

IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT IN
AND FOR PALM BEACH COUNTY,
FLORIDA

CASE NO. CA 01-04671 AB

PROSKAUER ROSE LLP, a New
York limited liability partnership,

Plaintiff,

vs.

IVIEWIT.COM, INC., a Delaware
corporation, IVIEWIT HOLDINGS, INC.,
a Delaware corporation, and IVIEWIT
TECHNOLOGIES, INC., a Delaware
corporation,

Defendant.

RE-NOTICE OF HEARING
Motion Calendar
(Cancels Hearing of September 5, 2002)

To: Steven Selz, Esq.
Selz, Muvdi Selz, P.A.
214 Brazilian Avenue, Suite 220
Palm Beach, Florida 33480

YOU ARE HEREBY NOTIFIED that the undersigned has called up for hearing the
following:

**Proskauer Rose, LLP's Motion for Contempt, To Strike
Defendants' Pleadings, and for Attorney's Fees**

DATE: Wednesday, September 4, 2002

TIME: 8:45 a.m.

JUDGE: The Honorable Jorge Labarga

**PLACE: Palm Beach County Courthouse
205 North Dixie Highway, Room 11.1204
West Palm Beach, Florida 33401**

In accordance with the Americans With Disabilities Act of 1990, persons needing a special accommodation to participate in this proceeding should contact the Court ADA Coordinator no later than seven days prior to the proceedings. Telephone: (561) 355-2431 for assistance; if hearing-impaired, telephone (800)955-8771 for assistance.

Pursuant to Rule 2.050(b) of the Florida Rules of Judicial Administration, Movant hereby certifies that a good faith attempt to resolve the above matter has been made or will be made prior to the hearing on this matter.

This 29 day of August, 2002.

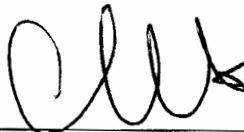
PROSKAUER ROSE LLP
2255 Glades Rd., Suite 340 West
Boca Raton, Florida 33431
Telephone: (561) 241-7400
Facsimile: (561) 241-7145



Matthew Triggs
Florida Bar No. 0865745
Christopher W. Prusaski
Florida Bar No. 0121525

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by Facsimile and United States Mail, this 29 day of August, 2002, to Steven Selz, Esq., Selz & Muvdi Selz, P.A., 214 Brazilian Avenue, Suite 220, Palm Beach, FL 33480.



Christopher Prusaski





IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT IN
AND FOR PALM BEACH COUNTY,
FLORIDA

CASE NO. CA 01-04671 AB

PROSKAUER ROSE LLP, a New
York limited liability partnership,

Plaintiff,

vs.

IVIEWIT.COM, INC., a Delaware
corporation, IVIEWIT HOLDINGS, INC.,
a Delaware corporation, and IVIEWIT
TECHNOLOGIES, INC., a Delaware
corporation,

Defendant.

NOTICE OF HEARING
Motion Calendar

To: Steven Selz, Esq.
Selz, Muvdi Selz, P.A.
214 Brazilian Avenue, Suite 220
Palm Beach, Florida 33480

YOU ARE HEREBY NOTIFIED that the undersigned has called up for hearing the
following:

**Proskauer Rose, LLP's Motion for Contempt, To Strike
Defendants' Pleadings, and for Attorney's Fees**

DATE: Thursday, September 5, 2002

TIME: 8:45 a.m.

JUDGE: The Honorable Jorge Labarga

**PLACE: Palm Beach County Courthouse
205 North Dixie Highway, Room 11.1204
West Palm Beach, Florida 33401**



IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT IN AND
FOR PALM BEACH COUNTY, FLORIDA

CASE NO. CA 01-04671 AB

PROSKAUER ROSE LLP, a New
York limited liability partnership,

Plaintiff,

v.

IVIEWIT.COM, INC., a Delaware corporation,
IVIEWIT HOLDINGS, INC., a Delaware corporation, and
IVIEWIT TECHNOLOGIES, INC., a Delaware corporation,

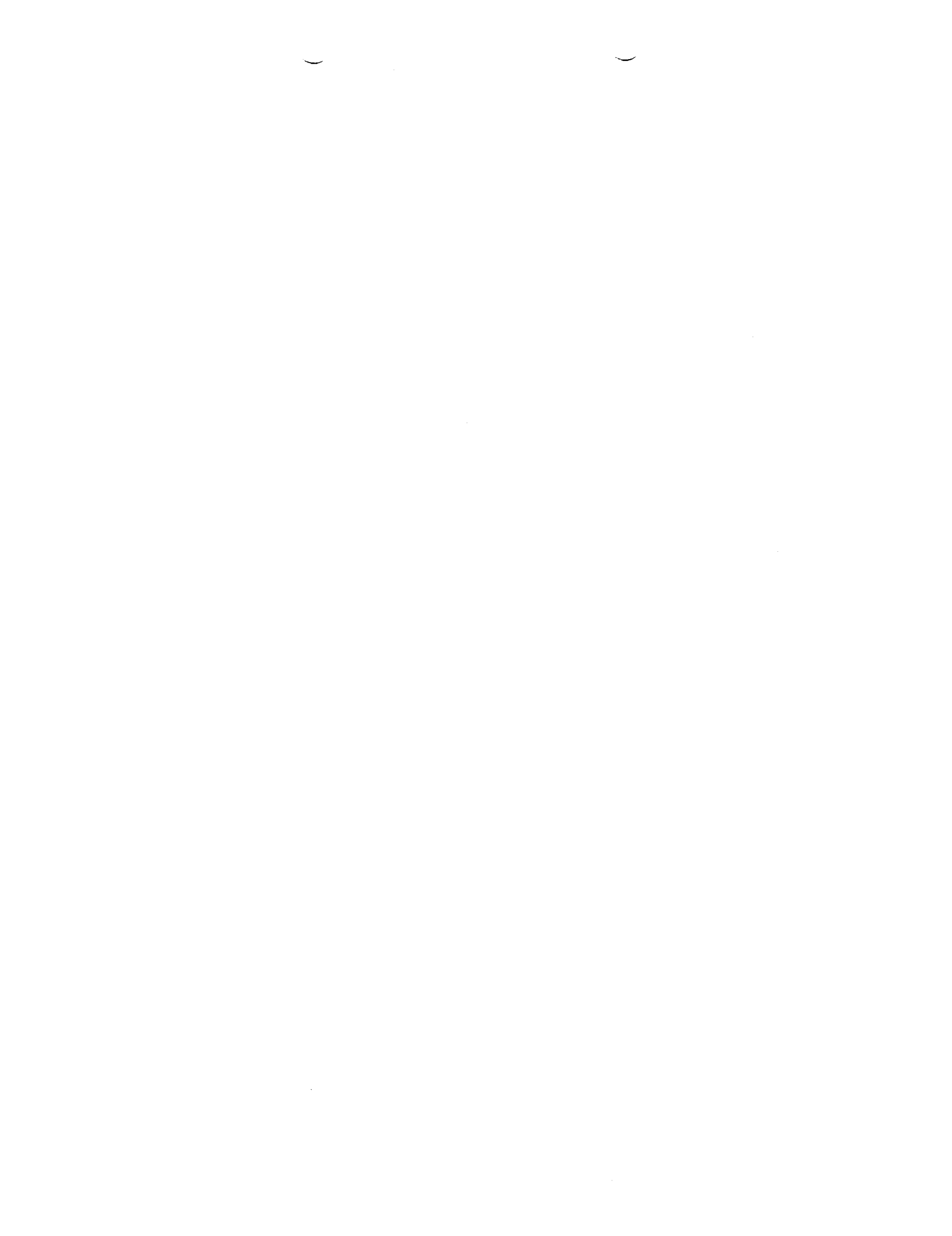
Defendants.

NOTICE OF TAKING DEPOSITION

**TO: Steven M. Selz, Esq.
Selz & Muvdi Selz, P.A.
214 Brazilian Avenue, Suite 220
Palm Beach, Florida 33480**

PLEASE TAKE NOTICE that commencing at **9:00 a.m. on Thursday, September 12, 2002**, at the offices of **Proskauer Rose LLP, 2255 Glades Road, Suite 340 West, Boca Raton, Florida 33341**, the attorney for Plaintiff will take the deposition upon oral examination of **the Corporate Representative(s) of Defendants, Iviewit.com, Inc., Iviewit Holdings, Inc., and Iviewit Technologies, Inc. with the most knowledge concerning the allegations contained in the Amended Complaint and in the Answer and Affirmative Defenses.**

The deposition will be taken for the purpose of discovery and for any other purpose



IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT IN AND
FOR PALM BEACH COUNTY, FLORIDA

CASE NO. CA 01-04671 AB

PROSKAUER ROSE LLP, a New
York limited liability partnership,

Plaintiff,

v.

IVIEWIT.COM, INC., a Delaware corporation,
IVIEWIT HOLDINGS, INC., a Delaware corporation, and
IVIEWIT TECHNOLOGIES, INC., a Delaware corporation,

Defendants.

NOTICE OF TAKING DEPOSITION

**TO: Steven M. Selz, Esq.
Selz & Muvdi Selz, P.A.
214 Brazilian Avenue, Suite 220
Palm Beach, Florida 33480**

PLEASE TAKE NOTICE that commencing at **10:00 a.m. on Monday, September 9, 2002**, at the offices of **Proskauer Rose LLP, 2255 Glades Road, Suite 340 West, Boca Raton, Florida 33341**, the attorney for Plaintiff will take the deposition upon oral examination of **Gerald Lewin, CPA**.

The deposition will be taken for the purpose of discovery and for any other purpose authorized by the appropriate rules of civil procedure before an authorized court reporter. The

deposition will continue from day to day until complete.

This 27 day of August, 2002.

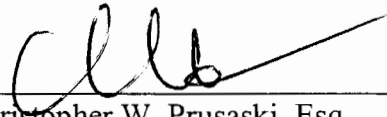
PROSKAUER ROSE LLP
Counsel for Plaintiff
One Boca Place, Suite 340W
2255 Glades Road
Boca Raton, Florida 33431
(561) 241-7400 (telephone)
(561) 241-7145 (facsimile)



Matt Triggs
Florida Bar No. 0865745
Christopher Prusaski
Florida Bar No. 121525

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27 day of August, 2002, a true and correct copy of the foregoing was been furnished by facsimile and U.S. mail to Steven M. Selz, Esq., Selz & Muvdi Selz, P.A., 214 Brazilian Avenue, Suite 220, Palm Beach, Fl 33480.



Christopher W. Prusaski, Esq.

cc: Ken Schanzer & Assoc.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator, 15th Judicial Circuit, Palm Beach County Courthouse, 205 North Dixie Highway, West Palm Beach, Florida 33401, (561) 355-2431, within 2 working days of your receipt of this Notice; if you are hearing or voice impaired, call (800) 955-8771.

IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT IN AND FOR PALM
BEACH COUNTY, FLORIDA

CASE NO. CA 01-04671 AB

PROSKAUER ROSE LLP, a New
York limited liability partnership,

Plaintiff,

v.

IVIEWIT.COM, INC., a Delaware corporation,
IVIEWIT HOLDINGS, INC., a Delaware
corporation, and IVIEWIT TECHNOLOGIES,
INC., a Delaware corporation,

Defendants.

**PROSKAUER ROSE, LLP'S MOTION FOR CONTEMPT,
TO STRIKE DEFENDANTS' PLEADINGS, AND FOR ATTORNEY'S FEES**

Plaintiff, Proskauer Rose, LLP ("Proskauer"), pursuant to Rule 1.380(b) of the Florida Rules of Civil Procedure, hereby moves the Court for an order holding the Defendants in contempt for violating this Court's Order dated July 18, 2002, striking the Defendants' pleadings, and awarding Proskauer its attorney's fees incurred in prosecuting this motion. In support of this motion, Proskauer states as follows:

1. The Defendants' attorneys withdrew from this matter in February, 2002. At the time of the withdrawal of the Defendants' attorneys, certain discovery propounded by Proskauer upon the Defendants was outstanding.¹

¹ Proskauer served a first and second request for production on the Defendants on November 30, 2001 and January 18, 2002, respectively. In addition, Proskauer served a second set of interrogatories on the Defendants on January 18, 2002. At the time of the withdrawal of Defendants' counsel, none of the documents had been provided in response to the first request for production, and no response had been served to the second request for production and second set of interrogatories.

2. The Defendants were without attorneys for almost four months. During that four month period, no responses were filed by the Defendants to the outstanding discovery propounded by Proskauer.

3. Substitute counsel for the Defendants made an appearance in this matter on June 12, 2002. Proskauer then filed a motion to compel responses to the discovery that, by that time, had been outstanding for over five months.

4. Counsel for the Defendants agreed to an order compelling the discovery responses. Accordingly, the parties submitted an Agreed Order to the Court, which the Court executed on July 18, 2002. The Agreed Order is attached hereto as Exhibit "A." The Agreed Order required the Defendants to submit all documents responsive to Proskauer's First and Second Requests for Production, as well as serve answers to Proskauer's Second Set of Interrogatories, no later than **August 19, 2002**.

5. Based upon this Agreed Order, and knowing that responses to its discovery would be received by August 19, 2002, Proskauer noticed the taking of the deposition of a non-party witness locally on August 20, 2002 and further noticed the taking of the deposition of a non-party witness in Minnesota on August 22, 2002. Counsel for the Defendants was aware that Proskauer deliberately noticed these depositions after the discovery responses were due so that Proskauer would have the benefit of the Defendants' responses prior to the depositions.

6. On August 19, 2002, Proskauer requested that counsel for the Defendants fax the discovery responses to Proskauer so that Proskauer would be able to use the responses to prepare for the depositions on August 20, 2002 and August 22, 2002. Counsel for the Defendants did not do so. At the deposition on August 20, 2002, Proskauer made repeated requests that counsel for the Defendants fax the discovery responses, as they had not yet been received in the mail. It was

not until Wednesday, August 20, 2002, as the undersigned counsel for Proskauer was leaving for the airport to travel to Minnesota to take the deposition on a non-party witness, that counsel for the Defendants finally faxed the Defendants' answers to interrogatories to Proskauer.

7. Although the Defendants' answers to interrogatories certify that they were served by mail on August 19, 2002, Proskauer has never received these interrogatory answers in the mail. A copy of the Defendants' responses to Proskauer's Second Set of Interrogatories is attached hereto as Exhibit "B." Moreover, Proskauer has never received, by fax or mail, the documents responsive to Proskauer's first and second request for production.

8. Not only have the Defendants blatantly violated this Court's order, but Proskauer had to take the depositions of two witnesses without the benefit of having this discovery available to them. Proskauer has been further prejudiced in that it has waited for these discovery responses for seven months. This matter is currently set for trial during the Court's non-jury trial period commencing September 30, 2002.

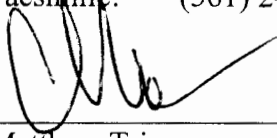
9. Due to the Defendants' willful violation of this Court's Order dated July 18, 2002, sanctions, including the striking of the Defendants' answer and affirmative defenses, are warranted. *See Kelley v. Schmidt*, 613 So. 2d 918, 919 (Fla. 5th DCA 1993) (striking a party's pleadings is appropriate where the offending conduct is willful, flagrant, or persistent). Further, Proskauer should be awarded its attorney's fees incurred in prosecuting this motion.

WHEREFORE, Proskauer respectfully requests that this Court enter an Order as follows:

- a. Finding the Defendants in contempt of the Court's July 18, 2002 order;
- b. Striking the Defendants' answer and affirmative defenses;
- c. Awarding Proskauer its attorney's fees incurred in prosecuting this motion; and
- d. Awarding any further relief that is reasonable and just.

This 21 day of August, 2002.

PROSKAUER ROSE LLP
2255 Glades Road, Suite 340W
Boca Raton, Florida 33431
Telephone: (561) 241-7400
Facsimile: (561) 241-7145



Matthew Triggs
Florida Bar No. 0865745
Christopher Prusaski
Florida Bar No. 0121525

CERTIFICATE OF SERVICE

I certify that on August 21, 2002, a copy of the foregoing was furnished by Facsimile and U.S. Mail to Steven Selz, Esq., Selz & Muvdi Selz, P.A., 214 Brazilian Avenue, Suite 220, Palm Beach, FL 33480.



Christopher W. Prusaski

3. The following deadlines are hereby set and are changed from the deadlines previously set in this Court's Pretrial Order of June 11, 2002:

Rebuttal Witness/Exhibit List Due:	September 2, 2002
Mediation Completed:	September 13, 2002
Pretrial Stipulation Filed:	September 24, 2002
Discovery Cutoff:	September 20, 2002
Calendar Call:	Remains the same: September 13, 2002 at 9:00 a.m.

DONE AND ORDERED at West Palm Beach, Palm Beach County, Florida, this ____ day of July, 2002.

SIGNED AND DATED

JUL 18 2002

Honorable Jorge Labarga **Judge Jorge Labarga**
Circuit Court Judge

Copies furnished to:

Matthew Triggs, Esq.
Christopher W. Prusaski, Esq.
Proskauer Rose LLP
Attorneys for Plaintiff
2255 Glades Road, Suite 340W
Boca Raton, Florida 33431

Steven M. Selz, Esq.
Selz & Muvdi Selz, P.A.
214 Brazilian Avenue, Suite 220
Palm Beach, Florida 33480

IN THE CIRCUIT COURT OF THE
15TH JUDICIAL CIRCUIT IN AND
FOR PALM BEACH COUNTY,
FLORIDA

PROSKAUER ROSE L.L.P.,
a New York limited partnership,

CA 01-04671 AB

Plaintiff,

v.

IVIEWIT.COM, INC., a Delaware
corporation, IVIEWIT HOLDINGS,
INC., a Delaware corporation, and
IVIEWIT TECHNOLOGIES, INC.,
a Delaware corporation.

Defendants.

**NOTICE OF SERVICES OF ANSWERS TO SUPPLEMENTAL
INTERROGATORIES**

To: David J. George, Esq. & Christopher W. Prusaski, Esq.
Proskauer Rose, LLP
2255 Glades Road, Suite 340 W
Boca Raton, FL 33431

Defendants hereby give notice of their service upon the Plaintiffs of their
answers to supplemental interrogatories in this matter.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been
provided by U.S. Mail to the above-listed addressee(s) this 19th day of August,
2002.

SELZ & MUVDI SELZ, P.A.
214 Brazilian Avenue, Suite 220
Palm Beach, FL 33480
Tel: (561) 820-9409
Fax: (561) 833-9715

By: _____
STEVEN M. SELZ
FBN: 777420

12. Identify each and every person who participated or assisted in preparing the to these interrogatories.

Answer: Eliot Bernstein.

13. As to Defendants' statement contained in Defendants' Amended Second Affirmative Defense dated 12/20/01 that "Plaintiff has failed to perform work, under the terms of any oral agreement between the parties, for which it seeks remuneration...", please identify each invoice attached to the Amended Complaint as Exhibit "A" which you claim contains charges for work that the Plaintiff failed to perform.

Answer:

Invoice	320581
	327337
	346259
	352748
	352749
	352751
	352750
	352752
	352753
	354153
	352748
	356497
	386159

Patent Work

Invoice	320581
	327337
	346259
	352748

General Corporate Advice

Invoice	320581
	327337
	346259
	354153
	387122
	352748
	356497

Prolow/Tiedeman work

Invoice	387122
---------	--------

8/19/2002 3:30PM

Page 1 of 18

Immigration costs

Invoice 327337

Crossbow/Alpine Documents

Invoice 346259

354153

356497

387122

Audit Information Billings

Invoice 346259

356497

Real 3D Work

Invoice 320581

327337

356497

14. For each invoice identified in response to Interrogatory 13, please explain with particularity the service(s) billed by Plaintiff for which defendants contend was not performed.

Patent Work

Failed to perform services to protect patents.

Copyright Work

Bills for the Copyright work to protect the Intellectual Property, which was never performed.

Tiedeman/Prolow work

On information and belief, no documents were produced for this loan transaction.

There was work performed which was not authorized by iviewit LLC. Proskauer Rose was expressly aware of such prohibition.

Additionally, there was extensive bills produced for unnecessary and unauthorized tasks.

15. As to Defendants' statement contained in Defendants' Amended Second Affirmative Defense dated 12/20/01 that "Plaintiff has failed to perform work, under the terms of an oral agreement between the parties, for which it seeks remuneration...", did the Defendants ever complain to or otherwise notify Proskauer Rose LLP that Plaintiff allegedly failed to perform work?

Answer: Yes

8/19/2002 3:30PM

Page 2 of 18

16. If you answered Interrogatory 15 in the affirmative, please explain, as to each instance where Defendants complained to or notified Proskauer Rose LLP.

a. The date when the communication occurred.

- i. To fully assess these dates and the conversations we will need all Chris Wheeler and Proskauer notes, documents, emails and detailed descriptions of billings for any and all meetings with any of the below (section b) mentioned correspondents.
- ii. 2.29.2000 Letter from Wheeler to Utley regarding disputed billings and providing details for billings.
- iii. 1/26/00 Billing from Chris Wheeler 346259 Invoice "Conference as to follow-up on our money"
- iv. 3/24/00 Letter from Chris Wheeler to Simon Bernstein regarding bills
- v. 3/31/00 Letter from Wheeler to Simon regarding billings and trying to work out arrangements.
- vi. 3.9.00 Letter from Wheeler to Utley regarding past due amounts.
- vii. 4.10.00 Letter from Wheeler to Utley regarding bill
- viii. 10.25.99 Letter from Chris Wheeler to Brian Utley
- ix. 6.23.99 To Eliot from Chris Wheeler with Si's comments for Brian to address regarding the over billing
- x. At several Board meetings the billings of Proskauer and the work products were repeatedly questioned by all Board members and Chris Wheeler. who attended these meetings was fully aware of major concerns in the total bill and incompetence of work of product or failing to produce work products.

May 28, 1999
June 1, 1999
June 30, 1999
July 2, 1999
August 3, 1999
August 5, 1999
August 23, 1999
September 15, 1999
September 22, 1999
September 30, 1999
November 1, 1999
November 9, 1999
February 4, 2000
March 3, 2000
April 6, 2000
April 26, 2000
July 18, 2000
September 26, 2000
January 25, 2001
January 30, 2001
March 26, 2001
April 3, 2001

8/19/2002 3:30PM

Page 3 of 18

April 5, 2001
April 9, 2001
April 14, 2001
April 20, 2001
April 26, 2001
April 26, 2001
May 8, 2001
June 7, 2001
September 4, 2001
October 23, 2001
October 29, 2001

xi. Gerald Lewin, Maurice Buchsbaum, Brian Utley, Ross Miller, Aidan Foley, William Kasser and Larry Mondragon were all commissioned by the Board to investigate the billings and inferior work products, especially in relationship to the patent pool errors and missing copyrights.

b. The parties to the communication;

- i. Gerald Lewin
- ii. Simon Bernstein
- iii. Eliot Bernstein
- iv. Donald Kane
- v. Hank Powell
- vi. Brian Utley
- vii. Kenneth Anderson
- viii. Ross Miller
- ix. William Kasser
- x. Maurice Buchsbaum
- xi. Raymond Hersh
- xii. William Dick
- xiii. Douglas Boehm
- xiv. P. Stephen Lamont
- xv. Christopher Wheeler
- xvi. Mara Lerner Robbins
- xvii. Rocky Thomson
- xviii. Raymond Joao

c. Whether the communication was oral or in writing; several correspondences between Simon Bernstein (COB) and Chris Wheeler regarding erroneous billings were in writing and oral.

- i. Correspondences between Ross Miller and Proskauer relating to negotiating settlement to the overstated bill, it was agreed to settle at 100,000 but the deal was never consummated. Several communications were oral, several were in writing.

8/19/2002 3:30PM
Page 4 of 18

- i. Correspondences between Ross Miller and Proskauer relating to negotiating settlement to the overstated bill, it was agreed to settle at 100,000 but the deal was never consummated. Several communications were oral, several were in writing.
 - ii. Correspondences between Bill Kasser and Proskauer requesting information and explanations of the billings. Several communications were oral, several were in writing.
 - iii. Correspondences between Raymond Hersh and Proskauer requesting information and explanations of the billings. Several communications were oral, several were in writing.
 - iv. Correspondences between Maurice Buchsbaum and Proskauer requesting information and explanations of the billings. Several communications were oral, several were in writing.
 - v. Correspondences between Gerald Lewin and Proskauer requesting information and explanations of the billings. Several communications were oral, several were in writing.
 - vi. Correspondences between Hank Powell and Proskauer requesting information and explanations of the billings. And a review of patent billings and copyright issues that was never forthcoming. Several communications were oral, several were in writing.
- b. The substance of the communication.
- i. Over-billing
 - ii. Patent Incompetence & Repair on two separate occasions
 - iii. Requests for detailed billing, documentation to support billings, request for missing patent files, request for detailed notes, request for work products billed and destroyed.
 - iv. Liabilities arising from patent and copyright incompetence
 - v. Gross over billing for corporate structure proposed and recommended by Mr. Wheeler.
 - vi. Abuses by Msrs. Wheeler, Rubenstein and Proskauer clients of NDA's for their respective clients or patent pools they may oversee.
 - vii. Demands by the Board to limit Mr. Utley and Mr. Wheeler from running up substantial bills without Board approval. Mr. Utley was limited in incurring Proskauer or other expense items, especially whereas his friends were concerned, to a maximum \$5,000. Mr. Wheeler is aware of this and proceeds to bill far in excess for work Mr. Utley requested without proper Board approval.

17. As to Defendants' statement contained in Defendants' Amended Second Affirmative Defense dated 12/20/01 that (s)ome work which may have been performed on behalf of the Defendants was not performed at the Defendants' request nor pursuant to any agreement," please identify each invoice attached to the Amended Complaint as Exhibit "A" which you claim contains charges for work that was not performed at the Defendants' request.

Answer: Distance Learning Billings

Need explanation of billings to understand what charges to pertain to Internet Train/learnit/Imedia or any other distance learning incentives started by Chris Wheeler and Brian Utley.

Corporate Name Searches and Filings

Invoice 320581
327337
346259
354153
387122
352748
356497

Multiple Trademark applications

Invoice 320581
327337
346259
352748
352749
352751
352750
352752
352753
354153
352748
356497
386159

General Corporate Advice

Invoice 320581
327337
346259
354153
387122
352748
356497

18. For each invoice identified in response to Interrogatory 17, please explain with particularity the service(s) billed by Plaintiff which was not performed at the Defendants' request.

Answer:

Distance Learning
Acquisitions and merger work with NJ Distance Learning Company.

8/19/2002 3:30PM

Page 6 of 18

Setup Corporations: Imedia, Ilearnit, Internet Train, etc. Name searches and trademarks.

Trademark applications

Christopher Wheeler attending Board meetings

Entire Corporate Organizations and Re-Organizations were all recommended by Proskauer Rose and where to be small incorporation fees for set-up of Mr. Wheeler's corporate scheme. Instead there are mass billings for this work.

19. As to Defendants statement contained in Defendants' Amended Second Affirmative Defense dated 12/20/01 that "(s)ome work which may have been performed on behalf of the Defendants was not performed at the Defendants' request nor pursuant to any agreement," did the Defendants ever complain to or otherwise notify Proskauer Rose LLP that Plaintiff allegedly performed work which was not performed at Defendants' request?

Answer: YES

20. If you answered Interrogatory 19 in the affirmative, please explain, as to each instance where Defendants complained to or notified Proskauer Rose LLP:

a. The date when the communication occurred;

- i. To fully assess these dates and the conversations we will need all Chris Wheeler notes and detailed descriptions of billings for any and all meetings with any of the below (section b) mentioned correspondents.
- ii. 2.29.2000 Letter from Wheeler to Utley regarding disputed billings and providing details for billings.
- iii. 1/26/00 Billing from Chris Wheeler 346259 Invoice "Conference as to follow-up on our money"
- iv. 3/24/00 Letter from Chris Wheeler to Simon Bernstein regarding bills
- v. 3/31/00 Letter from Wheeler to Simon regarding billings and trying to work out arrangements and reduction of bills.
- vi. 3.9.00 Letter from Wheeler to Utley regarding past due amounts.
- vii. 4.10.00 Letter from Wheeler to Utley regarding bill
- viii. At several Board meetings the billings of Proskauer and the work products were repeatedly questioned by all Board members and Chris Wheeler who attended these meetings was fully aware of major concerns in the total bill and incompetence of work of product or failing to produce work products.

May 28, 1999

June 1, 1999

June 30, 1999

July 2, 1999

8/19/2002 3:30PM

Page 7 of 18

August 3, 1999
August 5, 1999
August 23, 1999
September 15, 1999
September 22, 1999
September 30, 1999
November 1, 1999
November 9, 1999
February 4, 2000
March 3, 2000
April 6, 2000
April 26, 2000
July 18, 2000
September 26, 2000
January 25, 2001
January 30, 2001
March 26, 2001
April 3, 2001
April 5, 2001
April 9, 2001
April 14, 2001
April 20, 2001
April 25, 2001
April 25, 2001
May 8, 2001
June 7, 2001
September 4, 2001
October 23, 2001
October 29, 2001

- ix. Gerald Lewin, Maurice Buchsbaum, Brian Utley, Ross Miller, Aidan Foley, William Kasser and Larry Mondragon were all commissioned by the Board to investigate the billings and inferior work products, especially in relationship to the patent pool errors and missing copyrights.
- x. Several meetings were held with Chris Wheeler and Simon Bernstein (Chairman of the Board) regarding excessive billings and controlling Mr. Utley and Mr. Wheeler in the billings for personal conferences they held daily.
- xi. Chris Wheeler agreed to investigate charges that Rubenstein/Joao were forging and changing patent documents and leaving inventors off patents. Wheeler and Utley suggest using their friend William Dick Foley and Lardner to correct the gross negligence uncovered in Rubenstein/Joao work.

- b. The parties to the communication:
 - i. Gerald Lewin
 - ii. Simon Bernstein

8/19/2002 3:30PM
Page 8 of 18

- iii. Eliot Bernstein
 - iv. Donald Kane
 - v. Hank Powell
 - vi. Brian Utley
 - vii. Kenneth Anderson
 - viii. Ross Miller
 - ix. William Kasser
 - x. Maurice Buchsbaum
 - xi. Raymond Hersh
 - xii. William Dick
 - xiii. Douglas Boehm
 - xiv. P. Stephen Lamont
 - xv. Christopher Wheeler
 - xvi. Mara Lerner Robbins
 - xvii. Rocky Thomson
- c. Whether the communication was oral or in writing; and
- i. Several correspondences between Simon Bernstein (COB) and Chris Wheeler regarding erroneous billings were in writing and oral.
 - ii. Correspondences between Ross Miller and Proskauer relating to negotiating settlement to the overstated bill, it was agreed to settle at 100,000 but the deal was never perfected. Several communications were oral, several were in writing.
 - iii. Correspondences between Bill Kasser and Proskauer requesting information and explanations of the billings. Several communications were oral, several were in writing.
 - iv. Correspondences between Raymond Hersh and Proskauer requesting information and explanations of the billings. Several communications were oral, several were in writing.
 - v. Correspondences between Maurice Buchsbaum and Proskauer requesting information and explanations of the billings. Several communications were oral, several were in writing.
 - vi. Correspondences between Gerald Lewin and Proskauer requesting information and explanations of the billings. Several communications were oral, several were in writing.
 - vii. Correspondences between Hank Powell and Proskauer requesting information and explanations of the billings. And a review of patent billings and copyright issues that was never forthcoming. Several communications were oral, several were in writing.
- d. The substance of the communication.
- i. Over billing
 - ii. Patent Incompetence & Repair on two separate occasions
 - iii. Requests for detailed billing, documentation to support billings, request for missing patent files, request for detailed notes, request for work products billed and destroyed.
 - iv. Liabilities arising from patent and copyright incompetence

8/19/2002 3:30PM
Page 9 of 18

- v. Gross over billing for corporate structure proposed and recommended by Mr. Wheeler
- vi. Abuses by Messrs. Wheeler, Rubenstein, Joao clients, of NDA's for their respective clients and patent pools.
- vii. Demands by the Board to limit Mr. Utley and Mr. Wheeler from running up substantial bills without Board approval. Mr. Utley was limited in incurring Proskauer or other expense items, especially whereas his friends were concerned, to a maximum \$5,000. Mr. Wheeler is aware of this and proceeds to bill far in excess of this limit

Pertaining to interrogatories 12-20 investigation continues.

INTERVIEWIT.LLC WAS THE PARTY THAT
RETAINED THE PLAINTIFF, NOT ANY OF
THE OTHER PARTIES.

[Signature]
 Signature
E. I. Bernstein
 Print name
Secretary
 Print title

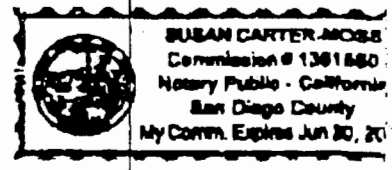
STATE OF CALIFORNIA)
) SS.
 COUNTY OF SAN DIEGO)

On the 19th of August 2002, Eliot I. Bernstein who is personally known to me or produced US Passport #034581170 as identification, appeared before me personally and stated under oath that the answers set forth in this response to Plaintiff's First Set of Interrogatories are based on his/her personal knowledge and are true and correct.

[Signature]
 Name of Notary Public
 My Commission Expires: *June 30, 2006*

(SEAL)

State of California) SS
 County of San Diego)
 Subscribed and sworn to (or affirmed)
 before me on the 19th day
 of August (month) 2002 (year).
 by Eliot I. Bernstein
[Signature]
 Susan Carter-Moss/Notary Public



[Handwritten notes]
 In the presence of
 August 19, 2002



IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT IN AND
FOR PALM BEACH COUNTY, FLORIDA

CASE NO. CA 01-04671 AB

PROSKAUER ROSE LLP, a New
York limited liability partnership,

Plaintiff,

v.

IVIEWIT.COM, INC., a Delaware corporation,
IVIEWIT HOLDINGS, INC., a Delaware corporation, and
IVIEWIT TECHNOLOGIES, INC., a Delaware corporation,

Defendants.

NOTICE OF FILING DEPOSITION TRANSCRIPT

Plaintiff, Proskauer Rose LLP, by and through its undersigned counsel, hereby gives
notice of the filing of the original Telephonic Deposition of Brian Utley, consisting of Volumes I
and II, which was taken on August 22, 2002 and August 23, 2002.

This 25th day of October, 2002.

PROSKAUER ROSE LLP
Counsel for Plaintiff
One Boca Place, Suite 340W
2255 Glades Road
Boca Raton, Florida 33431
(561) 241-7400 (telephone)
(561) 241-7145 (facsimile)



Matthew Triggs
Florida Bar No. 0865745
Christopher Prusaski
Florida Bar No. 121525

8/22/02

Selz & Muvdi Selz, P.A.

Attorneys At Law
214 Brazilian Avenue, Suite 220
Palm Beach, FL 33480

Steven M. Selz
Liliana M. Selz

Tel: (561) 820-9409
Fax: (561) 833-9715

FAX TRANSMITTAL COVER SHEET
FAX Number: (561) 241-7145

Individual & Firm: CHRISTOPHER W. PRUSASKI, ESQ.

From: STEVEN M. SELZ, ESQ.

Date & Time: 08/21/02 10:20 A.M. **File # _____**

Total number of Pages (INCLUDING this cover sheet) 13

RE: IVIEWIT.COM

Document(s) Attached: SUPPLEMENTAL INTERROGATORIES

Comments: AS DISCUSSED.

A copy or the original of the attached document will not follow unless otherwise noted below. Copy/Original sent by:

Regular Mail Federal Express Courier

PLEASE NOTIFY US IMMEDIATELY OF ANY PROBLEMS WITH THE TRANSMISSION AT (561) 820-9409.

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGE AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THIS OFFICE WILL REIMBURSE YOU FOR ALL COSTS ASSOCIATED WITH THE RETURN OF THIS DOCUMENT. THANK YOU.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of October, 2002, a true and correct copy of the foregoing has been furnished by U.S. Mail to Steven M. Selz, Esq., Selz & Muvdi Selz, P.A., 214 Brazilian Avenue, Suite 220, Palm Beach, Fl 33480.



Christopher W. Prusaski, Esq.



IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT IN AND
FOR PALM BEACH COUNTY, FLORIDA

CASE NO. CA 01-04671 AB

PROSKAUER ROSE LLP, a New
York limited liability partnership,

Plaintiff,

v.

IVIEWIT.COM, INC., a Delaware corporation,
IVIEWIT HOLDINGS, INC., a Delaware corporation, and
IVIEWIT TECHNOLOGIES, INC., a Delaware corporation,

Defendants.

NOTICE OF TAKING DEPOSITION

**TO: Steven M. Selz, Esq.
Selz & Muvdi Selz, P.A.
214 Brazilian Avenue, Suite 220
Palm Beach, Florida 33480**

PLEASE TAKE NOTICE that commencing at 10:00 a.m. on **Wednesday, September 4, 2002**, at the offices of **Proskauer Rose LLP, 2255 Glades Road, Suite 340 West, Boca Raton, Florida 33341**, the attorney for Plaintiff will take the deposition upon oral examination of **RAYMOND T. HERSH**.

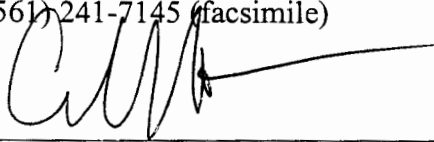
The deposition will be taken for the purpose of discovery and for any other purpose authorized by the appropriate rules of civil procedure before an authorized court reporter. The

8/19/02

deposition will continue from day to day until complete.

This 19 day of August, 2002.

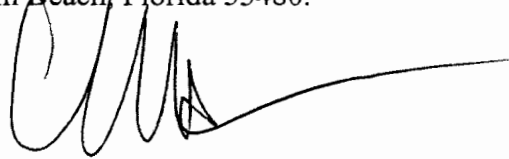
PROSKAUER ROSE LLP
Counsel for Plaintiff
One Boca Place, Suite 340W
2255 Glades Road
Boca Raton, Florida 33431
(561) 241-7400 (telephone)
(561) 241-7145 (facsimile)



Matt Triggs
Florida Bar No. 0865745
Christopher Prusaski
Florida Bar No. 121525

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19 day of August, 2002, a true and correct copy of the foregoing has been furnished by facsimile and U.S. mail to Steven M. Selz, Esq., Selz & Muvdi Selz, P.A., 214 Brazilian Avenue, Suite 220, Palm Beach, Florida 33480.



Christopher W. Prusaski, Esq.

cc: Ken Schanzer & Assoc.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator, 15th Judicial Circuit, Palm Beach County Courthouse, 205 North Dixie Highway, West Palm Beach, Florida 33401, (561) 355-2431, within 2 working days of your receipt of this Notice; if you are hearing or voice impaired, call (800) 955-8771.



IN THE CIRCUIT COURT OF THE
15TH JUDICIAL CIRCUIT IN AND
FOR PALM BEACH COUNTY,
FLORIDA

PROSKAUER ROSE L.L.P.,
a New York limited partnership,

CA 01-04671 AB

Plaintiff,

v.

IVIEWIT.COM, INC., a Delaware
corporation, IVIEWIT HOLDINGS,
INC., a Delaware corporation, and
IVIEWIT TECHNOLOGIES, INC.,
a Delaware corporation.

Defendants.

**NOTICE OF SERVICES OF ANSWERS TO SUPPLEMENTAL
INTERROGATORIES**

To: David J. George, Esq. & Christopher W. Prusaski, Esq.
Proskauer Rose, LLP
2255 Glades Road, Suite 340 W
Boca Raton, FL 33431

Defendants hereby give notice of their service upon the Plaintiffs of their
answers to supplemental interrogatories in this matter.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been
provided by U.S. Mail to the above-listed addressee(s) this 19th day of August,
2002.

SELZ & MUVDI SELZ, P.A.
214 Brazilian Avenue, Suite 220
Palm Beach, FL 33480
Tel: (561) 820-9409
Fax: (561) 833-9715

By: _____
STEVEN M. SELZ
FBN: 777420

12. Identify each and every person who participated or assisted in preparing the to these interrogatories.

Answer: Eliot Bernstein.

13. As to Defendants' statement contained in Defendants' Amended Second Affirmative Defense dated 12/20/01 that "Plaintiff has failed to perform work, under the terms of any oral agreement between the parties, for which it seeks remuneration...", please identify each invoice attached to the Amended Complaint as Exhibit "A" which you claim contains charges for work that the Plaintiff failed to perform.

Answer:

Invoice	320581
	327337
	346259
	352748
	352749
	352751
	352750
	352752
	352753
	354153
	352748
	356497
	386159

Patent Work

Invoice	320581
	327337
	346259
	352748

General Corporate Advice

Invoice	320581
	327337
	346259
	354153
	387122
	352748
	356497

Prolow/Tiedeman work	
Invoice	387122

Immigration costs

Invoice 327337

Crossbow/Alpine Documents

Invoice 346259

354153

356497

387122

Audit Information Billings

Invoice 346259

356497

Real 3D Work

Invoice 320581

327337

356497

14. For each invoice identified in response to Interrogatory 13, please explain with particularity the service(s) billed by Plaintiff for which defendants contend was not performed.

Patent Work

Failed to perform services to protect patents.

Copyright Work

Bills for the Copyright work to protect the Intellectual Property, which was never performed.

Tiedeman/Prolow work

On information and belief, no documents were produced for this loan transaction.

There was work performed which was not authorized by Iviewit LLC. Proskauer Rose was expressly aware of such prohibition.

Additionally, there was extensive bills produced for unnecessary and unauthorized tasks.

15. As to Defendants' statement contained in Defendants' Amended Second Affirmative Defense dated 12/20/01 that "Plaintiff has failed to perform work, under the terms of an oral agreement between the parties, for which it seeks remuneration...", did the Defendants ever complain to or otherwise notify Proskauer Rose LLP that Plaintiff allegedly failed to perform work?

Answer: Yes

8/19/2002 3:30PM

Page 2 of 18

16. If you answered Interrogatory 15 in the affirmative, please explain, as to each instance where Defendants complained to or notified Proskauer Rose LLP.

a. The date when the communication occurred.

- i. To fully assess these dates and the conversations we will need all Chris Wheeler and Proskauer notes, documents, emails and detailed descriptions of billings for any and all meetings with any of the below (section b) mentioned correspondents.
- ii. 2.29.2000 Letter from Wheeler to Utley regarding disputed billings and providing details for billings.
- iii. 1/26/00 Billing from Chris Wheeler 346259 Invoice "Conference as to follow-up on our money"
- iv. 3/24/00 Letter from Chris Wheeler to Simon Bernstein regarding bills
- v. 3/31/00 Letter from Wheeler to Simon regarding billings and trying to work out arrangements.
- vi. 3.9.00 Letter from Wheeler to Utley regarding past due amounts.
- vii. 4.10.00 Letter from Wheeler to Utley regarding bill
- viii. 10.25.99 Letter from Chris Wheeler to Brian Utley
- ix. 6.23.99 To Eliot from Chris Wheeler with Si's comments for Brian to address regarding the over billing
- x. At several Board meetings the billings of Proskauer and the work products were repeatedly questioned by all Board members and Chris Wheeler who attended these meetings was fully aware of major concerns in the total bill and incompetence of work of product or failing to produce work products.

May 28, 1999
June 1, 1999
June 30, 1999
July 2, 1999
August 3, 1999
August 5, 1999
August 23, 1999
September 15, 1999
September 22, 1999
September 30, 1999
November 1, 1999
November 9, 1999
February 4, 2000
March 3, 2000
April 6, 2000
April 26, 2000
July 18, 2000
September 26, 2000
January 25, 2001
January 30, 2001
March 26, 2001
April 3, 2001

April 5, 2001

April 9, 2001

April 14, 2001

April 20, 2001

April 26, 2001

April 26, 2001

May 8, 2001

June 7, 2001

September 4, 2001

October 23, 2001

October 29, 2001

xi. Gerald Lewin, Maurice Buchsbaum, Brian Utley, Ross Miller, Aidan Foley, William Kasser and Larry Mondragon were all commissioned by the Board to investigate the billings and inferior work products, especially in relationship to the patent pool errors and missing copyrights.

b. The parties to the communication;

- i. Gerald Lewin
- ii. Simon Bernstein
- iii. Eliot Bernstein
- iv. Donald Kane
- v. Hank Powell
- vi. Brian Utley
- vii. Kenneth Anderson
- viii. Ross Miller
- ix. William Kasser
- x. Maurice Buchsbaum
- xi. Raymond Hersh
- xii. William Dick
- xiii. Douglas Boehm
- xiv. P. Stephen Lamont
- xv. Christopher Wheeler
- xvi. Mara Lerner Robbins
- xvii. Rocky Thomson
- xviii. Raymond Joao

c. Whether the communication was oral or in writing; several correspondences between Simon Bernstein (COB) and Chris Wheeler regarding erroneous billings were in writing and oral.

- i. Correspondences between Ross Miller and Proskauer relating to negotiating settlement to the overstated bill, it was agreed to settle at 100,000 but the deal was never consummated. Several communications were oral, several were in writing.

8/19/2002 3:30PM

Page 4 of 18

- i. Correspondences between Ross Miller and Proskauer relating to negotiating settlement to the overstated bill, it was agreed to settle at 100,000 but the deal was never consummated. Several communications were oral, several were in writing.
 - ii. Correspondences between Bill Kasser and Proskauer requesting information and explanations of the billings. Several communications were oral, several were in writing.
 - iii. Correspondences between Raymond Hersh and Proskauer requesting information and explanations of the billings. Several communications were oral, several were in writing.
 - iv. Correspondences between Maurice Buchsbaum and Proskauer requesting information and explanations of the billings. Several communications were oral, several were in writing.
 - v. Correspondences between Gerald Lewin and Proskauer requesting information and explanations of the billings. Several communications were oral, several were in writing.
 - vi. Correspondences between Hank Powell and Proskauer requesting information and explanations of the billings. And a review of patent billings and copyright issues that was never forthcoming. Several communications were oral, several were in writing.
- b. The substance of the communication.
- i. Over-billing
 - ii. Patent Incompetence & Repair on two separate occasions
 - iii. Requests for detailed billing, documentation to support billings, request for missing patent files, request for detailed notes, request for work products billed and destroyed.
 - iv. Liabilities arising from patent and copyright incompetence
 - v. Gross over billing for corporate structure proposed and recommended by Mr. Wheeler.
 - vi. Abuses by Messrs. Wheeler, Rubenstein and Proskauer clients of NDA's for their respective clients or patent pools they may oversee.
 - vii. Demands by the Board to limit Mr. Utley and Mr. Wheeler from running up substantial bills without Board approval. Mr. Utley was limited in incurring Proskauer or other expense items, especially whereas his friends were concerned, to a maximum \$5,000. Mr. Wheeler is aware of this and proceeds to bill far in excess for work Mr. Utley requested without proper Board approval.

17. As to Defendants' statement contained in Defendants' Amended Second Affirmative Defense dated 12/20/01 that {s}ome work which may have been performed on behalf of the Defendants was not performed at the Defendants' request nor pursuant to any agreement," please identify each invoice attached to the Amended Complaint as Exhibit "A" which you claim contains charges for work that was not performed at the Defendants' request.

Answer: Distance Learning Billings

Need explanation of billings to understand what charges to pertain to Internet Train/Ilearnit/Imedia or any other distance learning incentives started by Chris Wheeler and Brian Utley.

Corporate Name Searches and Filings

Invoice 320581
327337
346259
354153
387122
352748
356497

Multiple Trademark applications

Invoice 320581
327337
346259
352748
352749
352751
352750
352752
352753
354153
352748
356497
386159

General Corporate Advice

Invoice 320581
327337
346259
354153
387122
352748
356497

18. For each invoice identified in response to Interrogatory 17, please explain with particularity the service(s) billed by Plaintiff which was not performed at the Defendants' request.

Answer:

Distance Learning
Acquisitions and merger work with NJ Distance Learning Company.

Setup Corporations: Imedia, Ilearnit, Internet Train, etc. Name searches and trademarks.

Trademark applications

Christopher Wheeler attending Board meetings

Entire Corporate Organizations and Re-Organizations were all recommended by Proskauer Rose and where to be small incorporation fees for set-up of Mr. Wheeler's corporate scheme. Instead there are mass billings for this work.

19. As to Defendants statement contained in Defendants' Amended Second Affirmative Defense dated 12/20/01 that "{s}ome work which may have been performed on behalf of the Defendants was not performed at the Defendants' request nor pursuant to any agreement," did the Defendants ever complain to or otherwise notify Proskauer Rose LLP that Plaintiff allegedly performed work which was not performed at Defendants' request?

Answer: YES

20. If you answered Interrogatory 19 in the affirmative, please explain, as to each instance where Defendants complained to or notified Proskauer Rose LLP:

a. The date when the communication occurred;

- i. To fully assess these dates and the conversations we will need all Chris Wheeler notes and detailed descriptions of billings for any and all meetings with any of the below (section b) mentioned correspondents.
- ii. 2.29.2000 Letter from Wheeler to Utley regarding disputed billings and providing details for billings.
- iii. 1/26/00 Billing from Chris Wheeler 346259 Invoice "Conference as to follow-up on our money"
- iv. 3/24/00 Letter from Chris Wheeler to Simon Bernstein regarding bills
- v. 3/31/00 Letter from Wheeler to Simon regarding billings and trying to work out arrangements and reduction of bills.
- vi. 3.9.00 Letter from Wheeler to Utley regarding past due amounts.
- vii. 4.10.00 Letter from Wheeler to Utley regarding bill
- viii. At several Board meetings the billings of Proskauer and the work products were repeatedly questioned by all Board members and Chris Wheeler who attended these meetings was fully aware of major concerns in the total bill and incompetence of work of product or failing to produce work products.

May 28, 1999

June 1, 1999

June 30, 1999

July 2, 1999

8/19/2002 3:30PM

Page 7 of 18

August 3, 1999
August 5, 1999
August 23, 1999
September 15, 1999
September 22, 1999
September 30, 1999
November 1, 1999
November 9, 1999
February 4, 2000
March 3, 2000
April 6, 2000
April 26, 2000
July 18, 2000
September 26, 2000
January 25, 2001
January 30, 2001
March 26, 2001
April 3, 2001
April 5, 2001
April 9, 2001
April 14, 2001
April 20, 2001
April 25, 2001
April 25, 2001
May 8, 2001
June 7, 2001
September 4, 2001
October 23, 2001
October 29, 2001

- ix. Gerald Lewin, Maurice Buchsbaum, Brian Utley, Ross Miller, Aidan Foley, William Kasser and Larry Mondragon were all commissioned by the Board to investigate the billings and inferior work products, especially in relationship to the patent pool errors and missing copyrights.
- x. Several meetings were held with Chris Wheeler and Simon Bernstein (Chairman of the Board) regarding excessive billings and controlling Mr. Utley and Mr. Wheeler in the billings for personal conferences they held daily.
- xi. Chris Wheeler agreed to investigate charges that Rubenstein/Joao were forging and changing patent documents and leaving inventors off patents. Wheeler and Utley suggest using their friend William Dickson, Aidan Foley and Lardner to correct the gross negligence uncovered in Rubenstein/Joao work.

- b. The parties to the communication;
 - i. Gerald Lewin
 - ii. Simon Bernstein

- iii. Eliot Bernstein
- iv. Donald Kane
- v. Hank Powell
- vi. Brian Utley
- vii. Kenneth Anderson
- viii. Ross Miller
- ix. William Kasser
- x. Maurice Buchsbaum
- xi. Raymond Hersh
- xii. William Dick
- xiii. Douglas Boehm
- xiv. P. Stephen Lamont
- xv. Christopher Wheeler
- xvi. Mara Lerner Robbins
- xvii. Rocky Thomson

- c. Whether the communication was oral or in writing; and
 - i. Several correspondences between Simon Bernstein (COB) and Chris Wheeler regarding erroneous billings were in writing and oral.
 - ii. Correspondences between Ross Miller and Proskauer relating to negotiating settlement to the overstated bill, it was agreed to settle at 100,000 but the deal was never perfected. Several communications were oral, several were in writing.
 - iii. Correspondences between Bill Kasser and Proskauer requesting information and explanations of the billings. Several communications were oral, several were in writing.
 - iv. Correspondences between Raymond Hersh and Proskauer requesting information and explanations of the billings. Several communications were oral, several were in writing.
 - v. Correspondences between Maurice Buchsbaum and Proskauer requesting information and explanations of the billings. Several communications were oral, several were in writing.
 - vi. Correspondences between Gerald Lewin and Proskauer requesting information and explanations of the billings. Several communications were oral, several were in writing.
 - vii. Correspondences between Hank Powell and Proskauer requesting information and explanations of the billings. And a review of patent billings and copyright issues that was never forthcoming. Several communications were oral, several were in writing.
- d. The substance of the communication.
 - i. Over billing
 - ii. Patent Incompetence & Repair on two separate occasions
 - iii. Requests for detailed billing, documentation to support billings, request for missing patent files, request for detailed notes, request for work products billed and destroyed.
 - iv. Liabilities arising from patent and copyright incompetence

- v. Gross over billing for corporate structure proposed and recommended by Mr. Wheeler
- vi. Abuses by Mssts: Wheeler, Rubenstein, Joao clients, of NDA's for their respective clients and patent pools.
- vii. Demands by the Board to limit Mr. Utley and Mr. Wheeler from running up substantial bills without Board approval. Mr. Utley was limited in incurring Proskauer or other expense items, especially whereas his friends were concerned, to a maximum \$5,000. Mr. Wheeler is aware of this and proceeds to bill far in excess of this limit

Pertaining to interrogatories 12-20 investigation continues.

JVIEWIT.LLC WAS THE PARTY THAT
RETAINES THE PLAINTIFF, NOT ANY OF
THE OTHER PARTIES.

[Handwritten Signature]
 Signature
Eliot Benstein
 Print name
[Handwritten Title]
 Print title

STATE OF CALIFORNIA)
) SS.
 COUNTY OF SAN DIEGO)

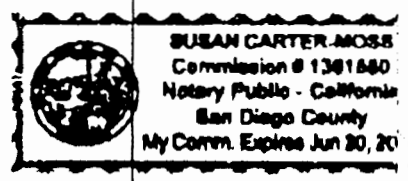
On the 19th of August 2002, Eliot I. Benstein who is personally known to me or produced US Passport #034581170 as identification, appeared before me personally and stated under oath that the answers set forth in this response to Plaintiff's First Set of Interrogatories are based on his/her personal knowledge and are true and correct.

[Handwritten Signature]
 Name of Notary Public
 My Commission Expires: *June 2006*

(SEAL)

State of California) SS
 County of San Diego)

Subscribed and sworn to (or affirmed) before me on this 19th day of August (month) 2002 (year) by [Handwritten Name]
[Handwritten Signature]
 Susan Carter-Moss/Notary Public



[Handwritten notes]
 August 19, 2002

Selz & Muvdi Selz, P.A.

Attorneys At Law
214 Brazilian Avenue, Suite 220
Palm Beach, FL 33480

Steven M. Selz
Liliana M. Selz

Tel: (561) 820-9409
Fax: (561) 833-9715

FAX TRANSMITTAL COVER SHEET
FAX Number: (561) 241-7145

Individual & Firm: CHRISTOPHER W. PRUSASKI, ESQ.

From: STEVEN M. SELZ, ESQ.

Date & Time: 08/21/02 10:20 A.M. File # _____

Total number of Pages (INCLUDING this cover sheet) 13

RE: IVIEWIT.COM

Document(s) Attached: SUPPLEMENTAL INTERROGATORIES

Comments: AS DISCUSSED.

A copy or the original of the attached document will not follow unless otherwise noted below. Copy/Original sent by:

Regular Mail Federal Express Courier

PLEASE NOTIFY US IMMEDIATELY OF ANY PROBLEMS WITH THE TRANSMISSION AT (561) 820-9409.

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGE AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THIS OFFICE WILL REIMBURSE YOU FOR ALL COSTS ASSOCIATED WITH THE RETURN OF THIS DOCUMENT. THANK YOU.

HP Fax K1220

Log for
SELZ MUVDI SELZ
561 833 9715
Aug 21 2002 9:40am

Last Transaction

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Identification</u>	<u>Duration</u>	<u>Pages</u>	<u>Result</u>
Aug 21	9:35am	Fax Sent	2417145	4:34	14	OK

IN THE CIRCUIT COURT OF THE
15TH JUDICIAL CIRCUIT IN AND
FOR PALM BEACH COUNTY,
FLORIDA

PROSKAUER ROSE L.L.P.,
a New York limited partnership,

CA 01-04671 AB

Plaintiff,

v.

IVIEWIT.COM, INC., a Delaware
corporation, IVIEWIT HOLDINGS,
INC., a Delaware corporation, and
IVIEWIT TECHNOLOGIES, INC.,
a Delaware corporation.

Defendants.

DEFENDANTS RESPONSE TO SECOND REQUEST FOR PRODUCTION

Defendants hereby respond to the second request for production served by the
Plaintiff under the services date of January 18, 2002 as follows:

1. Will be produced.
2. Will be produced.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been
provided by U.S. Mail this 14th day of August, 2002 to: Christopher W. Prusaski,
Esq., Proskauer Rose, LLP, 2255 Glades Road, Suite 340 W, Boca Raton, FL 33431.

SELZ & MUVDI SELZ, P.A.
214 Brazilian Avenue, Suite 220
Palm Beach, FL 33480
Tel: (561) 820-9409
Fax: (561) 833-9715

By: _____
STEVEN M. SELZ
FBN: 777420



IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT IN AND FOR PALM
BEACH COUNTY, FLORIDA

CASE NO. CA 01-04671 AB

PROSKAUER ROSE LLP, a New
York limited liability partnership,

Plaintiff,

v.

IVIEWIT.COM, INC., a Delaware corporation,
IVIEWIT HOLDINGS, INC., a Delaware
corporation, and IVIEWIT TECHNOLOGIES,
INC., a Delaware corporation,

Defendants.

**AGREED ORDER GRANTING PLAINTIFF'S MOTION TO TAKE
FOREIGN DEPOSITION AND ORDER APPOINTING COMMISSIONER**

THIS MATTER came before the Court on the Plaintiff's Motion to Take Foreign Deposition and Motion to Appoint Commissioner and the Court, after having been advised of an agreement of the parties and counsel and being otherwise fully advised in the premises, it is hereby

ORDERED AND ADJUDGED that the Motion is GRANTED. The Court hereby appoints Pat Carl & Associates Court Reporters, 4527 Sunset Road, Minneapolis, MN 55416 as a Commissioner for the taking of the deposition of Brian Utley.

DONE AND ORDERED in West Palm Beach, Palm Beach County, Florida this ___ day of August, 2002.

Hon. Jorge Labarga
Circuit Judge

Copies furnished to:

Matthew Triggs, Esq.
Christopher W. Prusaski, Esq.
Proskauer Rose LLP
Attorneys for Plaintiff
2255 Glades Road, Suite 340W
Boca Raton, Florida 33431

Steven M. Selz, Esq.
Selz & Muvdi Selz, P.A.
214 Brazilian Avenue, Suite 220
Palm Beach, Florida 33480



IN THE CIRCUIT COURT OF THE
15TH JUDICIAL CIRCUIT IN AND
FOR PALM BEACH COUNTY,
FLORIDA

PROSKAUER ROSE L.L.P.,
a New York limited partnership,

CA 01-04671 AB

Plaintiff,

v.

IVIEWIT.COM, INC., a Delaware
corporation, IVIEWIT HOLDINGS,
INC., a Delaware corporation, and
IVIEWIT TECHNOLOGIES, INC.,
a Delaware corporation.

Defendants.

_____/

**DEFENDANTS MOTION FOR LEAVE TO AMEND TO JOIN
INDISPENSABLE PARTIES TO ACTION AND TO CONTINUE TRIAL
SETTING BASED ON NEW EVIDENCE**

Defendants, IVIEWIT.COM, INC., IVIEWIT HOLDINGS,
INC. and IVIEWIT TECHNOLOGIES, INC., by and through their undersigned
counsel, hereby move this Court for Leave to Amend their Answer and to continue
the trial setting in this matter and as grounds therefore would state as follows:

1. That on August 22, 2002 and continuing through August 23, 2002, the
Plaintiff took the deposition of Brian G. Utley, the former President and chief
operating officer of the Defendants.

2. That during the taking of such deposition, under cross examination by the undersigned, Brian Utley testified that the only written retainer of the Plaintiff by any of the Iviewit entities was that document attached as Exhibit "A" to the Plaintiff's initial complaint in this matter, a true and correct copy of which is attached hereto as Exhibit "1".

3. That further Mr. Utley testified that the services by Plaintiff were made to "...all the Iviewit entities..." or words to that effect.

4. Plaintiff had, as former legal counsel for the Defendants, been the law firm responsible for the formation of the various Iviewit entities, including Iviewit.com.LLC.

5. Plaintiff has failed to join Iviewit.com, LLC in this action, which is a proper and necessary party to this action.

6. That upon information and belief, the Plaintiff has failed to join Iviewit.com, LLC in that such entity is currently the subject of a Chapter 11 Bankruptcy proceeding, Case No. 01-33407 BKC-SHF, which has since such filing been converted to a Chapter 7 proceeding and which is awaiting the first meeting of creditors. A true and correct notice of the involuntary petition form as to such entity is attached hereto as Exhibit "2".

7. That the services provided to the Plaintiff, and which form the basis for the

Plaintiff's claims for damages in this matter, included services provided to Iviewit.com, LLC, as evidenced by that portion of the billing statement, as dated August 24, 1999, which specifically references the providing of services by the Plaintiff to Iviewit.com.LLC, a true and correct copy of which is attached hereto as Exhibit "3".

8. That the failure of the Defendants to be permitted to join such parties to this action shall work a prejudice on the Defendants and may, depending on the outcome of the pending Chapter 7 Bankruptcy proceedings, create the possibility of inconsistent results in the outcome of this matter.

WHEREFORE the Defendants, move this Honorable Court for the entry of an order permitting the Defendants to amend their answer in this matter and to join as third parties to this action Iviewit, LLC and Iviewit.com, LLC.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been provided by U.S. Mail this _____ day of August, 2002 to: Christopher W. Prusaski, Esq., Proskauer Rose, LLP, 2255 Glades Road, Suite 340 W, Boca Raton, FL 33431.

SELZ & MUVDI SELZ, P.A.
214 Brazilian Avenue, Suite 220
Palm Beach, FL 33480
Tel: (561) 820-9409
Fax: (561) 833-9715

By: _____
STEVEN M. SELZ
FBN: 777420

IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT IN AND FOR PALM
BEACH COUNTY, FLORIDA

CASE NO. CA 01-04671 AB

PROSKAUER ROSE LLP, a New
York limited liability partnership,

Plaintiff,

v.

IVIEWIT.COM, INC., a Delaware corporation,
IVIEWIT HOLDINGS, INC., a Delaware
corporation, and IVIEWIT TECHNOLOGIES,
INC., a Delaware corporation,

Defendants.

**PLAINTIFF'S MOTION TO TAKE FOREIGN
DEPOSITION AND MOTION TO APPOINT COMMISSIONER**

Plaintiff, Proskauer Rose LLP ("Proskauer"), hereby moves for an order allowing the taking of a witness deposition in Minneapolis, Minnesota, and for an order appointing a commissioner for the taking of the deposition. In support of this motion, Proskauer states as follows:

1. Brian Utley ("Utley"), a former principal of the Defendant corporations, resides in Minneapolis, Minnesota. Utley has agreed to have his deposition taken by Proskauer for purposes of discovery in this matter. Proskauer believes that Utley's testimony is important to Proskauer's ability to prove its case in this matter.

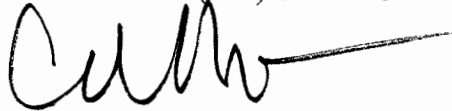
2. Proskauer requests that the Court appoint Pat Carl & Associates Court Reporters, 4527 Sunset Road, Minneapolis, MN 55416, as a commissioner for the taking of Utley's deposition in this matter.

3. The undersigned counsel for Proskauer has conferred with counsel for the Defendants, and counsel for the Defendants has no objection to the relief requested in this motion.

WHEREFORE, Proskauer respectfully requests that this Court enter an order allowing Proskauer to take the deposition of Utley in Minneapolis, Minnesota, appointing Pat Carl & Associates Court Reporters, 4527 Sunset Road, Minneapolis, MN 55416 as a commissioner for the taking of Utley's deposition, and granting any further relief that is reasonable and just.

This 15th day of August, 2002.

PROSKAUER ROSE LLP
2255 Glades Road, Suite 340W
Boca Raton, Florida 33431
Telephone: (561) 241-7400
Facsimile: (561) 241-7145



David J. George
Florida Bar No. 0898570
Christopher Prusaski
Florida Bar No. 0121525

CERTIFICATE OF SERVICE

I certify that on August 15th, 2002, a copy of the foregoing was furnished by Facsimile and U.S. Mail to Steven Selz, Esq., Selz & Muvdi Selz, P.A., 214 Brazilian Avenue, Suite 220, Palm Beach, FL 33480.



Christopher W. Prusaski

IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT IN AND
FOR PALM BEACH COUNTY, FLORIDA

CASE NO. CA 01-04671 AB

PROSKAUER ROSE LLP, a New
York limited liability partnership,

Plaintiff,

v.

IVIEWIT.COM, INC., a Delaware corporation,
IVIEWIT HOLDINGS, INC., a Delaware corporation, and
IVIEWIT TECHNOLOGIES, INC., a Delaware corporation,

Defendants.

SUBPOENA FOR DEPOSITION

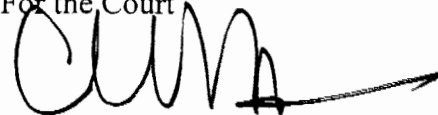
TO: William Kasser
991 N.W. 9th Street
Boca Raton, FL 33486

YOU ARE COMMANDED to appear before a person authorized to take depositions at the office of Proskauer Rose LLP, 2255 Glades Road, Suite 340 West, Boca Raton, FL 33431-7360, on the 20th day of August, 2002, at 11:00 a.m. for the taking of your deposition in this action. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the Court, you shall respond to this subpoena as directed.

DATED this 1st day of August, 2002.

Christopher Prusaski, Esq.
For the Court



Proskauer Rose LLP
Attorneys for the Plaintiff
2255 Glades Road, Suite 340W
Boca Raton, FL 33431
(561) 241-7400
Florida Bar No. 121525

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator, 15th Judicial Circuit, Palm Beach County Courthouse, 205 North Dixie Highway, West Palm Beach, Florida 33401, (561) 355-2431, within 2 working days of your receipt of this Notice; if you are hearing or voice impaired, call (800) 955-8771.



IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT IN AND
FOR PALM BEACH COUNTY, FLORIDA

CASE NO. CA 01-04671 AB

PROSKAUER ROSE LLP, a New
York limited liability partnership,

Plaintiff,

v.

IVIEWIT.COM, INC., a Delaware corporation,
IVIEWIT HOLDINGS, INC., a Delaware corporation, and
IVIEWIT TECHNOLOGIES, INC., a Delaware corporation,

Defendants.

NOTICE OF TAKING DEPOSITION

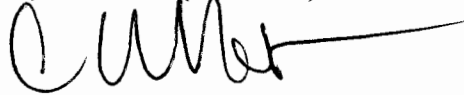
**TO: Steven M. Selz, Esq.
Selz & Muvdi Selz, P.A.
214 Brazilian Avenue, Suite 220
Palm Beach, Florida 33480**

PLEASE TAKE NOTICE that commencing at **9:00 a.m. on Thursday, August 22, 2002**, before Pat Carl & Associates Court Reporters, 5841 Cedar Lake Road, St. Louis Park, Minnesota 55416 (763.591.0535), the attorney for Plaintiff will take the deposition upon oral examination of **BRIAN G. UTLEY**.

The deposition will be taken for the purpose of discovery and for any other purpose authorized by the appropriate rules of civil procedure before an authorized court reporter. The deposition will continue from day to day until complete.

This 1st day of August, 2002.

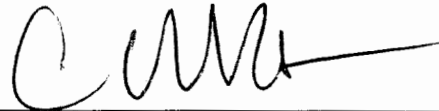
PROSKAUER ROSE LLP
Counsel for Plaintiff
One Boca Place, Suite 340W
2255 Glades Road
Boca Raton, Florida 33431
(561) 241-7400 (telephone)
(561) 241-7145 (facsimile)



Matthew Triggs
Florida Bar No. 0865745
Christopher Prusaski
Florida Bar No. 121525

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of August, 2002, a true and correct copy of the foregoing was been furnished by U.S. mail to Steven M. Selz, Esq., Selz & Muvdi Selz, P.A., 214 Brazilian Avenue, Suite 220, Palm Beach, Florida 33480.



Christopher W. Prusaski, Esq.

cc: Pat Carl & Associates Court Reporters



IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT IN AND
FOR PALM BEACH COUNTY, FLORIDA

CASE NO. CA 01-04671 AB

PROSKAUER ROSE LLP, a New
York limited liability partnership,

Plaintiff,

v.

IVIEWIT.COM, INC., a Delaware corporation,
IVIEWIT HOLDINGS, INC., a Delaware corporation, and
IVIEWIT TECHNOLOGIES, INC., a Delaware corporation,

Defendants.

NOTICE OF TAKING DEPOSITION

**TO: Steven M. Selz, Esq.
Selz & Muvdi Selz, P.A.
214 Brazilian Avenue, Suite 220
Palm Beach, Florida 33480**

PLEASE TAKE NOTICE that commencing at **11:00 a.m. on Tuesday, August 20, 2002**, at the offices of **Proskauer Rose LLP, 2255 Glades Road, Suite 340 West, Boca Raton, Florida 33341**, the attorney for Plaintiff will take the deposition upon oral examination of **WILLIAM KASSER**.

The deposition will be taken for the purpose of discovery and for any other purpose authorized by the appropriate rules of civil procedure before an authorized court reporter. The deposition will continue from day to day until complete.

This 7st day of August, 2002.

PROSKAUER ROSE LLP
Counsel for Plaintiff
One Boca Place, Suite 340W
2255 Glades Road
Boca Raton, Florida 33431
(561) 241-7400 (telephone)
(561) 241-7145 (facsimile)



Matt Triggs
Florida Bar No. 0865745
Christopher Prusaski
Florida Bar No. 121525

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7st day of August, 2002, a true and correct copy of the foregoing has been furnished by facsimile and U.S. mail to Steven M. Selz, Esq., Selz & Muvdi Selz, P.A., 214 Brazilian Avenue, Suite 220, Palm Beach, Florida 33480.



Christopher W. Prusaski, Esq.

cc: Ken Schanzer & Assoc.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator, 15th Judicial Circuit, Palm Beach County Courthouse, 205 North Dixie Highway, West Palm Beach, Florida 33401, (561) 355-2431, within 2 working days of your receipt of this Notice; if you are hearing or voice impaired, call (800) 955-8771.



IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT IN
AND FOR PALM BEACH COUNTY,
FLORIDA

CASE NO. CA 01-04671 AB

PROSKAUER ROSE LLP, a New
York limited liability partnership,

Plaintiff,

vs.

IVIEWIT.COM, INC., a Delaware
corporation, IVIEWIT HOLDINGS, INC.,
a Delaware corporation, and IVIEWIT
TECHNOLOGIES, INC., a Delaware
corporation,

Defendant.

NOTICE OF HEARING
Motion Calendar

To: Steven Selz, Esq.
Selz, Muvdi Selz, P.A.
214 Brazilian Avenue, Suite 220
Palm Beach, Florida z33480

YOU ARE HEREBY NOTIFIED that the undersigned has called up for hearing the
following:

Plaintiff's Motion to Take Foreign Deposition and Motion to Appoint Commissioner

DATE: Thursday, August 15, 2002

TIME: 8:45 a.m.

JUDGE: The Honorable Jorge Labarga

PLACE: Palm Beach County Courthouse
205 North Dixie Highway, Room 11.1204
West Palm Beach, Florida 33401

In accordance with the Americans With Disabilities Act of 1990, persons needing a special accommodation to participate in this proceeding should contact the Court ADA Coordinator no later than seven days prior to the proceedings. Telephone: (561) 355-2431 for assistance; if hearing-impaired, telephone (800)955-8771 for assistance.

Pursuant to Rule 2.050(b) of the Florida Rules of Judicial Administration, Movant hereby certifies that a good faith attempt to resolve the above matter has been made or will be made prior to the hearing on this matter.

This 1st day of August, 2002.

PROSKAUER ROSE LLP
2255 Glades Rd., Suite 340 West
Boca Raton, Florida 33431
Telephone: (561) 241-7400
Facsimile: (561) 241-7145

By: 

Matthew Triggs
Florida Bar No. 0865745
Christopher W. Prusaski
Florida Bar No. 121525

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by Facsimile and United States Mail, this 1st day of August, 2002, to:

Steven Selz, Esq.
Selz & Muvdi Selz, P.A.
214 Brazilian Avenue, Suite 220
Palm Beach, FL 33480

By: 

Christopher Prusaski



IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT IN AND FOR PALM
BEACH COUNTY, FLORIDA

CASE NO. CA 01-04671 AB

PROSKAUER ROSE LLP, a New
York limited liability partnership,

Plaintiff,

v.

IVIEWIT.COM, INC., a Delaware corporation,
IVIEWIT HOLDINGS, INC., a Delaware
corporation, and IVIEWIT TECHNOLOGIES,
INC., a Delaware corporation,

Defendants.

**AGREED ORDER ON PLAINTIFF'S MOTION TO COMPEL DISCOVERY
RESPONSES FROM THE DEFENDANTS AND MOTION FOR EXTENSION OF TIME
WITHIN WHICH PROSKAUER SHALL FILE ITS WITNESS AND EXHIBIT LISTS**

THIS CAUSE came before the Court on Plaintiff's Motion to Compel Discovery Responses from the Defendants and Motion for Extension of Time Within Which Proskauer Shall File its Witness and Exhibit Lists and the Court, upon being advised of an agreement between the parties and counsel and being otherwise fully advised in the premises, it is hereby

ORDERED AND ADJUDGED as follows:

1. The Plaintiff's motion to compel is GRANTED. The Defendants shall produce all documents responsive to the Plaintiff's First and Second Requests for Production within 20 days of the date of this Agreed Order. Additionally, the Defendants shall serve their answers to the Plaintiff's Second Set of Interrogatories within 30 days of the date of this Agreed Order.

2. The Plaintiff's motion for extension of time to serve witness and exhibit lists is GRANTED. The Plaintiff shall serve ^{and Defendants} its witness and exhibit lists within 30 days of the service of ^{them} the Defendants' discovery responses ordered in paragraph 1.

3. The following deadlines are hereby set and are changed from the deadlines previously set in this Court's Pretrial Order of June 11, 2002:

Rebuttal Witness/Exhibit List Due: September 2, 2002
Mediation Completed: September 13, 2002
Pretrial Stipulation Filed: September 24, 2002
Discovery Cutoff: September 20, 2002
Calendar Call: Remains the same: September 13, 2002 at 9:00 a.m.

DONE AND ORDERED at West Palm Beach, Palm Beach County, Florida, this _____ day of July, 2002.

SIGNED AND DATED
JUL 18 2002

Judge Jorge Labarga

Honorable Jorge Labarga
Circuit Court Judge

Copies furnished to:

Matthew Triggs, Esq.
Christopher W. Prusaski, Esq.
Proskauer Rose LLP
Attorneys for Plaintiff
2255 Glades Road, Suite 340W
Boca Raton, Florida 33431

Steven M. Selz, Esq.
Selz & Muvdi Selz, P.A.
214 Brazilian Avenue, Suite 220
Palm Beach, Florida 33480

IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT IN AND FOR PALM
BEACH COUNTY, FLORIDA

CASE NO. CA 01-04671 AB

PROSKAUER ROSE LLP, a New
York limited liability partnership,

Plaintiff,

v.

IVIEWIT.COM, INC., a Delaware corporation,
IVIEWIT HOLDINGS, INC., a Delaware
corporation, and IVIEWIT TECHNOLOGIES,
INC., a Delaware corporation,

Defendants.

**ORDER COMPELLING THE DEFENDANTS
TO OBTAIN COUNSEL AND SETTING STATUS CHECK**

THIS CAUSE came before the Court on June 12, 2002 on the Plaintiff's Notice that the Parties Have Not Settled and Motion to Compel the Defendants to Obtain Counsel and to Set a Status Check and the Court, after being fully advised in the premises, it is hereby

ORDERED AND ADJUDGED as follows:

1. The Plaintiff has represented to the Court that the parties have been unable to settle this matter.
2. Within 15 days of the date of this Order, Defendants, IVIEWIT.COM, INC., IVIEWIT HOLDINGS, INC. and IVIEWIT TECHNOLOGIES, INC., shall retain new counsel and a notice of appearance shall be filed with the Court. A corporation cannot represent itself and cannot appear in court without an attorney. Szteinbaum v. Kaes Inversiones y Valores, CA, 476 So. 2d 247, 248 (Fla. 3d DCA 1985).