

**I-VIEW-IT HOLDINGS, INC.**

**I-VIEW-IT TECHNOLOGIES, INC.**

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Wednesday, December 30, 2009

Barry Meyer, Chairman & CEO ~ Warner Bros. Entertainment, Inc.
Alan F. Horn, President & COO ~ Warner Bros. Entertainment Inc.
Edward Romano, EVP & CFO ~ Warner Bros. Entertainment, Inc.
John Rogovin, EVP & GC ~ Warner Bros. Entertainment, Inc.
Wayne Smith, VP, Sr. Litigation & Chief Patent Counsel ~ Warner Bros. Entertainment, Inc.
Jeffrey Bewkes, Chairman & CEO ~ Time Warner, Inc.
Paul Cappuccio, Sr. EVP & GC ~ Time Warner, Inc.
John K. Martin, Jr. EVP & CFO ~ Time Warner, Inc.
Tim Armstrong, Chairman & CEO ~ AOL, Inc.
Ira Parker, General Counsel ~ AOL, Inc.
Artie Minson, CFO ~ AOL Inc.
James Turley, Chairman & Chief Executive Officer ~ Ernst & Young Global Limited.

**Re: Iviewit Patent Infringement and 12 Count 12 Trillion Dollar Federal RICO Lawsuit and Time Sensitive Matters Sent to Wayne Smith to Have Already Been Forwarded to Executive Management Officers**

I write to you all as a business consultant for Eliot I. Bernstein who is the original inventor and founder of the Iviewit Technologies used across the globe, on the Hubble Space Telescope, for a mass of Defense applications, and in both hardware and software applications relating to digital video and imaging. I remind all of you that all of your respective companies have been under multiple, written signed NDA’s ( non-disclosure agreements ) and binding and signed license and encoding agreements regarding the Technologies dating back to on or around 2000 or earlier.

Most critically at this pressing time, however, I write to officially notice your respective offices of “time sensitive” matters previously sent to Wayne Smith, Vice President, Sr. Litigation Counsel and Chief Patent Counsel at Warner Bros. Entertainment, Inc. ( Warner Bros. ) attached herein that requested Mr. Smith to officially copy and notify your offices of these “time sensitive” matters on behalf of Inventor Eliot I. Bernstein and select interest and shareholders in the Iviewit Technologies.

I officially notice your respective offices now since it appears from a written response received by Mr. Smith’s office Wednesday Dec. 23, 2009[[1]](#footnote-1), written on Official Warner Bros. letterhead and carbon copied only to General Counsel John Rogovin of Warner Bros., that neither Mr. Smith nor Mr. Rogovin have brought these “time sensitive” matters to your respective offices despite knowing these matters could and very likely will have catastrophic affects to the respective companies herein and the shareholders of such companies ( billions of dollars are stake and more ). Please note for FASB No. 5 and other accounting purposes that a separate private capital raise is currently ongoing for Mr. Bernstein to initiate a separate lawsuit against your companies herein in addition to other adverse action should an Agreement to Agree to a business and licensing deal not occur forthwith. Also note that under FASB No. 5, your companies have had obligations to shareholders to report not only the admitted Infringements of Mr. Bernstein’s technologies but also your involvement in a 12 Count 12 Trillion Dollar Federal Lawsuit Ongoing in Second Circuit of New York. Further reporting would be required based upon the knowledge of the signed NDA’s and Licensing and Encoding Agreements. Please take note that the federal lawsuit mentioned herein has been marked legally “related” by US District Court Judge Shira A. Scheindlin to a federal Whistleblower Lawsuit of Christine C. Anderson.

Please note that since it appears that Mr. Smith and Mr. Rogovin have failed / neglected / disregarded / and/or intentionally concealed these matters from your respective offices, that your offices have been denied prior time granted to act herein based upon conduct within at least Warner Bros. and not by myself or Mr. Bernstein. Nonetheless, there remains limited time to still act and avoid disastrous consequences to your companies and shareholders through completion of an Agreement to Agree. Yet, please note that a failure to meet to discuss these issues, which have bearing on rescissory rights for all shareholders if not quelled through proper business dealings and accountings, will certainly result in Mr. Bernstein and myself reporting these matters and your failure to address them to multiple federal and state authorities, the SEC and your shareholders.

I do note however, as a business consultant with a Juris Doctorate and many years experience in the rough and tumble world of New York business, corporate, litigation and government affairs; it does seem rather unlikely on its face that some of your offices would not have prior knowledge of the essence and heart of these matters since:

1. there are signed NDA’s,
2. there is a signed Licensing and Encoding agreement in existence regarding the Technologies,
3. there are technical experts from within your companies that confirm direct infringement of the Technologies under signed NDA’s to senior management,
4. Mr. Bernstein and others worked directly inside Warner Bros. offices in Glendale, Ca. performing encoding services and taking over your encoding division for use of technologies,
5. the Irell & Manella law firm issued Legal Billing Invoices for the drafting and negotiations involving the SIGNED Encoding and Licensing agreement for your companies.

Further, WB / AOLTW / AOL Inc had previously performed Due Diligence in the context of a $25 Million Dollar capital raise which involved going forward interests with the Technologies. This prior due diligence occurred during a time while a Private Placement Memorandum by Wachovia Securities was being circulated by the Proskauer Rose law firm to your companies and WB/AOLTW/AOL Inc. was on the verge of depositing $25 Million into the project. At that time, critical matters that directly involve Wayne Smith and other key personnel inside your companies became known and led to the breaching of the encoding and licensing deal and more. Yet, the fact that this occurred and involved all of the respective companies would lead myself and likely most average persons to conclude that key officers and management have had knowledge of many if not most of the issues herein, but certainly sufficient information to have booked at least Contingent Liabilities under FASB No. 5.

This would make the actions of Warner Bros. General Counsel, Mr. Rogovin highly suspect and potentially cause catastrophic events upon your companies, since upon Eliot I. Bernstein contacting the company and speaking to Mr. Rogovin’s office regarding these LEGAL LIABILITIES, Mr. Rogovin then proceeded to select Warner Bros. Chief Patent Counsel, Wayne Smith, to handle the matters, instead of giving this to outside NON CONFLICTED COUNSEL and auditors. Yet, Mr. Rogovin appears to have done this while also knowing that Mr. Smith is wholly conflicted with these matters. Further, it has been learned that Mr. Smith and Warner Bros. have been working with the main criminal conspirators and defendants in Mr. Bernstein’s Federal RICO Lawsuit, including but not limited to, Kenneth Rubenstein, Proskauer Rose and MPEG LA LLC. This further makes the choice of Mr. Smith as the person to contact to handle these matters, as directed by General Counsel Rogovin, again highly suspect and potentially causing catastrophe upon your companies.

Thus, your offices may inquire why this is a time sensitive matter now as referenced in the attached Wayne Smith letter dated Dec. 23, 2009[[2]](#footnote-2). Please note that attached hereto is my correspondence to Wayne Smith dated Nov. 30, 2009[[3]](#footnote-3) referencing a Nov. 23, 2009 phone call with Mr. Smith and further that the Dec. 20, 2009[[4]](#footnote-4) “time sensitive” Agreement to Agree Demand correspondence to Mr. Smith further references repeated efforts by Mr. Bernstein in good faith, since April 30, 2009, to communicate. The delays since April demonstrate that these matters have “lingered” or been “concealed” with Mr. Smith’s office for months and therefore exhibit why now stringent time frames have been imposed upon your companies. Thus, the apparent concealment by Mr. Smith, Mr. Rogovin and/or others of prior attempts at good faith resolution by Eliot I. Bernstein and myself regarding these matters have contributed to the time sensitive nature of the present communications and has in part created a small window of time for your offices to act.

As I have attempted repeatedly to assist Mr. Wayne Smith in properly and responsibly advancing these business matters, to prevent, if possible, catastrophic actions to your companies with federal and state authorities and your shareholders, I now similarly will outline just a few reasons why this is now a time sensitive matter with very little time left, as Mr. Bernstein will be filing shortly the voluminous complaints he is finishing[[5]](#footnote-5):

1. Inventor Eliot I. Bernstein and family, Candice, Josh, Jake and Danny are victims of the crime of Attempted Murder as a result of a Car Bombing of their family mini-van, so great as to take several other vehicles nearby. For full pictorial evidence of the car bombing, please visit Iviewit’s homepage @ [www.iviewit.tv](http://www.iviewit.tv). Multiple ongoing federal and other investigations in to these matters continue as outlined in my Dec. 20, 2009 time sensitive correspondence to Mr. Smith, which again requested that his office already copy all of your offices. Investigations into Any and All responsible and/or knowledgeable parties to the alleged crimes of Attempted Murder present inherent time sensitive factors in and of themselves.
2. US District Court Judge Shira Scheindlin of the Southern District of New York, who marked Eliot Bernstein’s case legally “related” to the federal Whistleblower lawsuit of Christine Anderson, as a sitting federal Judge also called Mr. Bernstein’s case one about “Murder” not just “Attempted Murder”. A link to Mr. Bernstein’s 12 Count 12 Trillion Dollar federal RICO, Anti-Trust, Civil Rights and related Amended Complaint can be found at <http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20080509%20FINAL%20AMENDED%20COMPLAINT%20AND%20RICO%20SIGNED%20COPY%20MED.pdf>. Thus, investigations into the heightened allegation of “Murder” in addition to Attempted Murder as alleged by Mr. Bernstein provides even greater inherent basis for time sensitive actions on your part.
3. As noted in the Wayne Smith Dec. 20, 2009 correspondence, the legally “related” Christine Anderson Federal Whistleblower case, recently heard in the SDNY before US District Judge Shira Scheindlin, brought forth sworn testimony in open federal court, under federal oath, the existence, among other things, of a “Cleaner” of Ethics related complaints. The “Cleaner” was identified as a one Naomi Goldstein and the allegations involve the whitewashing of complaints against “favored law firms and lawyers”, including but not limited to, certain US Attorneys, District Attorneys in New York County and more. Naomi Goldstein works for the Supreme Court of New York Appellate Division First Department Departmental Disciplinary Committee in Manhattan that handles complaints against Wall Street Lawyers and all Manhattan attorneys and more. Christine Anderson of course, worked inside the First Department Disciplinary Committee for 6 years or more.
4. To bring this right in to the Heart of the involvement of your offices and companies, the First Department Disciplinary Committee is where Mr. Bernstein has filed complaints against multiple attorneys from Proskauer Rose, including but not limited to, Kenneth Rubenstein, who was and remains simultaneously involved with MPEG LA and conflicted in these matters as well, as confirmed by Rubenstein, as he is also acting Counsel to Warner Bros. Ironically, at the same time Proskauer was circulating the Private Placement Memorandum on behalf of Iviewit, Mr. Smith is claimed by key personnel Inside Warner Bros. to have discovered Fraudulent Patent filings during the Due Diligence for the $25 Million private capital raise, patent filings filed with Kenneth Rubenstein as Iviewit Patent Counsel, please see the Wachovia Private Placement for confirmation Mr. Rubenstein’s role as Patent Counsel and Advisory Board member at <http://iviewit.tv/CompanyDocs/Wachovia%20Private%20Placement%20Memorandum%20-%20with%20bookmarks%20in%20col.pdf>.
5. Mr. Wayne Smith, however, would later, after signed contracts were in place, direct Mr. Bernstein and one P. Stephen Lamont to go back to Proskauer attorney Kenneth Rubenstein, to have him re-opine on the inventions due to his discovery of potential fraud. Mr. Smith’s request despite Mr. Rubenstein previously opining favorably on the Iviewit Technologies to Warner Bros. and others and despite Warner Bros., AOLTW, AOL Inc. being aware of this favorable opinion through company held documents and records. Proskauer attorney Rubenstein who had previously opined favorably on the Iviewit Technologies would then refuse to meet or discuss the matters with Wayne Smith claiming Warner Bros. was a Client of Proskauer and this was the supposed basis for Mr. Smith’s breaching contracts. Note, P. Stephen Lamont, would later proclaim to Iviewit Shareholders to be a “plant” from AOL and then later a “plant from Microsoft” and has recently been reported in these matters to federal and state investigators for possible collusion in the RICO crimes. All of these events when viewed with hindsight cause a considerable specter over the actions of Mr. Smith and others, partially why Mr. Bernstein has requested business discussions to answer these questions and hopefully move forward in positive business relations once resolved.
6. Further, that the Intellectual Properties at issue themselves have and remain Suspended by the USPTO Commissioner, while Harry Moatz, Director of the OED of the USPTO, assembled a Team to protect Mr. Bernstein’s intellectual properties while investigating the lawyers and parties involved. Lawyers, including Proskauer and Rubenstein charged with direct Fraud on the USPTO, Fraud on Iviewit Inventors and Shareholders and more[[6]](#footnote-6).
7. Still, that key employees and personnel within your companies also became aware of a false and fraudulent bankruptcy and false Billing scheme filed by Proskauer Rose against certain Iviewit companies during the same general timeframe that Mr. Wayne Smith discovered fraudulent patent filings. All of this occurred during the same general timeframe that the Arthur Anderson accountants discovered Shell and Shadow companies set up by Proskauer and soon thereafter leading to the collapse of Enron thru Enron Broadband including the deal that collapsed with Wayne Huizenga’s former Blockbuster Video company, Huizenga was seed capital for the Iviewit companies.

Now, perhaps it is because of the inherent conflicts of interest at play that Mr. Wayne Smith appears to have concealed some of these matters from your respective offices including Mr. Bernstein’s limited time “time sensitive” offer and invitation to Agree to Agree on a business deal moving forward. Or perhaps General Counsel John Rogovin was the primary force concealing these matters to your offices. Nonetheless, it should be plain and obvious to your offices that Mr. Smith and others within your respective companies are at the heart of current and future proceedings and litigation on a host of claims and charges. Specifically as they pertain to Warner Bros. involvement with Kenneth Rubenstein, Proskauer Rose, the MPEGLA patent pools and DVD Patent Pools and the damages to Mr. Bernstein and proper Iviewit interests caused by Mr. Rubenstein and Proskauer through a false bankruptcy and disruption of the $25 Million capital raise via criminal conspiracy and related criminal RICO style and Anti-Trust activities with resulting financial and related company damage to Mr. Bernstein and others since.

So, to be clear, when Mr. Bernstein picks up the phone next, or issues a Letter next, which could be any moment, it will be and is in the context of;

1. Investigations relating to Attempted Murder and claims that a Federal US District Court Judge has indicated may involve Murder,
2. in relation to Anti-Trust and RICO related claims,
3. in relation to corruption substantiated within the First Department Disciplinary Committee,
4. USPTO Investigations,
5. Investigations by Glenn Fine, Inspector General of the US DOJ,
6. Investigations by John Conyers of the House Judiciary Committee,
7. Ongoing Investigations and Hearings by the New York State Judiciary Committee Chaired by State Senator Sampson of the NY
8. Lawsuits predicated upon NDA’s signed by your own companies,
9. Licensing and Encoding agreements signed by your own companies,
10. Actions by officers and management such as Wayne Smith and John Rogovin,
11. Admissions by technology experts like David Colter, Greg Thagard, Chuck Dages and more as referenced in the email by David Colter as outlined to Mr. Smith on Dec. 20, 2009, in the context of your companies on the verge of pouring in $25 Million in capital while a criminal RICO process to sabotage Iviewit is simultaneously at play and has been in play but also now is simultaneously being tracked and hunted worldwide like War Criminals and more.

I would like to think that this would be enough for any responsible corporate actor to consider, assess, and act upon as I can only imagine what a Shareholder may think under such circumstances upon discovering that not even a Footnote existed within corporate financials of a Liability on Technologies Heralded as the Holy Grail. Technologies tested, used and approved at Warner Bros. on Warner Bros. property, not to mention the admissions in writings by your own experts, particularly since the Technologies are valued in the Trillions over the life of the IP.

So, as attempted through Mr. Smith’s office, I open the Door for all of you, briefly, to come take the first step down the “Yellow Brick Road” together, as partners in business with specified interests moving forward after an Agreement to Agree is completed with terms of licensing and cooperation in the matters moving forward to be determined at a date in the near future. Due to the various positive relations that were established many years ago, Mr. Bernstein offers this opportunity to move forward and believes that there may be ways that working together could remove Warner Bros. / Time Warner Inc. and AOL Inc. from dead center in what rapidly is becoming an end all game for many players involved. However, Mr. Bernstein could quickly close that door, pull the trigger on stepped up Investigations now to include the SEC and notice to all the Shareholders as Mr. Bernstein has already been notifying and working with various federal and state investigative and related authorities for years. It would seem in the best interests of all of your companies to join Mr. Bernstein as a working and cooperative partner particularly where billions or more are at stake and the matters could be an all or nothing game for you and all of your companies’ shareholders.

For your respective conveniences, I have attached copies of all correspondence generated by my office to Mr. Wayne Smith as well as the replies I have received as of this date on December 24, 2009 together with the links and documents attached when sent to Mr. Smith.

I look forward to hearing from you immediately to begin this journey together.

Yours truly,

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Kevin R. Hall[[7]](#footnote-7)
Business Consultant to Eliot I. Bernstein Founder & Inventor



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Eliot I. Bernstein
Founder & Inventor

Iviewit Holdings, Inc. – DL
Iviewit Holdings, Inc. – DL
Iviewit Holdings, Inc. – FL
Iviewit Technologies, Inc. – DL
Uview.com, Inc. – DL
Iviewit.com, Inc. – FL
Iviewit.com, Inc. – DL
I.C., Inc. – FL
Iviewit.com LLC – DL
Iviewit LLC – DL
Iviewit Corporation – FL
Iviewit, Inc. – FL
Iviewit, Inc. – DL
Iviewit Corporation

cc/ec:

Enclosure(s)/Attachment(s)

Uniform Resource Locator(s)
\*\*All Uniform Resource Locators ( URL ) incorporated in entirety by reference herein

cmb/eib 20648

Exhibit 1 – Wayne Smith Letter Dated December 18, 2009

Exhibit 2 – Wayne Smith Response Dated December 23, 2009

Exhibit 3 – Kevin Hall Letter Dated December 30, 2009 which References November 23, 2009 Conversation of Kevin Hall and Mr. Wayne Smith

Exhibit 4 – Wayne Smith Letter Dated

1. Exhibit 2 [↑](#footnote-ref-1)
2. Exhibit 2 [↑](#footnote-ref-2)
3. Exhibit 3 [↑](#footnote-ref-3)
4. Exhibit 1 [↑](#footnote-ref-4)
5. Examples of similar complaints can be found at [http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20090306%20Intel%20Demand%20Letter%20&%20Liability%20Exposure%20%20Signed%203549l.pdf](http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20090306%20Intel%20Demand%20Letter%20%26%20Liability%20Exposure%20%20Signed%203549l.pdf) and <http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20090325%20FINAL%20Intel%20SEC%20Complaint%20SIGNED2073.pdf> [↑](#footnote-ref-5)
6. <http://iviewit.tv/CompanyDocs/USPTO%20Suspension%20Notices.pdf> [↑](#footnote-ref-6)
7. My office address is not the Iviewit office mistakenly addressed in your letter, as the only established address for Iviewit is Mr. Bernstein’s address at 2753 NW 34th St., Boca Raton, FL 33434, please take note of this for all future correspondences. [↑](#footnote-ref-7)