

IVIEWIT TECHNOLOGIES, INC.  
IVIEWIT HOLDINGS, INC.  
ELIOT I. BERNSTEIN ~ FOUNDER & INVENTOR

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FACSIMILE TRANSMITTAL SHEET

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TO: Monica Connell	FROM: Eliot Ivan Bernstein
COMPANY: State of New York Office of the Attorney General	DATE: Friday, March 14, 2008 08:46:26pst
FAX NUMBER: (212) 416-6009	TOTAL NO. OF PAGES INCLUDING COVER: 8
PHONE NUMBER: (212) 416-8965	SENDER'S REFERENCE NUMBER: 1069
RE: <b>Re: Plaintiffs Eliot I. Bernstein, et al. v. Appellate Division, First Department Departmental Disciplinary Committee, et al., Docket No. 07 CV 11196 (SAS) request to reinvestigate prior submitted investigations including AG Case #07-507 based on new evidence.</b>	YOUR REFERENCE NUMBER: 1069WC

URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

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NOTES/COMMENTS:

Please deliver to Monica Connell.

Thank you,

  
Eliot I. Bernstein  
Founder & Inventor  
Iviewit Technologies, Inc.  
Iviewit Holdings, Inc.  
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(530) 529-4110  
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**iviewit**

**IVIEWIT HOLDINGS, INC.  
IVIEWIT TECHNOLOGIES, INC.**

**P. Stephen Lamont**  
Former Chief Executive Officer (Acting)  
Direct Dial: 914-217-0038

**Eliot I. Bernstein**  
Founder and Inventor  
Direct Dial: 530-529-4110

**By Facsimile and U.S. Mail**

March 14, 2008

Monica Connell  
Assistant Attorney General for the State of New York  
120 Broadway  
New York, New York 10271

**Re: Based on New Information, Request for Reconsideration of Letter of September 24, 2007 from Attorney General Andrew Cuomo's Office of Public Integrity ("OPI"), Case #07-507.**

Dear Ms. Connell:

As you are aware, and on October 26, 2007, Christine C. Anderson a former Staff Attorney of the Appellate Division First Department Departmental Disciplinary Committee ("DDC") filed suit in Federal court styled as case 07 CV 9599 (SAS) Christine C. Anderson v. State of New York, et al.

Moreover, in paragraph 97 of her Complaint, *Anderson* claims:

Upon information and belief, defendants also state that the timing of the, Plaintiffs' [Anderson's] abrupt firing was connected to the newly circulated revelations concerning Cahill's status as an individually named defendant in a lawsuit entitled In the Matter of Complaints Against Attorneys and Counselors-At-Law; Kenneth Rubenstein - Docket 2003.0531; Raymond Joao - Docket 2003.0532; Steven C. Krane - Docket Pending Review by Paul J. Curran, Esq. [Docket 2004.1883] -Thomas J.



Monica Connell  
Assistant Attorney General for the State of New York  
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Cahill - Docket Pending By Special Counsel Martin R. Gold on Advisement of Paul J. Curran (Separate Motion Attached) [Special Inquiry #2004.1122]; and the Law Firm of Proskauer Rose, LLP; Eliot I. Bernstein, Pro Se and P. Stephen Lamont Both Individually and On Behalf of Shareholders of: Iviewit Corporation, et al, Petitioner.

Furthermore, in a hearing to set schedule on December 12, 2007, and in an exchange with counsel for the defendants, Lee A. Adlerstein, Shira A. Scheindlin, U.S.D.J. stated, quoting from the transcript:

MR. ADLERSTEIN: ...We're dealing here with a discrimination case involving one individual.

THE COURT: Right. But it's a whistleblower discrimination case. Basically, what she's saying the reason I was fired is I tried to bring to the attention of the committee members certain things [par. 97, Iviewit], and they didn't want to hear it; so instead, they fired me.

MR. ADLERSTEIN: Well, there may be that aspect, but I think that --

THE COURT: Yeah, there is that aspect...I just am pointing out that it's not a garden variety discrimination case. She's saying it's a real retaliation case for having tried to alert the folk's to something that she thought was wrong...

Accordingly, where the Court rightly points out that *Anderson* involves a whistleblower case and the *Anderson* in her Complaint, acting as an insider, makes claims that directly point to the situation surrounding the complaint of Iviewit Holdings, Inc. to DDC (which is part and parcel of the complaint to Andrew Cuomo's OPI, Case #07-507), the claims of *Anderson*, acting as an insider at the DDC, lends a great deal of substantiation to the complaints of Iviewit Holdings to OPI, where such a great deal of substantiation by a whistleblower and insider, warrants a reconsideration of OPI's September 24 letter and Case #07-507.

As such, Iviewit Holdings, Inc. requests the immediate reconsideration of its complaint with OPI, Case #07-507.

Monica Connell  
Assistant Attorney General for the State of New York  
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Second, regarding case 07-CV-11196 (SAS) Eliot I. Bernstein, et al. v. Appellate Division First Department Departmental Disciplinary Committee we are in receipt of the Court's Order dated March 7, 2008, and where the Order states: "If, however, the Attorney General concludes that an investigation of defendants is warranted, then independent counsel would be required."

From here, Ms. Connell, in our view, the analysis is simply one of: *Anderson* is an insider, a whistleblower in the Court's words, *Anderson* points to Iviewit to support her claims as an insider and whistleblower, as well as Anderson's own exposing of criminal activities in the whitewashing and burying of complaints for political reasons (Anderson's claims are extraordinary in and of themselves), Iviewit requests reconsideration of Case #07-507, and performing the math, the resultant must be that your office must begin a formal investigation of those defendants cited in Case #07-507, where such an investigation would necessitate your office to voluntarily drop your State Defendants clients as a result of the immediate investigations; in the meantime, Plaintiffs are researching the propriety of bringing such a Motion for Reconsideration before the Court to order same.

Alternatively, should you continue to represent the State Defendants then we ask you to take Case# 07-507 to the next highest level of investigatory review void of conflict and the appearance of impropriety for immediate investigation of the State Defendants.

Third, additional new information has become known in that the just former Governor of the State of New York and the former Attorney General of the State of New York, Eliot Spitzer has been represented in the past by his long time attorney, Proskauer Rose LLP's partner Dietrich L. Snell. Moreover, in a letter dated on or about the November 25, 2003, Plaintiffs complained to Mr. Spitzer in his role as Attorney General of the matters complained of in 07-CV-11196 (SAS), and never received a response from his office or docket number for the complaint. In light of your office's failure to disclose this glaring conflict of interest, the whitewashing of Iviewit's complaint and Spitzer's representation by Proskauer, we would request that you conduct a full, independent conflict of interest check within your offices as it relates to your representation of the State Defendants; Plaintiffs are researching the propriety of bringing such a Motion to Order a Conflict of Interest Check before the Court.

Finally, in an electronic mail message, a true copy of which is attached herein as Exhibit A, dated March 11, 2008, I requested from your clients, the First Department Departmental Disciplinary Committee, the formal docketing of newly filed bar complaints against Joanna Smith, Gregg Mashberg, Todd Norbitz, Anne Sekel and the firms of Proskauer Rose LLP and Foley & Lardner LLP for their gross violations of the conflict of interest sections of New York Lawyer's Code of Professional Responsibility

Monica Connell  
Assistant Attorney General for the State of New York  
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(Updated Through November 3, 2007), and would appreciate your following up on my request for docketing as soon as possible.

Very truly yours,

**IVIEWIT HOLDINGS, INC.**  
**IVIEWIT TECHNOLOGIES, INC.**

By: 

Eliot I. Bernstein  
Founder and Inventor

and

P. Stephen Lamont  
Former Chief Executive Officer (Acting)

cc: Honorable Shira A. Scheindlin  
United States District Judge  
Southern District of New York

Glenn A. Fine  
Inspector General, United States Department of Justice



**EXHIBIT A**





[INSERT LAMONT'S MARCH 11 EMAIL]



**P. Stephen Lamont**

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**From:** P. Stephen Lamont [pstephen.lamont@verizon.net]  
**Sent:** Tuesday, March 11, 2008 2:05 PM  
**To:** Monica Connell  
**Cc:** Eliot I. Bernstein  
**Subject:** 07 CV 11196 (SAS): Various Correspondences to the Court

**Importance:** High


Dear Ms. Connell:

Last evening, Plaintiffs in the instant case above have filed Attorney Discipline complaints against the representatives of Proskauer Rose LLP (Joanna Smith, Gregg Mashberg) and Foley and Lardner LLP (Todd Norbitz, Anne Sekel) and the firms of Proskauer and Foley themselves, alleging a multiplicity of violations of the New York Lawyer's Code of Professional Responsibility (Updated Through November 3, 2007) in their attempt at representing their respective law firms in the instant case above (Proskauer acknowledges that none of the individually named defendants is involved in the attempt to represent themselves, but fails to note that the firm as a whole has been sued as well).

Accordingly, please have your clients, Appellate Division First Department Departmental Disciplinary Committee, deliver to us, through you, proof positive of the proper docketing of the attorney complaints, the docket numbers, and proof positive of the eliciting of responses by the attorneys/law firms in question within the required twenty day period.

Thank you for your attention to this matter, and I will hold your email address in the strictest of confidence, and not transit Court documents in the instant case above for service by your email address. We look forward to hearing from your disciplinary committee client, through you, in short order.

Best regards,



P. Stephen Lamont  
Former Chief Executive Officer (Acting)  
Iviewit Holdings, Inc.  
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*Mami*  
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