



**IVIEWIT HOLDINGS, INC.**

P. Stephen Lamont  
Chief Executive Officer  
Direct Dial: 914-217-0038

**By Hand**

January 14, 2009

Hon. Jonathan Lippman  
Presiding Justice  
New York State Supreme Court,  
Appellate Division First Department  
27 Madison Avenue  
New York, New York 10010

Re: Matters of Thomas J. Cahill and Alan W. Friedberg: Motion to Begin Immediate Investigation and Motion to Compel Response, Respectively.


Dear Hon. Lippman:

Please find submitted herewith an original and seven (7) copies of a Notice of Motion, Affirmation, and Motion to begin the immediate investigation of Thomas J. Cahill, Esq. and to compel the response of Alan W. Friedberg to a recent attorney discipline complaint. The motion is returnable February 13, 2009.

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

Very truly yours,

**IVIEWIT HOLDINGS, INC.**

By:   
Chief Executive Officer

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

**In the Matter of an Attorneys and Counselor-at-Laws  
Thomas J. Cahill and Alan W. Friedberg:**

**P. Stephen Lamont, Individually, and on Behalf of  
Shareholders of Iviewit Holdings, Inc.**

**Petitioners**

**Appellate Division First Department Departmental  
Disciplinary Committee, Roy L. Reardon, Alan W.  
Friedberg, Martin R. Gold, and Thomas J. Cahill**

**Respondents**

**NOTICE OF MOTION**

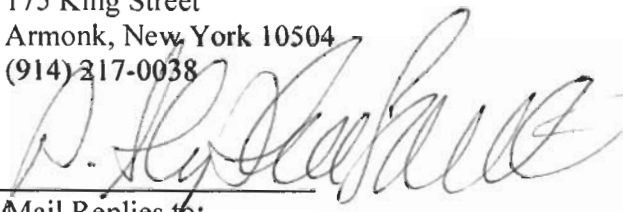
**PLEASE TAKE NOTICE** that upon the annexed affirmation of P. Stephen Lamont, Chief Executive Officer of Iviewit Holdings, Inc. individually, and on behalf of the shareholders of Iviewit Holdings, Inc. (“Iviewit”), a motion will be submitted to this Court at the Appellate Division Courthouse, 27 Madison Avenue, New York, New York 10010, on January 14, 2009 at 10:00 A.M. or as soon thereafter as Petitioners can be heard, for an order granting the immediate investigation of Thomas J. Cahill, Esq. (Special Inquiry #2004.1122) and an order compelling the response of Alan W. Friedberg to Iviewit’s September 29, 2008 attorney discipline complaint (not docketed) on the grounds that: (i) the “Cahill Complaint” has languished in the bowels of the Appellate Division First Department Departmental Disciplinary Committee (“1<sup>st</sup> DDC”) for more than four (4) years, and the matters are in violation of Rule 605.6d.2.(ii) requiring a respondent to reply to a complaint within twenty (20) days (see Part 605. Rules and Procedures of the Departmental Disciplinary Committee); and (ii) that the “Friedberg

Complaint” is in violation of Rule 605.6d2(ii) requiring a respondent to reply to a complaint within twenty (20) days (see Part 605. Rules and Procedures of the Departmental Disciplinary Committee).

Dated: Armonk, New York  
January 14, 2009

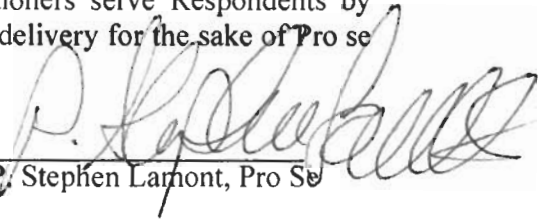
Attorney for Petitioners

P. Stephen Lamont, Pro se  
Chief Executive Officer  
Iviewit Holdings, Inc.  
175 King Street  
Armonk, New York 10504  
(914) 217-0038

  
Mail Replies to:  
35 Locust Avenue  
Rye, New York 10580

**AFFIDAVIT OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been furnished to all Respondents by facsimile this January 13, 2009. Petitioners serve Respondents by facsimile as opposed to hand delivery to the Court or mail delivery for the sake of Pro se expediency.

  
P. Stephen Lamont, Pro Se

To:

Appellate Division First Department Departmental Disciplinary Committee  
Roy L. Reardon  
Alan W. Friedberg  
Martin R. Gold  
Thomas J. Cahill (c/o Martin R. Gold)

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

**In the Matter of an Attorneys and Counselor-at-Laws  
Thomas J. Cahill and Alan W. Friedberg:**

**P. Stephen Lamont, Individually, and on Behalf of  
Shareholders of Iviewit Holdings, Inc.**

**Petitioners**

**Appellate Division First Department Departmental  
Disciplinary Committee, Roy L. Reardon, Alan W.  
Friedberg, Martin R. Gold, and Thomas J. Cahill**

**Respondents**

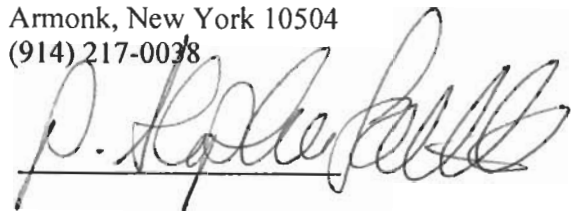
**AFFIRMATION**

P. STEPHEN LAMONT, individually, and on behalf of the shareholders of Iviewit Holdings, Inc., hereby affirms under the penalty of perjury:

1. I am Chief Executive Officer of Iviewit Holdings, Inc. ("Iviewit"), and I am fully familiar with the facts and circumstances prompting this motion.
2. Petitioners respectfully submit this affirmation in support of an application to grant an order for the immediate investigation of Thomas J. Cahill, Esq. (Special Inquiry #2004.1122) and an order compelling the response of Alan W. Friedberg to Iviewit's September 29, 2008 attorney discipline complaint (not docketed).

Attorney for Petitioners

P. Stephen Lamont, Pro se  
Chief Executive Officer  
Iviewit Holdings, Inc.  
175 King Street  
Armonk, New York 10504  
(914) 217-0038



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

**In the Matter of an Attorneys and Counselor-at-Laws  
Thomas J. Cahill and Alan W. Friedberg:**

**P. Stephen Lamont, Individually, and on Behalf of  
Shareholders of Iviewit Holdings, Inc.**

**Petitioners**

**Appellate Division First Department Departmental  
Disciplinary Committee, Roy L. Reardon, Alan W.  
Friedberg, Martin R. Gold, and Thomas J. Cahill**

**Respondents**

**MOTION**

1. On June 6, 2004, Iviewit filed an attorney discipline complaint against Thomas J. Cahill (Special Inquiry #2004.1122), the then Chief Counsel of the Appellate Division First Department Departmental Disciplinary Committee (“1<sup>st</sup> DDC”) for: concealment of conflicts of interest in the response of Steven C. Krane on behalf of Iviewit’s action against Kenneth Rubenstein (Docket No. 2003.0531); allowance of the merger of Iviewit’s action against Raymond A. Joao (Docket No. 2003.0532) with the Rubenstein complaint and thereby imparting a conflict of interest and appearance of impropriety as in the Rubenstein complaint; and various instances of whitewashing and rubber stamping of the complaints against Rubenstein and Joao contrary to the Code of Professional Responsibility.

2. On June 23, 2004, a letter by Paul J. Curran, the then Chairman of the DDC, informs Complainant that the 1<sup>st</sup> DDC referred the Cahill complaint to Martin R. Gold, a then Special Counsel to the DDC in accordance with the Court’s rules.

3. Throughout the period of 2004 - 2005, Iviewit made various phone calls to Gold inquiring as to the status of the Cahill complaint.

4. On September 28, 2008 Iviewit filed an attorney discipline complaint against Alan W. Friedberg stating:

In so far as: (i) the Cahill Complaint has laid in the hands of Gold for more than four years and three months without an investigation and disposition, (Friedberg), who is sufficiently tenured in his position, fails to bring the Cahill complaint to an appropriate disposition; and (ii) failed to docket the complaints against the Proskauer Respondents (Gregory M. Mashberg and Joanna Smith) and providing for their answer, and in failing to do so, he violates the following sections of the Code of Professional Responsibility...

5. On November 5, 2008 by facsimile to Roy L. Reardon, Chairman of the 1<sup>st</sup> DDC, Iviewit further inquired as to the status of the Cahill complaint.

6. Soon thereafter, Petitioners, in a telephone conversation with Reardon, requested a status report on the Cahill complaint.

7. On November 7, 2008, Iviewit again wrote to Reardon stating:

should I not receive a detailed response with respect to Special Inquiry #2004.1122 within five (5) business days as to, inter alia: (i) the precise status of the complaint; (ii) the inquiries made over the past four (4) years; and (iii) time line to arrive at a disposition of this complaint, the conclusion I will reach, on behalf of Iviewit, is that you are not performing

your job as the Chairman of the Appellate Division First Department  
Departmental Disciplinary Committee according to the rules of the Court.

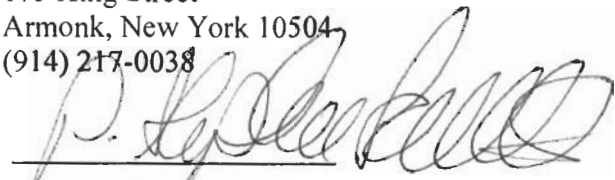
8. Reardon, failing to respond to the November 7, 2008 letter leads to the instant  
Motion.

WHEREFORE, based upon the reasons set forth above, Petitioners respectfully requests  
that this Court enter an order granting the immediate investigation of Thomas J. Cahill,  
Esq. (Special Inquiry #2004.1122) and an order compelling the response of Alan W.  
Friedberg to Iviewit's September 29, 2008 attorney discipline complaint (not docketed).

Dated: Armonk, New York  
January 14, 2009

Attorney for Petitioners

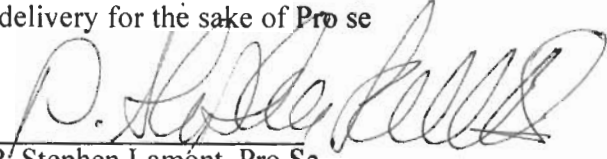
P. Stephen Lamont, Pro se  
Chief Executive Officer  
Iviewit Holdings, Inc.  
175 King Street  
Armonk, New York 10504  
(914) 217-0038

  
Mail Replies to:  
35 Locust Avenue  
Rye, New York 10580



**AFFIDAVIT OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been furnished to all Respondents by facsimile this January 13, 2009. Petitioners serve Respondents by facsimile as opposed to hand delivery to the Court or mail delivery for the sake of Pro se expediency.

  
P. Stephen Lamont, Pro Se

Appellate Division First Department Departmental Disciplinary Committee  
Roy L. Reardon  
Alan W. Friedberg  
Martin R. Gold  
Thomas J. Cahill (c/o Martin R. Gold)