

would have no interest. They would do proper due diligence of the facts, inevitably forcing disclosure of the crimes by defendants to their new counsel.

k. Chief Judge of the Court of Appeals, Judith S. Kaye, married to recently deceased Proskauer partner, Stephen R. Kaye, and whose former law clerk Krane of Proskauer may be the one of the largest blocks to due process of the Plaintiffs and Iviewit Companies complaints in New York. The obvious conflicts of Kaye and Krane may have far-reaching impact in the denial of due process, due to their undeniable influence over both the Courts and the various disciplinary departments in New York. With the influence of Krane and Kaye over the disciplinary and NY courts and their intimate involvement with the main accused, they should be nowhere near the complaints and yet have had direct involvement.

165. Every person at Proskauer and Foley is at a high degree of risk, from at minimum job loss if Plaintiffs are successful, to being found accomplice and losing all assets from being tied through their partnerships, to being found guilty in the construction or execution of the legal conspiracy and racketeering enterprise and facing federal time. These risks preclude self-representation, yet Proskauer and Foley fear no ethics violations or laws, fearing not whom they take down with them. Acting in utter contempt of legal ethics and their sworn oaths to uphold law and the attorney conduct codes, as "desperate times call for desperate measures."

166. Another false statement in the Proskauer MTD is the claim MPEGLA did not do anything. Plaintiffs allege MPEGLA took actions through the direction of Rubenstein, a founder of the patent pool, chief counsel to the pool and sole reviewer and gatekeeper of the patents that become included or as in this case, excluded from the pool but still used by the pool.

167. Wheeler initially represented Rubenstein and Joao as part of a New York IP department of Proskauer⁷⁶ to Plaintiff Bernstein and the early investors. Rubenstein and Joao then acted under false pretenses in claiming they were part of a Proskauer IP department⁷⁷ at the time of taking the invention disclosures.

⁷⁶ Exhibit 1 – Evidence Links 3, 4, 6, 9, 12, 13 & 18.

⁷⁷ Prior to Rubenstein joining Proskauer, Proskauer was a real estate law firm with no IP department whatsoever; learned much later by Iviewit Companies. It is interesting to note that immediately after Bernstein's inventions Proskauer staffed up an IP department by acquiring Rubenstein and other of his