stories whereby one must be unholy and the other reality. We urge This Court to take such time, and attempt to choose what is real after a thorough review of the evidences, then one side or the other sides story must prevail to then account to investors who swindled their monies. On a final note, as evidenced to Flabar and ignored, Proskauer billed for review and hours and hours of time were billed for such work on the PPM, they then further disseminated and endorsed the plan, whereby Wheeler referred management and Wheeler were the main impetus to all statements contained in the Wachovia PPM, leaving This Court to ask Rubenstein, Joao, Wheeler and Utley just exactly which account is correct their then stories or their now stories, and then determining which counts of fraud and misleading statements apply for either lying to Wachovia Securities, the SBA and other shareholders or lying to This Court and then do what This Court sees fit.

44. . That recently in sworn statements to VSB, Dick makes similar claims of having no involvement in the Iviewit patents, leaving This Court to ask who exactly did all this bad work and how did they get referred in, and again all fingers point to Proskauer and Proskauer further referred Dick and he was personally vouched for by Proskauer referred Utley, whereby again it has been evidenced to Flabar and ignored, further where Utley Wheeler and Dick's past patent malfeasances were concealed and in fact Utley biographies completely falsified with accounts that his former work for DTE led to DTE becoming an industry leader, all to do with Utley's inventions, when factually This Court

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only need call Monte Friedkin to cure these lies, a local philanthropist, to verify that the company was closed and all as a result of Utley's attempted patent invention thefts, aided and abetted, by Dick as his attorney, learned by Complainant to be Dick only at Utley's deposition and whereby the patents were transferred unbeknownst to Friedkin, to some other entity, inventions Utley learned on the job, which on information and belief, the unknown entity may have been a company Premier Connections in FL, set up for Utley by Wheeler and Proskauer.

45. That additional submissions of evidence to Flabar show that patent applications had inappropriately been assigned to companies formed without authorization or knowledge of the Iviewit board of directors, whereby Proskauer is a shareholder of such company, whereby the Complainant may not be. On questioning of Complainant by OED for the USPTO, OED inquired as to the status of the matters before Flabar in the Wheeler Complaint and similar matters against Iviewit's former Advisory Board Member and patent counsel Rubenstein in the Rubenstein Complaint at the NY Department. This promoted the Complainant to notify the NY Department that such investigation had caused suspension of patents and that Proskauer is clearly identified as patent counsel in such OED Complaints with the Commissioner and OED having taken action through suspension.

46. That such USPTO OED request, led to the uncovering of first, a conflict at the NY Department, causing Chief Counsel of the NY Department to enter a motion in related matters to the Wheeler Complaint and then after similar check in Florida, another conflict in the Wheeler Complaint is identified with Triggs, all causes of the following actions with the Supreme Courts of Florida and New York:

In NY Department the following illustrates a picture of what is emerging in New York for This Court to review.

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June 17, 2004

BY HAND

PERSONAL AND CONFIDENTIAL

Ronald Uzenski, Motion Clerk
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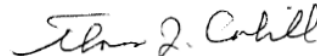
Re: Matter of Rubenstein and Joao
Motion to Transfer

Dear Mr. Uzenski:

Please find submitted herewith an original and seven (7) copies of a Notice of Motion and Affirmation to transfer the complaints against the above referenced attorneys to another Judicial Department. The motion is returnable July 12, 2004.

Please note the affidavit of service upon the parties on the blueback of the original Motion.

Very truly yours,



Thomas J. Cahill

TJC/nkd

Encls:

cc: Kenneth Rubenstein, Esq.
Raymond A. Joao, Esq.
Eliot I. Bernstein

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FLORIDA BAR COMPLAINT – PART TWO
MATTHEW H. TRIGGS &
THE LAW OF FIRM PROSKAUER ROSE LLP

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION : FIRST DEPARTMENT

-----X

In the Matter of an Attorney and
Counselor-at-Law:

NOTICE OF MOTION

Departmental Disciplinary Committee
for the First Judicial Department,

Petitioner.

-----X

PLEASE TAKE NOTICE that upon the annexed affirmation of Thomas J. Cahill, Esq., Chief Counsel to the Departmental Disciplinary Committee for the Appellate Division, First Judicial Department (the "Committee"), a motion will be submitted to this Court at the Appellate Division Courthouse, 27 Madison Avenue, New York, New York 10010, on July 12, 2004 at 10:00 A.M. or as soon thereafter as counsel can be heard, for an order granting the Committee permission to transfer the investigation and disposition of two complaints (Docket Nos. 2003.0531 and 2003.0532) to another Judicial Department for assignment to a grievance committee that this Court deems

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appropriate, on the grounds that there may be an appearance of
impropriety.

DATED: New York, New York
June 17, 2004

Yours, etc.,

THOMAS J. CAHILL
Chief Counsel
Departmental Disciplinary
Committee for the First
Judicial Department
61 Broadway - 2nd Floor
New York, NY 10006
(212) 401-0800

To: Kenneth Rubenstein, Esq.
c/o Steven C. Krane, Esq.
Proskauer Rose
1585 Broadway
New York, New York 10036

Raymond A. Joao, Esq.
c/o John Fried, Esq.
Fried & Epstein, LLP
1350 Broadway, Suite 1400
New York, New York 10018

Eliot I. Bernstein
IVIEWIT
10158 Stonehenge Circle
Boynton Beach, Florida 33437

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**FLORIDA BAR COMPLAINT – PART TWO
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**AFFIRMED MOTION TO:
BEGIN IMMEDIATE INVESTIGATION OF COMPLAINTS AGAINST
ATTORNEYS AND COUNSELORS-AT-LAW KENNETH RUBENSTEIN,
RAYMOND A. JOAO, STEVEN C. KRANE, THOMAS J. CAHILL (SEPARATE
MOTION ATTACHED) AND THE LAW FIRM OF PROSKAUER ROSE LLP;
MOVE COMPLAINTS AGAINST ATTORNEYS AND COUNSELORS-AT-LAW
KENNETH RUBENSTEIN, RAYMOND A. JOAO, STEVEN C. KRANE,
THOMAS J. CAHILL (SEPARATE MOTION ATTACHED) AND THE LAW
FIRM OF PROSKAUER ROSE LLP TO THE NEXT HIGHEST LEVEL OF
REVIEW, VOID OF CONFLICTS OF INTEREST AND THE APPEARANCE OF
IMPROPRIETY; AND
STRIKE THE CONFLICTED RESPONSES OF STEVEN C. KRANE**

In the matter of Petitioner attorney complaints against Kenneth Rubenstein (“Rubenstein”) Docket: 2003.0531, Raymond Joao (“Joao”) Docket: 2003.0532, Steven C. Krane (“Krane”) Docket: pending review by Paul J. Curran, Thomas J. Cahill (“Cahill”) Docket: pending and the case transferred to Special Counsel Martin Gold, and, the law firm Proskauer Rose, LLP (“Proskauer”) Docket: pending review by Paul J. Curran. All complaints were filed at the Supreme Court of New York Appellate Division – First Judicial Department Departmental Disciplinary Committee (“First Department”) and taken collectively the above named attorneys hereinafter termed (“Respondents”). Petitioners, Eliot I. Bemstein and P. Stephen Lamont individually and on behalf of the shareholders for:

IVIEWIT CORPORATION - FLORIDA;
IVIEWIT, INC. – FLORIDA;
IVIEWIT.COM, INC. – DELAWARE;
IVIEWIT.COM, INC. – FLORIDA;
I.C., INC. – FLORIDA (fka IVIEWIT.COM, INC. – FLORIDA);
IVIEWIT.COM LLC – DELAWARE;
IVIEWIT LLC – DELAWARE;
UVIEW.COM, INC. – DELAWARE;
IVIEWIT HOLDINGS, INC. (fka UVIEW.COM, INC.) - DELAWARE;
IVIEWIT HOLDINGS, INC. – DELAWARE;
IVIEWIT TECHNOLOGIES, INC. (fka IVIEWIT HOLDINGS, INC.) –
DELAWARE;

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AND OTHER JOHN DOE COMPANIES THAT MAY BE IDENTIFIED AT A
LATER

(collectively hereinafter termed “Petitioner”) hereby requests that the Court:

**(I) BEGIN IMMEDIATE INVESTIGATION OF COMPLAINTS AGAINST
ATTORNEYS AND COUNSELORS-AT-LAW KENNETH RUBENSTEIN,
RAYMOND A. JOAO, STEVEN C. KRANE, THOMAS J. CAHILL
(SEPARATE MOTION ATTACHED), THE LAW FIRM OF PROSKAUER
ROSE LLP AND ALL RELATED COMPLAINTS.**

ENTER AN ORDER GRANTING A MOTION TO BEGIN AN IMMEDIATE
INVESTIGATION OF RESPONDENTS AND ALL RELATED COMPLAINTS, AND;

**(II) MOVE COMPLAINTS AGAINST ATTORNEYS AND COUNSELORS-
AT-LAW; KENNETH RUBENSTEIN, RAYMOND A. JOAO, STEVEN C.
KRANE, THOMAS J. CAHILL (SEPARATE MOTION ATTACHED),
THE LAW FIRM OF PROSKAUER ROSE LLP AND ALL RELATED
COMPLAINTS TO THE NEXT HIGHEST LEVEL OF REVIEW, VOID
OF CONFLICTS OF INTEREST AND THE APPEARANCE OF
IMPROPRIETY**

ENTER AN ORDER GRANTING A MOTION TO MOVE THE COMPLAINT
AGAINST RESPONDENTS AND ALL RELATED COMPLAINTS, FROM THE
FIRST JUDICIAL DEPARTMENT DISCIPLINARY COMMITTEE (“FIRST
DEPARTMENT”) TO THE NEXT HIGHEST LEVEL OF REVIEW DEVOID OF
CONFLICTS OF INTEREST AND THE APPEARANCE OF IMPROPRIETY.

(III) STRIKE THE CONFLICTED RESPONSES OF KRANE

ENTER AN ORDER GRANTING A MOTION TO STRIKE THE CONFLICTED
RESPONSES OF KRANE IN DEFENSE OF THE RUBENSTEIN COMPLAINT

48. That after discovering conflict by Proskauer and its partners in the New York disciplinary proceedings against Proskauer patent counsel Rubenstein, again head of the patent department at Proskauer and perhaps the single largest infringer of Complainant’s

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technology, Complainant looked closely at Flabar for similar conflicts in the Wheeler Complaint, and in fact, find the Triggs/Wheeler/Proskauer/Flabar conflicts of interest and other violations of professional misconduct cited herein and further confirmed in a recent letter from John Anthony Boggs, Director, Legal Division whereby he confirms and states for Flabar:

“the fact that for a short period of time Mr. Triggs represented Mr. Wheeler without a waiver”

49. That this is absolute testament that a conflict of interest existed, no matter for how short a time period, whereby Boggs further states that no disclosure by Triggs and no waiver from the board was ever approved at the time and then goes on to conjecture what might have happened had Triggs disclosed and how it may not have automatically constituted a violation, had it been properly disclosed and if it had been properly submitted to the board for express waiver and other such meaningless conjectures. This while analyzing and directing his remarks to only one conflict of the many heinous Triggs conflicts. Would have, could have, and should have, are nowhere in the rules cited herein or anywhere in the Rules, whereby again it states that:

(2) Former Grievance Committee Members, Former Board Members, and Former Employees.

No former member of a grievance committee, former member of the board of governors, or former employee of The Florida Bar shall represent any party other than The Florida Bar in disciplinary proceedings authorized under these rules if personally involved to any degree in the matter while a member of the grievance committee, the board of governors, or while an employee of The Florida Bar.

A former member of the board of governors, former member of any grievance committee, or former employee of The Florida Bar who did not participate personally in any way in the investigation or prosecution of the matter or in any related matter in which the attorney seeks to be a representative, and who did not serve in a supervisory capacity over such investigation or prosecution, shall not represent any party except The Florida Bar for 1 year after such service without the express consent of the board.

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50. That, in fact, it appears that Boggs further attempts to merely minimize his admission of the conflict of interest and violations by Triggs by stating had proper procedure been followed by Wheeler/Triggs/Proskauer in disclosure to Flabar, that the board may have, might have and could have allowed Triggs to act on behalf of Wheeler, and he makes this determination based on analysis of one conflict. Yet, since the truth is that no disclosure was made by Triggs as required on any of the multiple myriad of conflicts of Triggs and further all concealed by Triggs, and since no board did approve such conflict at the time, it appears that Boggs is merely speculating and presuming in his letter what would of, could have, should have happened. Boggs in fact acts unaware in his letter that Triggs was also in conflict at the time with Conflicts I-VI herein, which would have led to no waiver and thereby no influence, and therefore these matters would have never disgraced This Court. “The fact” is, that any representation during any period of the prohibition without waiver is a conflict, further a prohibited conflict without proper disclosure and waiver by consent of the board, thereby causing the appearance of impropriety, and Boggs’ attempt at dismissal of the conflict, as a small oversight that would have, should have and could have maybe been given a waiver by the board of the Flabar is ludicrous, when reviewed in light of Conflicts I-VI, and is perhaps further evidence of how deep this conflict has permeated within the Flabar. Complainant seriously doubts that an unprejudiced and unbiased board would have ever allow any waiver for Triggs while considering the multiplicity of conflicts and the totality of the situations involved in all similarly related matters. Complainant asks the Flabar board to take a formal vote on the matter after a conflict check is completed and waivers signed on the voting members and with full disclosure this time, to test the validity of any attempts to claim a board would have waived Triggs without suitcases flush with cash and other such incentives, knowing that a waiver could cost further liabilities in this situation to This Court. Boggs, may have, might have and certainly did try to discount one conflict, in his recent letter to Complainant and to insure proper disclosure was followed in claims against insured Members and employees of Flabar have been noticed on Boggs and filed with Flabar, whereby the Complainant requests This Court to have the conflicts or even the pending investigation conflicts or the perceived threat of actions and actions as taken already by Complainant against Flabar be accurately reported to prevent further possible failures to report based on assumptions by Boggs, if such actions have been taken, Complainant asks for verification. Complainant also asks to This Court to immediately seek remedy from any insurance or other funds that may benefit Iviewit for damages already done at This Court.

51. That the conflicts, improprieties and appearances of impropriety occur by no coincidence in two state bar associations, which have led to cases and causes now at the Supreme Court of New York and Florida and thereby constituting issues of more substance over form, whereby conflicts exist knowingly, willfully and with malice, which should prompt Flabar to enact similar motions with the Supreme Court of Florida as was done by the NY Department when the conflicts were confirmed, to move the matter out of the existing conflict which Complainant will show that in the case of Flabar, the conflict may have permeated even to the offices of the recently elected President of

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Flabar, Kelly Overstreet Johnson, whereby at her private practice law firm, Broad & Cassel, she is directly oversighted by James Wheeler who acts on the firm's Executive Committee and further as Chairman of the Firm's New Partner Committee. James Wheeler, who is brother of Wheeler of the Wheeler Complaint and perhaps by no coincidence, it is plausible and further alleged, that Johnson's position has been manipulated or sought after with ulterior motives to gain influence on the disposition of the Wheeler Complaint by James Wheeler, to protect his brother Wheeler, and with direct oversight of Johnson as the Florida Bar President, and with James Wheeler maintaining a private practice with her, yet another possible appearance of impropriety on a grand scale appears to have occurred and had this gone unchecked, could have led to private and confidential government protected Flabar files being transferred or viewed by Johnson, and further if transferred to James Wheeler and passed on to Wheeler, access to such files would have led to further misconduct. Complainant asks This Court to diligently review all matters leading to the appointment of Johnson and her actions, or inactions, in these matters, are cause for removal and further verify through any method seen fit by This Court, if such misconducts have taken place and take action as This Court sees fit.

52. Whereby having such an undisclosed conflict for such a long time has completely tainted the Wheeler Complaint and Flabar, casting an aura of suspicion on Flabar and several of its members actions and inactions involved in the Iviewit complaints, so as to cause Complainant to demand, as the only way to have due process restored void of conflict, the immediate moving of the Complainant complaints in these matters entirely out of Flabar, perhaps out of Florida altogether to federal court or to an unbiased third party or parties, to be determined This Court, which is already in review of related matters under case SC04-1078, as conflicts may already be internal and permeated deep within Flabar that exclude further review of any of Complainant's complaints by Flabar, including but not limited to the Wheeler Complaint, Wheeler second complaint, complaint against Eric Montel Turner, this Triggs complaint, this Proskauer Complaint and any other complaints that may arise after investigation into the conflicts begins. Let this complaint serve as notice that Complainant finds that Flabar should motion all matters, and direct all future correspondences in these matters, in all Complainant complaints, directly through This Court and with all future correspondences in these matter come directly from This Court or its designated oversight.

53. That the crimes alleged against Proskauer attorneys are of high crimes against this countries Constitutionally created agencies such as This Court and the USPTO, and consist of the following crimes, including but not limited to:

- Conspiracy and RICO violations;
 - Manipulation of Supreme Court agencies by ethics attorneys and other attorneys violating their public office positions;
 - Complex corporate shell games to hide the patents, which have recently been uncovered, (whereby an audit failed to find evidence that Iviewit

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- shareholders owned equity in a company with core patents, that Proskauer may be a sole shareholder of;
- Involvement of multiple parties in multiple states, all with tentacles to Proskauer.
- Violations of Federal anti trust laws;
- Whereby patent pools controlled by a singular legal evaluator, Rubenstein, who accepts conflicted clients like Iviewit with technologies that represent the single largest competitive threat to patent pools created and overseen by Rubenstein, now inuring benefit to both Proskauer and Rubenstein and end up being used by such patent pools without any remuneration to Iviewit shareholders, is evidence of why patent pools have historically failed and been stopped by the Department of Justice (DOJ), who claims never to have opined for the validity and legality of such MPEGLA pool, quite contrary to the story told and advertised by Rubenstein whereby he claims misleading blessings from the DOJ.
- Grand Theft of Patents by patent attorneys and others high crimes against the United States Patent & Trademark Offices;
- Fraudulent inventors whereby patents were written into Iviewit patent counsels name, almost impossible to believe, the very attorney referred and over sighted by Rubenstein, Joao, now laying patent claims to patents conflicting with Iviewit inventions and learned while engaged by Iviewit and whereby such attorney currently claims a total of 90+ patents.
 - Forgery and False Oath and Declarations to a Federal agency the USPTO, whereby there are forged patent documents with patently false inventors.
 - Fraudulent patent applications uncovered whereby it appears that there were two sets of patent books, where it was found that patents were being directed improperly to Proskauer management referrals and other John Doe's, the Proskauer Entity and other unknown entities.
 - To crimes involving inventors purposely falsified to the benefit of Proskauer so as to steal off with the inventions directly or through management referrals with falsified resumes that has led to current investigations into stolen patents by the Boca Police and The Federal Bureau of Investigation whereby no rights titles or interests in certain patents once thought held by Iviewit shareholder are now confirmed not the property of Complainant, per the patent office preliminary investigation Such alleged crimes have led to current investigation by the Boca Police Department and per Detective Robert Flechhaus of the Boca Raton PD, after either taking the recent cases filed with the Boca PF to the States Attorney General or the District Attorney it was then recommended to co-join the Boca PD investigation with the Securities and Exchange Commission regarding the funds stolen and other matters in the Proskauer securities violations, leading to the stolen briefcase of cash and investor

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funds by Proskauer and their referred (on falsified resumes) management team;

- Securities Frauds;
 - Whereby fraudulent investment papers and the Wachovia PPM were disseminated by Proskauer and further submitted to induce investment from, including but not limited to Wachovia Securities, Crossbow Ventures, and other shareholders, with statements that contradict the Proskauer story told to This Court, in violation of Regulation “D” of the Securities Act of 1933 and other private securities laws,
 - Whereby companies were opened without board ratification or knowledge;
 - Whereby loan transaction papers handled by Proskauer and maintained by Proskauer are now lost by Proskauer.

- Breaches of Fiduciary Duties and Attorney Client Duties;
 - Falsification of resumes by Proskauer, on behalf of their referred management Utley, leading to the uncovering of past Utley patent thefts from employers and where Utley and Wheeler purposely failed to disclose such malfeasances and took a deliberate course to prepare a completely false and misleading resume submitted to Iviewit shareholders and investors.
 - Proskauer’s failure to get a proper written retainer agreement upon taking Iviewit as client and further taking patent disclosures during such time, conveniently forgetting to run a proper conflicts check prior to representation as learned in the Wheeler and Rubenstein depositions.
 - Proskauer’s failure to get a waiver of conflict from Rubenstein who is further a board member and shareholder of such client Iviewit and whereby Rubenstein has personal vested adverse interests in protecting his patent pools, which in light of such violations such pools may be a smoke screen for anti-competitive, anti-trust behavior by Rubenstein through the patent pool, the likes of which have never been paralleled but if not stopped here may continue to violate the Constitutions established protections for inventors by those entrusted as patent counselors and licensed with the USPTO and whereby if this continues, it will be hard pressed for inventors to trust patent attorneys or agents of the USPTO such as Rubenstein. Further, Proskauer/Rubenstein operates such pools with virtually no oversight and if the Iviewit story is factually correct as presented herein this a blatant disregard of free commerce and trade that tears at the very fabric of the constitution which is designed to uphold fair trade and further to uphold it through the creation of the patent office, as a further means to protect inventions in a democracy wherein without such constitutional protection, it would lead to the end of free economy, whereby the king or in instances such as this, Proskauer/Rubenstein, would own and profit off others inventions to the detriment of the

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inventor, thereby causing inventors to not invent, thus the need for Congress to have the power under Section 8 of the constitution to protect the rights of inventors. Never did our forefathers imagine it would be invoked to prevent theft of inventors ideas from the very patent attorneys licensed before such congressionally formed entity as the federal United States Patent & Trademark Office;

- Multiple violations of multiple state and federally instituted rules and regulations regarding attorney conduct and conduct of public officials.
- Crimes wherein when Proskauer partner Wheeler was asked by the board of Ivieuit to explain some of the malfeasances, Proskauer\Wheeler\Triggs, instead begin a deliberate course of actions to harm Ivieuit, further have their management steal off with, as eyewitness accounts submitted to Flabar cite in written sworn statements, a suitcases of stolen investor monies (whereby Proskauer has incomplete transactional documents for the investor transaction they handled, and the accountant who referred Proskauer, Gerald R. Lewin (“Lewin”), has lost the books involving such transaction, leading to an AICPA complaint against Lewin currently pending investigation;
- Misappropriation and conversion in the theft of loan funds from Ivieuit whereby Proskauer represented Ivieuit transactionally in the matter, causing loss of approximately seven million dollars (\$7,000,000.00) of A+ rated investor funds and private investor funds including but not limited to H. Wayne Huizenga the seed investor, Crossbow Ventures, Ellen DeGeneres, Alanis Morrissette, Former Directors for Goldman Sachs.

➤ **Perjury;**

- Through perjured depositions by Proskauer attorneys involved in the theft;
- Perjury through false and misleading statements made to Supreme Court agencies and further manipulation of such Supreme Court agencies;

➤ **Mail and Wire Fraud;**

- Whereby fraud upon government agencies occurred, through mail and wire fraud, such as the submission of fraudulent documents to the USPTO by representatives of the patent bar and false and misleading statements submitted to Supreme Court bodies, including This Court;

➤ **Violation of Section 8 of the United States Constitution;**

- Whereby Proskauer attorneys deprive inventors of their constitutional rights as inventors, as protected by the constitution under;

**Article 1, section 8, clause 8 of the United States
Constitution provides:**

"Congress shall have the power ... to promote the Progress of Science and Useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their Respective Writings and Discoveries."

A violation of the Constitution and the federal USPTO laws, by the very attorneys licensed additionally with the Patent Office to protect such rights of the inventors, constituting crimes of a nature endangering the establishment of the United States;

- Insurance Fraud;
 - Whereby fraudulent Directors and Officers policies were secured via Wheeler for Iviewit on a non-existent company, currently under investigation at AIG with both the fraud and internal affairs Departments, see Iviewit Holdings (3) notations.
 - Possible insurance fraud in the failure to report claims to carriers

- Harassment;
 - Crimes of harassment and frivolous lawsuits by Proskauer and former Proskauer management, in attempted frivolous and failed involuntary bankruptcy proceedings against Iviewit by Proskauer referred management and whereby Proskauer stood in line as the largest creditor.
 - Through another felonious and harassing action in the Proskauer v. Iviewit case which now in light of Triggs conflicted representation in conflict of public office while in that representation, a questionable victory was had which was questionable in how it was achieved, through a technicality, a default judgment was entered with no trial of any matters, a default whereby Iviewit was denied counsel days before a trial was to begin, and then for Iviewit's failure to retain replacement counsel in a most remarkable case, where now in light of the Triggs conflict may point to more malfeasances in that case at that court.
 - Death threats made on behalf of Proskauer, by Proskauer referred management Utley on the life of one of the inventors, Bernstein, to stifle attempts to bring these matters to the attention of shareholder, investors and the authorities. This leading to the firing of an entire Florida operation and Proskauer by vote of the Iviewit board, to the closure of such 40 person Boca Raton, Florida operational division with full knowledge and consent of the investors and board based on what little of the crimes was known at the time and finally to Bernstein uprooting his family overnight to a hotel in California three thousand miles away from Utley and Proskauer for their safety.

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- Bribery;
 - Whereby such stolen monies were further used in attempts to bribe employees, as eyewitnesses accounts attest to in sworn statements, to steal highly proprietary trade secrets and patent processes as evidenced in witness statements contained in the Wheeler Complaint;
- Embezzlement;
 - Leading to stolen highly proprietary equipment by Proskauer referred management Utley, returned under police order, Case 2001054580 with the Boca Police Department.
- Other unknown crimes;
 - Crimes that may come to light as various state and federal agencies proceed with their investigations.

54. That all actions of these foiled attempts by Proskauer and their referrals, to steal Complainants technology, technologies which factually have already shaped your world, technologies that have been and continue to be revealed at for their novel approaches and heralded as revolutionary breakthroughs that have led to advancements in all known digital imaging and video spectrums.

In imaging:

- Led to zooming and panning on digital cameras without pixel distortion, as is now commonly found on all digital cameras and digital imaging devices,
- Led to advances in 3-D and CAD technologies,
- Led to advances in chip creation

In video:

- Led to video phones that would not work in low-bandwidth communication environments such as cellular channels, where bandwidth is limited to approximately 100kbps, impossible without Iviewit technology;
- Led to a 75% expansion in cable, DSL, Terrestrial and Non-Terrestrial communication environments allowing top video in low bandwidth environments such as the Internet (prior to Iviewit's invention a "holy grail" status was given to this quest as it appeared that mathematically the problem could not be solved and the Internet would stagnate as a text based medium, and Iviewit inventions again are heralded as novel as they use the brains optical scaling powers for compression, a novel theory, that allows even the Florida Bar to use video on their website at www.flabar.org created using the Iviewit patent pending, or shall we say, patent suspending processes pending at the United States Patent & Trademark Office;

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- Led to processes which have changed the way you view television and the processes that create and distribute such streams both on hardware and software, down to the very code on the chips;
- Led to processes which have changed the way you view DVD's, and the processes that create and playback such streams both on DVD hardware and software;
- Led to thousands of improvements in the processes of digital imaging and video creation, such as HDDVD's and cellular communications.

In zoomable video images and zoomable video;

- Led to new market breakthrough.

55. That all allegations of crimes and all involved parties have one center of which points to Proskauer, a former real-state firm, transforming seemingly overnight into a technology firm with a brand new patent department specializing in Complainants highly niche market, all since meeting the inventors and taking disclosures as patent counsel, and where Proskauer then hired the single most conflicted human being with Complainants technologies, Rubenstein, and whereby now caught with the cookie jar in hand as evidenced in Proskauer's claims to be the formative legal force in digital and imaging technologies through Proskauer's control of MPEGLA, LLC, (which licenses MPEG-1, MPEG-2, MP3, and MPEG4 and other patent pools such at the DVD patent pool), all now controlled by Proskauer and Rubenstein. Rubenstein being Iviewit's lead patent counselor and Advisor to the Board of Directors, and, simultaneously and also undisclosed until Rubenstein's deposition, Rubenstein at the same time was the head counsel of MPEGLA, LLC, and sole patent evaluator of patents deemed essential for inclusion into the pools, whereby MPEGLA, LLC is the largest single benefactor of Iviewit technologies and further has interests adverse to Iviewit in not wanting to pay license fees by seeing Iviewit fail, and further had the motive to see Iviewit fail, whereby they might have gotten away with the corporate shell game and stolen off with the patents, had they not got caught prior to completion of their diabolical plan. Caught with the cookie jar in hand, one simply need to read their self-proclaimed status in such short time as a patent firm:

From Proskauer's website we cite from Rubenstein's biography:

For the past several years Ken has worked on the formation of a patent pool for MPEG-2 technology, first on behalf of CableLabs, the research and development consortium of the cable TV industry, and now on behalf of MPEG LA LLC, an entity set up to license MPEG-2 essential patents. In particular, Ken worked on selecting those patents which are "essential" to the MPEG-2 standard and therefore

suitable for inclusion in the pool. He worked with major consumer electronics companies and set top makers in doing this job. Under this arrangement, the MPEG-2 "essential" patents of a number of major companies are being made available in a single license. The pool has been operational since July 1996 and now has over fifty licensees.

Ken and his associates are now working on another patent pool involving large consumer electronics and entertainment companies concerning DVD technology.

From Proskauer's website we cite information from the patent department website:

Proskauer Rose LLP's Patent Law Practice forms a significant part of the Firm's Intellectual Property. The practice is based in Proskauer's New York office. The practice includes patent and technology related litigation, patent counseling, licensing and technology transfer and patent procurement.

For more information about this practice area, contact:

**CHARLES GUTTMAN 212.969.3180
cguttman@proskauer.com
<mailto:cguttman@proskauer.com>**

KENNETH RUBENSTEIN

**</lawyers_at_proskauer/atty_data/4747>
212.969.3185 krubenstein @proskauer.com mailto:krubenstein @proskauer.com>**

Licensing

We {PROSKAUER} have worked on the formation of a pioneering patent pool for MPEG-2 technology, first on behalf of CableLabs, the research and development consortium of the cable TV industry, and now on behalf of MPEG LA LLC, an entity set up to license MPEG-2 essential patents. MPEG-2 is an important digital video compression standard with applications in cable TV, satellite TV and packaged media. We were instrumental in selecting those patents which are

"essential" to the MPEG-2 standard and therefore suitable for inclusion in the pool. We worked with major consumer electronics companies and set top box makers in doing this job. Under this arrangement, the MPEG-2 "essential" patents of a number of major companies are being made available in a single license. The pool has been operational since July 1997 and now has over two hundred and fifty licensees. We are presently working with major consumer electronics and entertainment companies on patent pools relating to DVD technology. We have also been retained to apply this pioneering approach to licensing to the IEEE 1394 standard related to the Firewire system and to DVB-T (Digital Video Broadcast - Terrestrial).

56. That all the while Proskauer cloaked themselves and their crimes from legal ramifications through a most devious manipulation of public offices, abuses of their legal privileges with intentional conflicts of interests, all to protect their stolen goods the "holy grail" inventions. On a side note and word to the wise, it is all to well known what happens to those who attempt to steal the "grail" and as biblical as it may appear, a further word of caution, do not gaze into their eyes as they begin to burn in hell for these crimes or more applicably sins, for fear that greed may succumb you too. All these crimes at costs devastating to; Iviewit shareholders, This Court, The State of New York Supreme Court, The United States Patent and Trademark Offices, the inventors, the shareholders and all the others Proskauer has involved either intentionally or while violating public office. As great a movie script as this sounds, this is the real and true story of Iviewit whereby as a result of Proskauer's disingenuous schemes, lives have been destroyed, companies gravely damaged, inventors invention stolen by once trusted attorneys, investors monies stolen off with, lawyers guilty of both using the law to attempt theft of patents and then using and abusing the law and the government agencies used to enforce such laws to protect the public from corrupt attorneys, as personal shields, agencies including The Supreme Court of Florida and The State Supreme Court of New York. All, as if, because they were attorneys, they stood above the law and one step ahead of justice, for this they stand accused of these most horripilating crimes that could have only been done by violation of every known ethic an attorney swears by oath under G-d to uphold. Now guilty of failing an oath under such G-d, who works in mysterious ways and establishes downright nasty punishments to those who disobey its will or try and steal away the "grail". All crimes which must be brought to swift end and met with punishments as severe as G-d would have it for violating oaths and the bible offers countless examples of such Divine justice for This Court to choose from, whereby a pillar of salt seems a bit harsh but fitting, or any other Divine justice This Court deems fit. That Complainant prays that This Court will have no leniency in administering justice in discipline over lawyers, as this would impart a legal system that can no longer self regulate itself, causing a loss of confidence by the public in This Court and in fact, to

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be quite sure no such appearance of impropriety even remotely exists, punishments should be set at the maximum, if not doubled or tripled.

57. That it has been estimated that knowing of their crime and the value of the patents over the twenty year lifespan, far before Complainant was aware of any such foul activity or worth, Proskauer, in stealing such technologies valued at seventeen billion dollars (\$17,000,000,000.00) was going to need upfront monies and payola of at least fifty to hundred million dollars (\$50,000,000.00 - \$100,000,000.00) to;

- i. bribe or get partners to violate their ethics;
- ii. buy all the partners from Rubenstein's former firm Meltzer Lippe Goldstein Schlissel;
- iii. to gain control the MPEGLA LLC, DVD patent pools and other pools relevant to Complainants technologies and secure them as Proskauer clients;
- iv. to buy off public officials in any cases filed in either civil or criminal court;
- v. and all other reasonable and necessary expenses involved in covering up such grand larceny and other crimes committed to effectuate such a heist.

58. That this is but a small price when viewed through the royalties the Iviewit technologies already would be generating to Iviewit shareholders, if not for Proskauer's malfeasances, for example; imagine fifty cents ($\$.50$) on every digital camera that zooms without pixel distortion, or as the technology is already utilized on DVD's imagine a ($\$.01$) royalty. Confirmations from leading industry engineering experts, in advanced imaging and video departments from Intel, Silicon Graphics Inc, Lockheed Martin, Sony, Warner Bros., AOL Time Warner, Viacom/Paramount (all under Non-Disclosure Agreements ("NDA") instituted and maintained by Proskauer) and many other NDA's numbering in the hundreds, whereby many have began using such technologies and confirmed such usage in written statements, again evidenced to Flabar in the Wheeler Complaint, and whereby Proskauer and Rubenstein now control the patent pools which now inure enormous revenues to Proskauer and its partners all to the detriment of the Iviewit shareholders. In these examples, do the math and alone the value is astounding in revenues to offset any early costs afforded by Proskauer to commit and then further hide and cover-up the crime. All they had to do is get rid of Iviewit, its shareholders and the inventors. Of the three original inventors; (i) Jude Rosario is now missing from the United States and reportedly, by family who has no contact information, has been reported deported by the US Immigration and Naturalization Department and where he now lives in seclusion with no contact information somewhere between Bangladesh and Canada at last sighting; (ii) to Zakirul Shirajee who has recently claimed that he would like to get his name removed from the patents in fear and pleading with Iviewit management to find out if such option is possible from the USPTO in light of the allegations and pending dangers; (iii) to Eliot Bernstein whose creative visions inspired the inventions and which has been motivated by years of hard work in efforts to create technologies which benefit children and society, as the truth is a told to all Proskauer partners involved when asked how the ideas were invented, that these inventions were

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created in efforts to create a “Thought Journal” a living brain of computers to solve world problems in which children could communicate in full screen video over the Internet, and display magnificent full screen images with zoom that had no pixel distortion to be used in virtual worlds to show the children destruction of rainforests as if they were virtually inside the environment, in an effort to have computers compile such information in efforts to find solutions to global and planetary problems mankind creates daily that plague our children. The entire pursuit of such Thought Journal was envisioned twenty years earlier by Bernstein when he laid comatose in the spinal unit of Northwestern Hospital with a broken neck and further having shattered every bone in his face and immediately pursued ever day since a miracle straightened such broken neck and Bernstein awoke a new man possessed with a burning desire to save children in this Thought Journal which twenty years ago, with no Internet Bernstein began the pursuit.

59. That the patent processes, however hard this is to believe, were truly discovered in pursuit of the “mad inventors” dreams to create such “Thought Journal” and of all the wonderful (excluding Proskauer and other conspirators of the theft) Iviewit shareholders who built Iviewit, that will all tell you that this is the truth of since the first discoveries were born. Proskauer shamelessly tries to steal these technologies by falsifying inventors, attempting to change the timeline of the world and the events of the real world and claiming that they invented such technologies with their friends like Raymond Joao and Brian Utley.

60. That, yes, this is the true and complete Iviewit story, however crazy it sounds. The real craziness and all these outrageous and almost unbelievable events, are all testament to Proskauer’s insane attempt to steal such beautiful technologies created in the pursuit of helping children help their world. That Rubenstein who knew not only of the potential worth of the patents but further knew that if he/Proskauer did not control or own the inventions, they could potentially become the single greatest threat to the patent pools he created and was sole gate keeper for, the temptations to steal them and the possibility of the threat of them is what constitutes motive, as well as, the \$17,000,000,000.00. This enacted not only by Rubenstein and his patent crime crew but also by Proskauer in its entirety. In fact, Wheeler must have went to the highest levels to get the approval, once finding the value of the technologies through disclosure to Rubenstein, to get a full vote by all partners and funding approval to buy Rubenstein’s entire patent department from Meltzer, Lippe, Goldstein and Schlissel in the first place, and, for this reason, this complaint is also filed as a separate complaint in addition to Triggs, as a formal complaint against Proskauer and its partners.

61. That Complainant urges Flabar to not believe the Proskauer story of a failed dot com looking for someone to blame whereby Proskauer did no patent work for Iviewit, and have no recollection of Iviewit technologies they opined on as novel, or any other horse nonsense they claim, all with no witnesses or evidence to dispute Complainants specific factual allegations contained herein and in the Wheeler Complaint. The only defense, other than a factually incorrect story, of which Proskauer can use to protect

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themselves now from the law seems to be manipulation of laws and further manipulation of public offices, all causing harm and more shame upon agencies such as This Court. Failure to follow proper state and/or federal procedural laws must be watched closely now in light of the conflict of interest and appearance of impropriety now caused by the Triggs and Krane conflicts, at such high level as This Court and other Supreme Courts, and further statements of opinion in favor of the Proskauer story, such as the Turner or Boggs letters, without full and proper compliance by the Flabar, could cause the appearance of impropriety whereby it may be viewed as accomplice of sorts to the above mentioned crimes of Proskauer, all behavior unbecoming of a Supreme Court that Complainant knows will not happen when so much is exposed already in these matters publicly, and behavior that even applies or appears as collusion could erode total confidence in the establishment of the United States of America Supreme Court, and one Complainant has faith that This Court will abide and comply with all applicable laws in the future disposition of Iviewit matters.

62. That Flabar and This Court are now fully exposed and aware of the liabilities of the conflicts and must now follow all procedures to the letter of the law and review the entire matter to explore how the conflicts have permeated and since cause for action has already been confirmed, action should immediately be taken. In light of the mass of Triggs conflicts, a thorough **formal** investigation as required under the rules of federal and state administrative procedure demand need be conducted, **of each and every allegation** submitted in all complaints by Complainant, of which such investigation should now include;

- i. an immediate and full re-investigation removed of conflict of the Wheeler Complaint
- ii. third-party oversight of Flabar in the re-investigation of the Wheeler Complaint;
- iii. a full and proper explanation for each allegation either prosecuted or dismissed with explanation for the cause,
- iv. a review and and explanation of the evidences submitted and why they are positive or negative to the case;
- v. full disclosure of any analysis done on evidences;
- vi. an assurance that witnesses that have differing testimony that refutes the Proskauer story, are fully heard in entirety;
- vii. a removal of all parties prior involved in any way to the Wheeler Complaint to ensure that due-process is restored, void of further conflicts or old an lingering ones;
- viii. full disclosure by all new investigators, members or employee's of Flabar that may be involved in future Iviewit matters stating no conflicts,
- ix. a review whereby it is fair and impartial even if Flabar and This Court must recluse themselves to third-party oversight,
- x. the removal of Proskauer as counsel of Proskauer in these matters
- xi. all other state procedure laws or other laws in This Courts powers

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- xii. reporting of all misconducts and conflicts to appropriate state and federal agencies and all insurance carriers of all parties involved in these matters who carry coverage
- xiii. retraction of statement by Flabar, such as Proskauer did no patent work, if they were obtained without full and proper procedures or found influenced by conflict, so as not to interfere further in other investigations

63. That neglect and further conflicts will only toll heavier damages against insured members of Flabar caused by Flabar members and employees while in their terms and therefore a covered claim under the Bylaws of Flabar. Finally, this is an action against a Member Triggs and further notice to This Court of a complaint filed against Turner, and as such the Bylaws of the Flabar mandate that it is cause for reporting to the carrier, whom must be noticed of these actions against Triggs and now Turner, as such insurance disclosure is called for.

64. That such claim should be filed immediately on behalf of the Iviewit shareholders and further file the matters contained in this complaint to any other insurance carrier or insurance fund who may have additionally have liability, such as the client security fund.

65. That This Court force Triggs and Proskauer to disclose and to fully report all matters to their carriers, if Triggs and Proskauer have coverage, or any other insurance regulatory body governing such insurance policies. Flabar should immediately notice the Insurance Commissioner of Florida, as the enormity of the claim could have far reaching impact on the carriers, so as to further insure that proper procedures, reserves and accounting of such seventeen billion dollar (\$17,000,000,000.00) claim be made. This may result in enormous liabilities by all carriers involved, and so that they may make such evaluations with full disclosure and compliance in their investigations of these matters Complainant asks This Court to validate that all parties make proper disclosure to any entity that may be affected adversely by such actions, and follow all requirements from the Bylaws and further all carrier contract clauses

66. That further Complainant states that Flabar in the Bylaws of the Rules, states that Members and other representatives are covered by insurance for any shortfall for damage claims resulting in claims against them, resulting from Members and other employees actions while in office, cited from the Bylaws, which could also cause Flabar to be biased and conflicted out in the further review of Iviewit matters, as stated:

2 BYLAWS OF THE FLORIDA BAR

2-9 POLICIES AND RULES

**BYLAW 2-9.7 INSURANCE FOR MEMBERS OF
BOARD OF GOVERNORS, OFFICERS,
GRIEVANCE COMMITTEE MEMBERS, UPL**

**COMMITTEE MEMBERS, CLIENTS' SECURITY
FUND COMMITTEE MEMBERS, AND
EMPLOYEES**

Appropriate insurance coverage for members of the board of governors, officers of The Florida Bar, members of UPL, clients' security fund, and grievance committees, and employees of The Florida Bar shall be provided as authorized by the budget committee and included in the budget. To the extent the person is not covered by insurance, The Florida Bar shall indemnify any officer, board member, UPL, clients' security fund, or grievance committee member, or employee of The Florida Bar who was or is a party, or is threatened to be made a party to any threatened, pending, or completed action, suit, or proceeding, whether civil, criminal, administrative, or investigative (other than an action by The Florida Bar), by reason of the fact that the person is or was an officer, board member, UPL, clients' security fund, or grievance committee member, or employee of The Florida Bar, against expenses (including attorneys' fees), judgments, fines, and amounts paid in settlement, actually and reasonably incurred by the person in connection with such action, suit, or proceeding, including any appeal thereof, if the person acted in good faith and in a manner reasonably believed to be in, or not opposed to, the best interests of The Florida Bar, and with respect to any criminal action or proceeding, had no reasonable cause to believe the conduct was unlawful. The termination of any action, suit, or proceeding by judgment, order, settlement, or conviction or upon a plea of nolo contendere or its equivalent shall not of itself create a presumption that the person did not act in good faith and in a manner that the person reasonably believed to be in, or not opposed to, the best interests of The Florida Bar, or with respect to any criminal action or proceeding, had reasonable cause to believe that the conduct was unlawful.

67. That in the case of the malpractice carrier of Triggs and/or Proskauer, coverage that could offset some liability to Flabar, Iviewit in April 2004 filed a claim with Proskauer for reporting to their carrier many of these malfeasances and since officer and

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director suits have already been threatened against former management, and whereby a review of that D&O policy placed by Proskauer agents is now under an internal affairs and fraud investigation, and whereby Proskauer still fails to any of hundreds of questions inquiring minds want to know, and after information recently from the patent office showing clear evidence that outside professionals and board members have committed fraud (copy of such letter prior provided to Flabar, Eric Turner, in the April Iviewit Shareholder Letter) it would be wise for This Court to validate compliance. Complainant after months of calls with absolutely no response from Alan Jaffee, Chairman of Proskauer and to Robert Kafin the Managing Partner, with not a single returned call, perhaps Flabar may have better luck in finding the carrier to check Triggs' personal coverage, and to insure that compliance has been made in the diligent reporting of such claim to the carrier, and all applicable state insurance laws have been followed by both Triggs\Proskauer and Flabar and are carefully followed forward considering the risk and enormity of such claim and the potential impact on the insurance industry.

68. That Flabar appears to have potential liability for all of the following, including but not limited to;

- i. failure to have a conflict check done on Triggs while a Member and former Member of a Flabar Committee prior to granting representation of a conflicted member in matters which such Member had conflicts and adverse interests;
- ii. failure to immediately discipline a Member with conflicts and further for concealing such conflicts;
- iii. failure of Flabar to follow proper protocol after a conflict had been confirmed;
- iv. issuing biased opinion without formal investigation into the matter opined upon;
- v. refusal to provide Iviewit retractions of such maligned and conflict influenced opinions after notice;
- vi. refusal to answer requests for information on Flabar employees and other members which delayed the uncovering of the conflicts by months;
- vii. Turner's refusal to answer questions regarding an illiterate letter, that makes no sense either structurally or logically tendered on behalf of the Chair, Joy A. Bartmon, whereby it is impossible to understand and upon request for clarification, calls and letters to Turner and Bartmon literally go unanswered for months, still never returned, causing the liability to all to increase;
- viii. to a letter of no probable cause written by a Committee Chair, Bartmon, yet signed by Turner inapposite of the Rules which appear to call a signature of the Chair;
- ix. any other condition not yet known pending investigation.

69. Whereby, this Complaint against Triggs and Proskauer serves as formal written notice to Flabar of actions taken against insured members of Flabar as provided for in the Bylaws of the Rules, including the actions, but not limited to, Iviewit Holdings, Inc. v. The Florida Bar, the Wheeler Complaint, the Turner Complaint and finally the Triggs and Proskauer complaints herein, and wherein there are other contemplated, pending and

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threatened civil, criminal and professional misconduct actions against insured members of Flabar. The potential for damages to the carriers if such liability and claim is concealed, could have further impact on all parties involved, including but not limited to potential insurance fraud for failure to report. Complainant demands that full disclosure of all policies of Proskauer and Triggs which offer a first line of insurance funds as stated in the Bylaws in the Rules which state that any shortfalls or lack of personal coverage is indemnified in full by the Flabar policy for damages caused by insured members of Flabar while serving public office duties as directors, officers and employees of Flabar and Complainant therefore further demands copies of all such policies, from all parties involved, and additionally any claims forms necessary to file a claim, all to be served on the offices of Iviewit within thirty (30) business days from the date of receipt of this communication by any such party required to disclose, and further, demand proof of notification to all carriers involved, that the claim and all matters have been properly filed in accordance with all applicable insurance codes and finally demand a contact name for the head of claims at all such carriers.

70. That failure to comply timely with this request without relief by This Court, by any party named herein as having liability, will cause the Complainant to notify all state and federal agencies of possible insurance fraud by any named party that fails to comply. That the Complainant seeks to have Flabar fairly evaluate if it can continue to investigate or in any way handle the Iviewit complaints, especially in light of the now adversarial roles Flabar and This Court may now have, whereby Iviewit insurance claims against Flabar instituted herein may cause further bias to the determinant of Iviewit where Flabar which now appears to have conflict with Iviewit, as an adversary in insurance matters.

71. That Complainant further requests full and proper disclosure of all members of any organization within the Flabar and This Court, for the periods of 1998 to present, with a full listing of past and present law firms served, all positions held at Flabar or This Court, and any other pertinent information, so as Iviewit can assess the full ramifications of the conflict or find other tentacles that may have been involved and undiscovered, to date Flabar has repeatedly failed to provide such information after repeated written requests.

72. That This Court, must now step to the plate, restore order and investigate all conflicts, distribute justice harshly to those who are found to have aided and abetted Proskauer, in a way whereby Flabar emerges forward, according Iviewit and all others, the highest standards of ethics and fairness that is the symbol of This Court, and whereby in these matters Flabar is serving under the aegis of This Court. That Iviewit prays that in considering the totality of damages inflicted and the costs expended fighting the thousands of lawyers in several firms that Proskauer has involved to help cover this up or further the patent thefts, who have worked to tear down Iviewit at all costs, using legal tricks again and again, forcing the company to near bankruptcy, that This Court help Iviewit find fair and impartial legal representation in these matters, counsel not afraid of taking on well over a thousand lawyers who are risk at Proskauer and Foley alone, and

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we pray that This Court aid Complainant in the acquisition of one honest lawyer, so protected under This Court so as to relieve This Court of the burden of future pro-se lengthy submission. As mentioned, inventors already fear for their lives and others who have helped fear helping further, as task seems impossible without a court such as This Court doing everything in its powers to immediately cease these legal tricks and other harassments, certainly by revoking licenses to practice of all involved in disgracing This Court and other remedies This Court may have to aid the defense of Iviewit in light of the damages caused by agents of this Court. That this has dragged on this long, only serves to endanger more people and lives, as swift as Andersen vanished, the house of Proskauer should crumble rendering it a pillar and ceasing the sins and setting example that This Court takes these matters as serious as a violation of an oath before G-d and leniency is not an option, nor delay.

73. Whereby, Iviewit finally requests that This Court add no further delay in investigation and disposition in light of the Triggs conflicts and other matters now before This Court, as already Complainant has been damaged by the failure of earlier actions by Flabar that all now can be considered a result of the many undisclosed Triggs conflicts to This Court and whereby further This Court has knowledge, for now four (4) months that the patents have been suspended for a period of six months by the USPTO, that has only sixty (60) days left until further requests for extensions must be made directly to the Commissioner of Patents and which many of the matters before This Court now have impact upon.

74. That Complainant demands This Court to demand Flabar to retain all records in the Wheeler Complaint, until these matters and all similar related matters being investigated both federally by the USPTO, and This Court, and any other investigations are fully resolved, to the fullest extent of the law. Complainant seeks to prohibit the repeated further attempts to hurriedly destroy the Wheeler Complainant by Flabar, as repeated in the recent Boggs and Marvin letters to Iviewit, whereby they now claim that on August 1, 2004, they will destroy the records in accordance with some law that takes not into account that these may be vital records in federal investigations, and now with the conflicts, all to vital records. Any attempted destruction for a record keeping maintenance law would be seen as obstruction of justice and other related appearances of impropriety. This, after Debbie Yarbrough, Flabar Case Clerk of This Court (“Yarbrough”), had already stopped Marvin from an attempted July 1, 2004 attempt to destroy files after repeated pleas to hold them, even to the Executive offices, to hold them pending all these investigations, including OED at the USPTO and Yarbrough stopped such nonsense, showering good graces upon This Court, with a last minute stand. Most remarkably, Yarbrough and Iviewit were in such a last minute plea, as Flabar executives were not properly returning calls, and with only hours to spare, Yarbrough so kindly freed up the fax machine at This Court, one used exclusively for death sentence pardons, to allow Iviewit a motion and petition with This Court, the Iviewit v. Flabar case now pending at This Court, and it seemed fitting that the death penalty pardon facsimile was used, as the destruction would have been final, if not for Yarbrough granting pardon to

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the life of the files. But even after such call from Yarbrough, Boggs, now pens another letter whereby he claims he is proceeding on August 1, 2004. We ask again, before any attempts begin of such destruction, that This Court mandate that Flabar hold the Complainants files in all matters and similar related Complaints, for a period of no less than twenty (20) years as they now relate to evidence in the Iviewit patent application matters at the USPTO, and will so need to remain in entirety as part of that patent record, especially in view of the conflicts recently uncovered at Flabar and the N.Y. Department.

75. That, all exhibits noted herein and denoted as Exhibit “”, have purposefully been omitted to further prevent possible misuse and are available upon written request to Iviewit by any party having authority to review these matters, unless such evidences were inserted into the document.

76. That Complainant looks forward to working with This Court in all of these matters to ensure due process and fair evaluation in all of these and other pending matters going forward, it is not the intent or desire of Complainant to bring shame or damage to This Court in anyway and Complainant rests assured that This Court will swiftly restore justice through the administration of justice to any guilty parties and more swiftly and harshly in correcting any possible internal affair issues that have caused disgrace by agents of This Court through its Flabar department, who have failed in their duties to This Court or Flabar.



Digitally signed by Eliot I. Bernstein
DN: CN = Eliot I. Bernstein, C = US, O = Iviewit Holdings,
Inc.
Reason: I am the author of this document
Location: BOYNTON BEACH, FL - PAGES 66, FL BAR
TRIGGS
Date: 2004.07.22 10:40:22 -0400