

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

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Friday, February 12, 2010

**ADDRESSED TO ALL OF THE FOLLOWING PARTIES:**

SEC, Chairperson Mary Shapiro @ [CHAIRMANOFFICE@sec.gov](mailto:CHAIRMANOFFICE@sec.gov) and [enforcement@sec.gov](mailto:enforcement@sec.gov),

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SEC, Office of International Affairs @ [enforcement@sec.gov](mailto:enforcement@sec.gov),

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SEC, Division of Enforcement @ [enforcement@sec.gov](mailto:enforcement@sec.gov),

SEC, Office of Internet Enforcement @ [enforcement@sec.gov](mailto:enforcement@sec.gov),

SEC, Division of Corporate Finance @ [enforcement@sec.gov](mailto:enforcement@sec.gov),

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[inspector.general@usdoj.gov](mailto:inspector.general@usdoj.gov) & [AskDOJ@usdoj.gov](mailto:AskDOJ@usdoj.gov)

RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION, David Gouvaia @ [Complaints@tigta.treas.gov](mailto:Complaints@tigta.treas.gov) and [david.gouvaia@tigta.treas.gov](mailto:david.gouvaia@tigta.treas.gov)

SMALL BUSINESS ADMINISTRATION INSPECTOR GENERAL, Peggy E. Gustafson & Daniel J. O'Rourke @ [daniel.o'rourke@sba.gov](mailto:daniel.o'rourke@sba.gov) & [http://web.sba.gov/oigcss/client/dsp\\_welcome.cfm](http://web.sba.gov/oigcss/client/dsp_welcome.cfm) Complaint Form

US DEPARTMENT OF COMMERCE INSPECTOR GENERAL, Todd J. Zinser @ [hotline@oig.doc.gov](mailto:hotline@oig.doc.gov)

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND DIRECTOR OF THE US PATENT OFFICE, David Kappos @ [david.kappos@USPTO.gov](mailto:david.kappos@USPTO.gov)

DEPUTY UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND DEPUTY DIRECTOR OF THE USPTO, Sharon Barner @ [Sharon.Barner@USPTO.gov](mailto:Sharon.Barner@USPTO.gov)

US PATENT OFFICE - OFFICE OF ENROLLMENT AND DISCIPLINE DIRECTOR, Harry I. Moatz @ [Harry.Moatz@USPTO.GOV](mailto:Harry.Moatz@USPTO.GOV)

UNITED STATES OFFICE OF THE PRESIDENT, The Honorable President of the United States Barack Obama @ Facsimile +1 (202) 456-2461

This **FORMAL OFFICIAL COMPLAINT** is filed with the Official SEC Complaint Intake Email Address: [enforcement@sec.gov](mailto:enforcement@sec.gov) & [CHAIRMANOFFICE@sec.gov](mailto:CHAIRMANOFFICE@sec.gov) and also filed with all investigators or committees the letter is addressed to, please make this **Formal Complaint** a part of all ongoing investigations or committees' records regarding Iviewit companies and Eliot I. Bernstein, Inventor.

**Re: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER, REGARDING TRILLION DOLLAR ALLEGED FRAUD ON SHAREHOLDERS; FASB No. 5 AND OTHER SEC, ACCOUNTING VIOLATIONS AND VIOLATIONS OF STATE, FEDERAL AND INTERNATIONAL LAWS; RESCISSORY RIGHTS OF SHAREHOLDERS; EVIDENCE AND IMPORTANT INFORMATION FOR THE SEC REGARDING ONGOING SEC INVESTIGATIONS OF BERNARD L. MADOFF, MARC S. DREIER, ALLEN STANFORD, PROSKAUER ROSE, GALLEON ENRON BROADBAND, ENRON, ARTHUR ANDERSEN, AND MORE.**

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Complaint filed against, including but not limited to;

Warner Bros. Entertainment, Inc.

Chairman and CEO: Barry M. Meyer; President and COO: Alan F. Horn; EVP and CFO: Edward A. Romano; Vice President and Chief Patent Counsel: Wayne M. Smith

AOL, Inc.

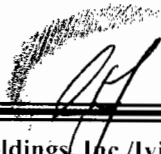
Chairman and CEO: Tim Armstrong; General Counsel and Executive Vice President, Corporate Development: Ira Parker; Assistant General Counsel - Patent Litigation, Prosecution, and Licensing: Christopher Day; Executive Escalation Team: Jerry McKinley

Time Warner, Inc.

Chairman and Chief Executive Officer: Jeffrey L. Bewkes; Executive Vice President and General Counsel of Time Warner Inc.: Paul T. Cappuccio

\* For a more complete list of complained of parties herein from these companies, see

Exhibit 1.



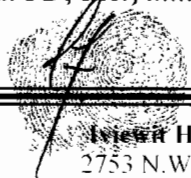
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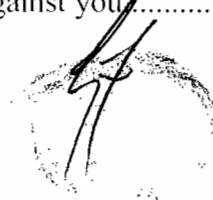


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**CONFLICT OF INTEREST DISCLOSURE FORM - PLEASE  
READ AND ACCEPT PRIOR TO FURTHER HANDLING OF  
THIS COMPLAINT. THE FORM IS LISTED AS EXHIBIT TWO  
FAILURE TO COMPLY MAY RESULT IN  
FEDERAL AND STATE CRIMINAL AND CIVIL  
CHARGES AGAINST YOU!**

**INTRODUCTION - BACKGROUND INFO**

I, Eliot Bernstein, of 2753 NW 34th Street, Boca Raton, Florida 33434, as one of the Original Owners and Inventors of revolutionary "backbone technologies" that transformed digital video and imaging, am filing this **FORMAL COMPLAINT** with the SEC and all agencies and committees addressed herein, against Warner Bros. Entertainment, Inc., AOL Inc., Time Warner, Inc. and Time Warner Cable, whereby these companies and all of their subsidiaries, affiliates, contractors, agents and employees collectively are referred to herein as ("Warner Bros et al."). Please note that these companies previously were under the same corporate structure during most, if not all, of the critically relevant times to this complaint. This timeframe includes both the original merger of Warner Bros et al. to the recent breakup of Warner Bros et al. and the allegations levied herein may have directly, and illegally, influenced those transactions to the detriment of Shareholders. Future detrimental effects on Shareholders, if failure to investigate these matters is not instant, may result in causing further massive losses to Shareholders of these highly traded New York Stock Exchange companies. The losses could be thousands of times greater than the Ponzi Schemes of Stanford, Madoff and Dreier combined and those schemes evidenced herein have ties to the alleged crimes described herein.

For your convenience, I have attached the following link to a Press Statement issued about the Merger of Warner Bros et al. back in 2000<sup>1</sup>. In addition, I make a special note concerning the urgency and Time Sensitive nature of these matters

<sup>1</sup> <http://en.wikipedia.org/wiki/Aol>

and

<http://www.timewarner.com/corp/newsroom/pr/0,20812,667602,00.html>

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predicated upon various factors, including but not limited to, the recent corporate split of AOL Inc. and Time Warner, Inc., which itself should be fully and completely investigated by the SEC as part of this complaint with direct correlation to the matters herein, for all of the reasons set forth herein. The Investigation should, include but not be limited to, all original stock and securities related transactions in the original Warner Bros et al. merger and all transactions forward. All of these transactions dating back to 1998 may have been influenced by the alleged fraud and involvement in criminal activity described herein.

Leading Industry Experts working inside Warner Bros et al. (See attached **Exhibit 1** – List of Warner Bros et al. contacts) and related companies, tested, used, viewed, approved, validated, Contracted and Licensed<sup>2</sup> my technologies under multiple Non Disclosures and other Licensing Agreements. Attached hereto are various Internal communications within Warner Bros et al. documenting the relationship and admitted uses, including an ADMISSION by technologists within the organization, that my Technologies were being infringed upon AFTER NDA's had been executed. These agreements then resulted in a Signed and Executed Licensing Agreement at that time as illustrated and exhibited herein. Warner Bros et al. and others complained of herein may be perpetrating Massive Fraud on their Shareholders through concealment of these Massive Liabilities resulting from the theft and unauthorized uses of my technologies over almost a decade.

The technologies have revolutionized digital imaging and video hardware and software and instantly heralded by leading experts in 1998 as the "Holy Grail" of the Internet that allows quality video and imaging as now used worldwide by almost every user of a PC. But broader than merely the Internet the technologies are used on virtually every camera, video camera, television, medical imaging device, telescope, microscope, satellite, DVD, graphics chip, gaming hardware and software, flight and space simulators, etc. and paved the way for new markets entirely, such as cell phone video and Voice Over Internet Protocol ("VOIP").

Then it was discovered that our Intellectual Property Attorneys from Proskauer Rose LLP ("Proskauer"), Foley & Lardner LLP ("Foley") and Meltzer Lippe Goldstein Wolfe & Schlissel LLP ("Meltzer") with the help of early licensors of my technologies, including Intel Corporation ("Intel"), Lockheed Martin ("Lockheed"), Silicon Graphics

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<sup>2</sup> February 15, 2001 ~ Signed Licensing Contract –

<http://www.iviewit.tv/CompanyDocs/20010822%20-%20SIGNED%20Warner%20Bros%20Agreement%20AOL.pdf>

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Inc. ("SGI" ), Warner Bros., AOL, IBM and more, tried to grab the "Grail". When caught, as evidenced herein, these powerful law firms and blue chip companies resorted to terrorist styled attacks on the key inventor, including a Car Bombing and Death threats.

As I have attempted to pursue my rights and report their crimes, they have further resorted to a litany of cover up crimes in the courts and at regulatory agencies and again they were caught violating law and public offices over the last nine years in efforts to stave off prosecution for their crimes. All of these offenses are subject to multiple ongoing State, Federal and International investigations and a Twelve 12 Twelve, 12 Trillion Dollar Federal RICO and ANTITRUST Lawsuit<sup>3</sup>. The Federal RICO and ANTITRUST Lawsuit has been marked legally "RELATED" to a Federal Whistleblower Lawsuit of a New York Supreme Court Staff Attorney, discussed herein in under the section Titled "**Discussion of Ongoing Lawsuits and Related Cases to Federal Whistleblower Lawsuit of Christine C. Anderson**". Sony, Intel, Lockheed, IBM, Silicon Graphics and others are also complained of herein and all authorities this complaint is addressed too should investigate all those Defendants in my Amended Complaint exhibited herein, many for similar and identical crimes.

## **TIME SENSITIVE URGENCY TO THIS COMPLAINT; POTENTIAL CATASTROPHIC EFFECTS TO THE SHAREHOLDERS OF WARNER BROS ET AL.; FRAUD COULD TRIGGER RESCISSORY SHAREHOLDER RIGHTS**

To further establish the urgency and Time Sensitive nature of this FORMAL COMPLAINT, please note that the criminal fraud and other crimes described herein will likely trigger Rescissory Rights of Shareholders at all of the respective and related companies of Warner Bros et al., which likely will have Catastrophic impact on both the companies and its Shareholders. Therefore, the SEC must instantly investigate these matters and instantly bring the matters to the attention of the Warner Bros et al. Shareholders, Auditors, Financial Institutions and all other parties with potential liabilities resulting from the allegations herein and whereby if the companies and their Executives fail to notify Shareholders and Regulators, the SEC must act quickly to notify

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<sup>3</sup> May 09, 2008 Federal RICO 12 Count 12 Trillion Dollar Lawsuit Amended Complaint @ <http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20080509%20FINAL%20AMENDED%20COMPLAINT%20AND%20RICO%20SIGNED%20COPY%20MED.pdf>




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them. The SEC must begin immediate investigation of the Securities Frauds described herein and prevent ongoing and future fraudulent corporate transactions from further harming Shareholders of Warner Bros et al.

Further, I point out to the SEC herein what looks like a recent pattern of Shareholder Fraud and Deceit done with Scierter, beginning on or about March 2009, by Officers, Directors, Counsel and Auditors for Warner Bros et al., which are alleged to have been done in order to commit further fraud upon the Warner Bros et al. Shareholders. That these recent corporate restructurings may be the result of Key Executives of Warner Bros et al. attempting to abscond with corporate assets through a series of recent complex corporate breakups. The breakups began immediately after I contacted Warner Bros. in March 2009 with my business consultant Kevin Hall, Esq. ("Hall"), regarding massive unreported liabilities to their Shareholders<sup>4</sup>. Liabilities resulting from Warner Bros et. al's involvement in my Twelve Count Twelve Trillion Dollar Federal RICO and ANTITRUST Lawsuit and additional liabilities resulting from the knowing infringement of my Intellectual Properties and for their failure to report these liabilities under FASB No.5 and other laws.

 This Formal Complaint for Investigation of Warner Bros et al. on this day, Friday, February 12, 2010 comes after Hall and I made repeated Good Faith attempts since March 2009 to address the Business and Corporate Responsibility issues with Executives, Officers, Board Members and Auditors at the respective companies. Warner Bros et al. was contacted in order to find possible solutions to avoid catastrophic events from occurring to their Shareholders, if possible, prior to further actions with investigators, including the SEC.

The following timeline of events will establish the correlations between the allegations of fraud described herein, in relation to the timing of the corporate restructurings of Warner Bros et al. Correlations in time with both the 2001 merger and now in the 2009 breakup with the frauds described herein, will provide the SEC a basis, mired in factual evidence, to begin immediate investigation of this complaint for massive securities fraud, in order to protect Shareholders from further possible related losses in these highly traded blue chip stocks.

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<sup>4</sup> A similar alleged corporate restructuring through the Bankruptcy court was done by SGI several days after notice of liabilities almost identical to those described herein and is discussed in more detail in the section titled **"IVIEWIT SEC COMPLAINT FILED AGAINST INTEL, LOCKHEED MARTIN AND SGI"**

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## TIMELINE OF WARNER BROS ET AL. RELATIONSHIP WITH IVIEWIT

The following Timelines are presented to give a factual timeline to the allegations herein, the exhibits are linked online and all Uniform Resource Locators (“URL”) and Exhibited Links throughout this document are hereby incorporated, in entirety by reference herein, including over 1000 evidentiary links on the homepage at [www.iviewit.tv](http://www.iviewit.tv) with exhibits that contain thousands of pages of factual evidence<sup>5</sup>. The timeline will also reveal facts regarding the relationships between many of the Defendants in my Federal RICO and ANTITRUST Lawsuit and Warner Bros et al., including relations to the main perpetrator of the alleged crimes, the law firm Proskauer Rose.

\*Note Warner Bros et al. relevant mergers, acquisitions and breakups to these matters in the timeline below are in *bold italics*.

### 1998-2002 RELEVANT COMMUNICATIONS BETWEEN IVIEWIT AND WARNER BROS ET AL.

- 1998-2001 Inventions in Imaging and Video Discovered and Intellectual Property Filings begin in 1998. Proskauer Rose was retained Intellectual Property counsel for Iviewit for filing of Intellectual Properties.
- 2000-2002 Warner Bros et al. signs multiple Iviewit Non Disclosure Agreements.

Non-Disclosure Agreements [\(i\)](#)

<http://iviewit.tv/CompanyDocs/Patents/Confidentialities/confidentialities%20total.pdf>

Pages 1-5, 10, 61-62, 80, 108-109, 234

- November 02, 2000 ~ Letter to GS regarding Warner Bros. Technological Calls to Iviewit Investors by Warner Bros. employees, describing the efficacy of the Inventions and the results of the review by Warner Bros., including the anticipated uses by Warner Bros et al.

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<sup>5</sup> All Agencies addressed herein, should print all exhibits referenced herein, as the Whistleblower case of Anderson points to Official Document Destruction and Tampering of Evidence.

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<http://iviewit.tv/CompanyDocs/20001101%20Goldman%20Friedstein%20Letter%20from%20Buchsbaum%20re%20AOLTW%20Colter%20meetings.pdf>

- *January 11, 2001 ~ America Online and Time Warner Complete Merger to Create AOL Time Warner*

<http://www.timewarner.com/corp/newsroom/pr/0,20812,668364,00.html>

- February 08, 2001 ~ Letter from David J. Colter (“Colter”) ~ Vice President Technology - Technological Operations Warner Bros. to Founder of AOL, Ted Leonsis (“Leonsis”), regarding the efficacy of the Iviewit technologies.

<http://iviewit.tv/CompanyDocs/20010208%20Colter%20to%20Leonsis%20Warner%20Bros%20AOL.pdf>

- **FEBRUARY 15, 2001 EFFECTIVE DATE - SIGNED WARNER BROS. LICENSE AND SERVICE AGREEMENT @**

<http://www.iviewit.tv/CompanyDocs/20010822%20-%20SIGNED%20Warner%20Bros%20Agreement%20AOL.pdf>

- August 15, 2001 Irell & Manella LLP Bills for Services for Warner Bros et al. and Sony Licensing Agreements @

<http://www.iviewit.tv/CompanyDocs/Patents/Paul%20Allen/old%20patent/LEGAL/Irell%20&%20Manella/Bills/2001%20008%2029%20-%20Irell%20Bill.pdf>

- It is imperative for the SEC to note that after the Signed Licensing and Service Agreement, Iviewit opened a California Office inside a Warner Bros. building, in order to take over encoding operations for their online content, and more. Iviewit began billing according to the Licensing and Service agreement. Please note the language in the Licensing and Service agreement pertaining to the Proprietary nature and Confidentiality of the Iviewit inventions.

Suddenly, after the agreements were signed and operations were underway, Wayne M. Smith ~ Vice President and Chief Patent Counsel at Warner Bros. began seeking a re-review of Proskauer Partner Kenneth Rubenstein’s (“Rubenstein”) prior patent opinions regarding the Iviewit inventions to

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Warner Bros. employees. Smith then claimed to Colter that he found problems while reviewing Rubenstein's opinion with the patents on file at the US Patent Office<sup>6</sup>. At this point, allegedly, a coordinated conspiratorial effort between Smith, Rubenstein and others began to derail the already signed Iviewit agreements with Warner Bros et al.

Allegedly, former "Acting CEO" of Iviewit, P. Stephen Lamont, (a referral emanating from AOL's Leonsis) Smith and Rubenstein then worked to derail the Licensing and Service Agreement. Warner Bros. then further attempted to deny the existence of this BINDING CONTRACTUAL OBLIGATION as further evidenced in letters exhibited herein, whereby the Signed and Binding agreement is wholly denied. The amount owed in service fees since the signing of the contracts would be an enormous amount over the almost 10 years of use and where Warner Bros et al. have never notified Iviewit they were cancelling such contract, it may still be considered effective. Yet, it would difficult to cancel what one tries to deny the existence of and perhaps the reason no cancellation was formally completed.

- The emails forward from this point in the timeline begin to attempt to hide from the fact that Licensing and Service Agreements were already in place while also hiding these facts and liabilities from Shareholders and Auditors. The alleged fraud may again have catastrophic effect on these highly traded stocks, reaching back to this point in time and possibly further back.
- April 04, 2001 Letter from Colter to William J. "Bill" Raduchel ("Raduchel") ~ Chief Technology Officer and Executive Vice President at AOL. AOL's Leonsis referred Raduchel to do further due diligence for an investment in the Iviewit companies, in addition to the Licensing and Encoding deal already signed.

**<http://iviewit.tv/CompanyDocs/20010404%20Colter%20to%20Raduchel%20Leonsis%20referral%20AOL%20Warner%20Bros.pdf>**

- May 25, 2001 Letters to and from Douglas Chey ("Chey"), Senior Vice President of Technology for Sony Pictures Digital Entertainment and Divisional CIO, Motion Pictures and Television Productions of Sony Pictures Entertainment. Chey, formerly

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<sup>6</sup> It should be noted here that the US Patent Office upon reviewing the patents found enough evidence of FRAUD UPON THE UNITED STATES PATENT & TRADEMARK OFFICE to OFFICIALLY SUSPEND THE INTELLECTUAL PROPERTIES FILED BY PROSKAUER, FOLEY AND MELTZER, while INVESTIGATIONS of the LAWYERS involved is ONGOING, including Proskauer, Foley, Meltzer, Rubenstein and Joao, as further described and exhibited later herein.

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with Warner Bros. was working with Iviewit at Sony (also under Signed Agreements) together with Warner to do a Five Studio Movie Download Project, Movielink, where the Iviewit inventions were to be the backbone enabling technologies to make digital download and streaming possible as a commercial endeavor. Since that time, Warner Bros et al. and Sony have both done similar digital downloading projects, in violation of Signed Agreements with Iviewit.

<http://iviewit.tv/CompanyDocs/20010525%20Sony%20Doug%20Chey%20Endorsement%20of%20Tech%20and%20Advisory%20Board%20Option%20letter.pdf>

<http://iviewit.tv/CompanyDocs/20100120%20Douglas%20Chey%20Sony%20Bio.pdf>

- **The SEC should also begin FORMAL INVESTIGATION of Sony's involvement in these matters. Similar calls to those described herein to Warner Bros et al. for sound business discussions to attempt to alleviate shareholder liabilities have gone wholly ignored by Sony's In House Counsel, Executives and Auditors. I will be filing a more formal complaint shortly with the SEC but this should not delay immediate investigation by the SEC, in order to preclude Massive Liabilities to Shareholders of Sony. The SEC and all other investigators and committees addressed herein, can take this Formal Complaint additionally as a FORMAL COMPLAINT AGAINST SONY.**
- December 20, 2001 ~ Lamont letter to Rubenstein regarding Smith and Rubenstein and the refusal of Rubenstein to RE-OPINE to Smith due to what he claims is a "CONFLICT", which led further to the breakdown of relations between Iviewit and Warner Bros et al. Lamont later affirmed to Shareholders in a written communication that Microsoft had planted him in the Iviewit companies. Later Lamont changed that story to AOL and Leonsis' niece had planted him in Iviewit through AOL Founder Leonsis' best friend Chuck Brunelas ("Brunelas"). Brunelas recruited under contract Lamont to the Iviewit companies on behalf of Leonsis. Lamont's revelations of being a plant at the company, which came after he was hired, led to the termination of Lamont at that time<sup>7</sup>.

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<sup>7</sup> March 11, 2005 Lamont Termination Letter

<http://www.iviewit.tv/CompanyDocs/2005%2003%2011%20Lamont%20Employment%20Termination%20Letter%20SIGNED%20Lamont%20Copy.pdf>

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RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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December 20, 2001 Lamont Letters to Rubenstein ~

<http://iviewit.tv/CompanyDocs/20020611%20System%20and%20Method%20for%20Fraud%20on%20USPTO.pdf>

Pages 455-462

November 09, 2001 ~ Brunelas Employment Agreement

<http://www.iviewit.tv/CompanyDocs/20011109%20Chuck%20Brunelas%20Agreement%20re%20Warner%20Bros%20AOLTW.pdf>

- Based on new information since that time, it is alleged that Rubenstein, Lamont, Leonsis and Smith operated together to sabotage Iviewit/Warner Bros et al. relations and others, purposefully to breach the prior signed licensing agreements and avoid paying the royalties owed to the Iviewit companies, using the old “good guy / bad guy” routine.
- The SEC should note here that Hall and I recently reported Lamont to Federal and State authorities for alleged collusion in the RICO and ANTITRUST activities claimed in my Federal RICO and ANTITRUST Lawsuit, including ongoing criminal activities<sup>8</sup>. Further, Lamont continues to represent himself and Iviewit Shareholders as the Iviewit CEO, when he is fully aware of his termination from employment and that he has no authorization from the Board of Directors, Management or Shareholders to represent their security interests in Iviewit companies, this securities fraud also should be subject for investigation by the SEC.
- Lamont claims to be CEO of Iviewit Technologies, Inc. in multiple correspondences and Federal court papers with an address at 175 King Street, Armonk, N.Y. 10504. To the best of my knowledge, no Iviewit office is authorized or incorporated at this address or in the state of New York. The office is directly across the street from Defendant in my Federal RICO and ANTITRUST Lawsuit IBM’s world headquarters.
- Additional Evidence for the SEC regarding Lamont is contained in a June 18, 2009 Letter to New York Attorney General Chief of Staff, Steven M. Cohen regarding fraudulent activities of Lamont @

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<sup>8</sup> Also learned since that time, is that P. Stephen Lamont may have had prior fraudulent securities related problems at his former employer Digital Factory, not disclosed in his resume submitted by Brunelas.

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<http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20090618%20FINAL%20NYAG%20Steven%20Cohen%20Letter%20Re%20Lamont%20Signed.pdf>

- The SEC should note here that Lamont's initial resume submitted by Iviewit contracted employment recruiter, Brunelas, is materially different and contradicts what Lamont himself recently claims regarding his past on the Iviewit Homepage, in multiple court filings and other letters to Iviewit shareholders.

- Original 2001 Resume Submitted to Iviewit on P. Stephen Lamont by Brunelas @

<http://www.iviewit.tv/CompanyDocs/Lamont%20Resume%20Given%20to%20Iviewit%20by%20Chuck%20Brunelas%20AOL%20Warner%20Bros.pdf>

- 2001 Resume Claims the following:

Columbia University School of Law ~ J. D. in Commercial and Regulatory Law - May 1992  
Columbia University Graduate School of Business ~ M.B.A. in Finance and Accounting - May 1981  
State University of New York at Cortland ~ B.A. in Economics - June 1978

- 2009 Iviewit Homepage Statement written by P. Stephen Lamont claims:

“By way of introduction, I am P. Stephen Lamont, former Acting CEO of Iviewit (counsel advised all Iviewit executives to resign their posts and work along side Iviewit rather than within Iviewit, as the former Board of Directors, Counsel and Accountants, disbanded without requisite notice to Shareholders in violation of law, thereby leaving massive liability and exposure) and a significant shareholder in Iviewit. **With more than a fifteen year track record as a multimedia technology and consumer electronics licensing executive and holder of a J.D. in Intellectual Property Law from Columbia University, an M.B.A in Finance, and a B.S. in Industrial Engineering”**  
Source [www.iviewit.tv](http://www.iviewit.tv) homepage.

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Whereby Lamont's legal and other degrees claimed are wholly different and therefore false in one or both of his background accounts as they are materially different, again causation for further investigation of Lamont by the SEC and other investigators this letter has been copied or addressed to.

Further, you will note that Lamont refers to himself as "former Acting CEO of Iviewit" and claims counsel advised him to resign any official role due to the potential for charges of fraud, and I advised Lamont to follow counsels' advice and personally, I did not accept any official roles on counsels' advice. Yet, even in recent court documents and other illegally signed documents executed by Lamont to major Blue Chip companies, including Microsoft, Lamont now represents himself as CEO of Iviewit opposite of counsels' advice, at an address that is not registered to any company Lamont claims to be employed as CEO by.

August 05, 2009 Lamont Letter to Microsoft

<http://www.iviewit.tv/CompanyDocs/20090805%20Lamont%20Illegal%20Letter%20to%20Microsoft.pdf>

- Lamont further now claims such executive role in my Federal RICO and ANTITRUST Lawsuit, claiming he is CEO of Iviewit, when no Board has ever put him in that position and when he is fully cognizant that he has no authority legally to represent Iviewit Shareholders. Lamont even attempts to represent Iviewit Shareholders and Companies currently in Federal Court, while not having ever passed the bar to practice law and therefore precluding him from representing others in court. Again, cause for further investigation of Lamont.

February 09, 2009 Lamont Court Filing

<http://www.iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20090209%20Lamont%20Attempt%20to%20Quash%20Bernstein%20Motion.pdf>

The SEC should note here that while the document claims service on February 09, 2008, it appears executed February 09, 2009. Whereby



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the SEC should also note that Lamont does not represent himself individually in the Lawsuit but instead only acts on behalf of Iviewit Shareholders, of which he has no authorization from Iviewit Shareholders or any Iviewit Board of Directors to act on their behalf.

Finally, at the company Digital Factory that Lamont lists as one of his former employers, in his resume previously exhibited herein, one of the company employees later disclosed that Lamont had been in stock trouble for securities fraud with the board of that company, of course Lamont's resume failed to disclose this material fact.

- December 31, 2001 – Letter from Brunelas to Greg B. Thagard (“Thagard”) ~ Vice President Advanced Technology Technical Operations at Warner Bros. The letter is regarding Thagard's acceptance of an Iviewit Advisory Board Position. Later both Thagard and Colter would receive Iviewit Stock options for their Board roles with approval of Warner Bros. and Sony executives.

**<http://iviewit.tv/CompanyDocs/20011231%20Brunelas%20to%20Thagard%20Regarding%20Joining%20Iviewit%20Advisory%20Board.pdf>**

- January 07, 2002 ~ Letters by Lamont regarding his meeting with Rubenstein regarding Warner Bros et al. Rubenstein presented the exhibited document in draft form at his deposition, read it at the deposition and then dodged questions regarding why his name is referenced in relation to opinions he gave to Warner Bros et al. after denying he knew anything about Iviewit or the patents. The letter wholly contradicts his prior denial of knowing of the Iviewit inventions or Eliot Bernstein, contradicting his sworn deposition statements and sworn letters to Judge Jorge Labarga, constituting multiple instances of perjury and more.

January 07, 2002 Lamont letters to Rubenstein

**[http://iviewit.tv/CompanyDocs/2003%2006%2003%20Iviewit%20Rebuttal%20to%20Wheeler%202nd%20Response Final.pdf](http://iviewit.tv/CompanyDocs/2003%2006%2003%20Iviewit%20Rebuttal%20to%20Wheeler%202nd%20Response%20Final.pdf)**

Pages 19-23

November 20, 2002 Rubenstein Deposition and Deposition Exhibits

**<http://iviewit.tv/CompanyDocs/Depositions%20BOOKMARKED%20SEARCHABLE%20with%20hyperlink%20comments.pdf>**

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Pages 1-100, the exhibits attached to the deposition of Rubenstein show Rubenstein's denials to the court of knowledge of Iviewit and even claiming he was being harassed, as he knew nothing, which in deposition his statements become clear as wholly perjurious.

- January 14, 2002 Warner Bros. employee Colter's internal Warner Bros. document containing an **ADMISSION OF USE OF IVIEWIT PROPRIETARY PROCESSES AND VIOLATION OF NON-DISCLOSURE AGREEMENTS** by many Warner Bros et al. employees. The letter also provides affirmation that Rubenstein (MPEGLA LLC Patent Counsel, former Iviewit Proskauer Rose Patent Counsel, Warner Bros. counsel and Iviewit Shareholder) opined favorably to Warner Bros. The document again directly refutes Rubenstein's statements in deposition and written communications to the Labarga court that he did not opine or even know of the Iviewit inventions.

<http://www.iviewit.tv/CompanyDocs/2002%2001%2015%20AOLTW%20RUBENSTEIN%20OPINION%20comments.pdf>

- February 17, 2002 – Eliot Bernstein letter to Brunelas regarding Smith's sudden request to have Rubenstein of Proskauer speak to him to re-opine on his former statements, already exhibited herein, regarding the efficacy and novelty of the patents. Rubenstein was acting Patent Counsel to Iviewit as indicated in the exhibited Wachovia Private Placement Memorandum that Proskauer billed to author and distribute to Iviewit potential investors. The links below provide information on Rubenstein's position as an Iviewit Board member and Iviewit Patent Counsel despite his statements to the contrary. At the time Smith requested to speak with Rubenstein to restate his opinions, Iviewit already terminated Proskauer and Rubenstein and investigations were already underway regarding the patent thefts and more.

February 17, 2002 Letter from Eliot Bernstein to Brunelas.

<http://iviewit.tv/CompanyDocs/20020117%20Bernstein%20letter%20to%20Brunelas%20Regarding%20Smith%20response%20to%20Colter%20to%20talk%20with%20Rubenstein%20Poskauer.pdf>

January 2001 Wachovia Private Placement Memorandum, whereby the SEC should note here that Rubenstein is listed both as Iviewit Patent Counsel and an Iviewit Advisory Board member.

<http://www.iviewit.tv/CompanyDocs/Wachovia%20Private%20Placement%20Memorandum%20Bookmarked.pdf>

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Page 4 – “Company has retained Foley & Lardner to shepherd its patent development and procurement. **In addition, the Company has retained Kenneth Rubenstein of Proskauer Rose, LLP to oversee its entire patent portfolio - Mr. Rubenstein is the head of the MPEG-2 patent pool.**

Page 16 - “**Strong and Experienced Board of Directors and Advisory Board.**” Iviewit's Board of Directors and Advisors consist of several well-established individuals from the technology, entertainment, and financial community. Directors have extensive backgrounds with top-tier firms such as Goldman Sachs, Kidder Peabody, and McKinsey & Co. Crossbow Ventures has provided \$3.0 million in funding and sits on the Board. **Technology and entertainment guidance comes from a partner at Armstrong Hirsch Jackoway & Wertheimer and from Kenneth Rubenstein, the head of the MPEG-2 patent pool.**

Additionally on Page 16 - “The Company has retained Foley & Lardner to shepherd its patent development and procurement. In addition, the Company **has retained Kenneth Rubenstein of Proskauer Rose, LLP to oversee its entire patent portfolio.** The Company's strategy is to establish market precedence through licensing of trade secrets and know-how.

Page 38 – **ADVISORY BOARD SECTION** “Kenneth Rubenstein Partner, Proskauer Rose LLP. Mr. Rubenstein is a partner at Proskauer Rose LLP law firm **and is the patent attorney for Iviewit.** He is a registered patent attorney before the US. Patent & Trademark Office. Mr. Rubenstein counsels his clients with respect to the validity and infringement of competitors' patents, as well as prosecutes patent applications. For the past several years he has worked on the formation of a patent pool, for MPEG-2 technology, involving large consumer electronics and entertainment companies. He is also a former member of the legal staff at Bell Laboratories. Mr. Rubenstein received his law degree, cum laude, from New York Law School and his Ph.D. in physics from the Massachusetts Institute of Technology where he also graduated with a B.S. Degree.

- The SEC should note here that Rubenstein’s attempt to claim he never heard of Iviewit, including at his deposition, allegedly is due to the massive conflicts of interest that Rubenstein had. If Rubenstein were patent counsel to Iviewit and simultaneously counsel to Warner Bros et al. when he originally opined to Colter, without conflict waivers or disclosure, this obviously would have violated attorney conduct codes and law. Additionally, a false statement in a Private Placement Memorandum violates securities laws.

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Additionally, Rubenstein is conflicted with Iviewit his client and the patent pooling scheme and artifice to fraud inventors he has created, MPEGLA LLC, where again he acted as counsel and founder of MPEGLA LLC while also patent counsel to Iviewit, no conflict waivers were gained to protect Iviewit. The conflict here is again obvious where the Iviewit technologies were the single greatest threat to his pools as Iviewit has the dominant technology, which without, the MPEG license would be worthless. The SEC should note that Rubenstein initially misrepresented himself and Joao as Proskauer Partners to Iviewit, when prior to learning of my inventions they were both with Meltzer. Rubenstein is counsel and sole patent evaluator for MPEGLA LLC now one of the largest infringers of the Iviewit technologies, licensing Warner Bros et al. and thousands of others.

Proskauer, after learning of my technologies value, estimated at a trillion dollars to "priceless" by leading engineers at Real 3D, Inc. and without a patent department at the time in 1998, then rushed to acquire Rubenstein and his Meltzer patent group and control and monetization of the MPEGLA LLC pools. When the acquisition was complete, Proskauer, my former patent counsel, directly began inuring benefits from the stolen technologies via their new client MPEGLA LLC in their new Intellectual Property department created after learning of my inventions now headed by Rubenstein and other Meltzer partners.

MPEGLA has now tied and bundled my inventions to their pools licensing schemes, converting the royalties from the technologies from Iviewit and through other anticompetitive tactics have kept Iviewit from market in classic RICO and ANTITRUST violations, including violations of Sherman and Clayton, as further defined in my Federal RICO and ANTITRUST Lawsuit exhibited already herein.

- o The SEC should note here that Warner Bros et al. and many of those involved directly in these matters are also involved in DVD patent pooling schemes, including but not limited to, DVD6C Patent Pool<sup>9</sup>. Whereby, similar to

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<sup>9</sup> [http://www.dvd6cla.com/offer\\_080904\\_New.html](http://www.dvd6cla.com/offer_080904_New.html) "On behalf of the DVD6C Licensing Group (DVD6C), we are pleased to offer your company a portfolio license that covers essential patents for certain DVD formats and +R/+RW Disc formats. The members of DVD6C --- Hitachi Ltd., Matsushita Electric Industrial Co., Ltd (Panasonic), Mitsubishi Electric Corporation, Samsung Electronics Co., Ltd., Sanyo Electric Co., Ltd., Sharp Corporation, Toshiba Corporation, Victor Company of Japan, Ltd. (JVC) and **Warner Bros. Home Entertainment Inc.** --- collectively own hundreds of essential patents for these DVD formats and +R/+RW Disc formats."

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MPEGLA LLC's illegal use of my technologies, DVD6C has similarly tied and bundled my technologies to their pools licenses, excluding me from royalties and then inuring royalties from others from my technologies directly from their membership position in the pool.

- The SEC should note that the only Meltzer Intellectual Property attorney not to transfer to Proskauer at the time of acquisition was a one Raymond Joao, who initially with Rubenstein was represented as a Proskauer partner and who took initial patent disclosures with Rubenstein. In 1999-2000, based on early evidence surfacing, Joao allegedly was putting patents into his own name while sabotaging the Iviewit patents. Upon leaving Iviewit, Joao claimed publically that he had 90+ patents in his name and then went to work for Marc S. Dreier, recently prosecuted and convicted by the SEC for an alleged Ponzi scheme, as further evidenced and discussed later herein.
- February 08, 2002 – Lamont letter to John D. Calkins (“Calkins”) ~ Senior Vice President New Media Business Development of Warner Bros., regarding stock issued to Warner Bros. employees Colter and Thagard for Advisory Board roles they accepted and also regarding their about face and breach of contracts.

<http://iviewit.tv/CompanyDocs/20020208%20Lamont%20to%20Calkins%20Warner%20Bros%20Re%20Colter%20and%20Thagard%20Advisory%20Board%20Stock.pdf>

- February 20, 2002 – Calkins Letter to Lamont denying IP infringement and contract violations in utter denial of the facts and evidence, including the Signed License and Service Agreement, Signed NDA's, letters from Warner Bros. employees citing violations of the NDA's and more, already presented herein. The SEC should note that opposite of Calkins' claims in the letter that Iviewit is creating a false record; it is instead Calkins and Smith attempting to create a false and misleading record of fact in the letter opposite of the facts.

<http://www.iviewit.tv/CompanyDocs/20020220%20Calkins%20Letter%20to%20Lamont%20Warner%20Bros%20Wayne%20Smith.pdf>

- February 27, 2002 – Lamont to Calkins about Warner Bros. Breach of Contracts, the SEC should note that while Lamont relies on the NDA, the February 15, 2001 SIGNED LICENSING AGREEMENT, illustrated above, also has strong language about IP rights concerning the Iviewit technologies that also are violated. Also, take note that at this time in 2002, Warner Bros et al. knew of the breaches and formally were notified by Iviewit at that time of such breaches, therefore they should have

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begun accounting for and disclosing the IP Liabilities at this time in their accounting reports, if not earlier according to FASB accounting rules.

<http://iviewit.tv/CompanyDocs/20020227%20Lamont%20to%20Calkins%20Warner%20Bros%20Breach%20more.pdf>

- March 05, 2002 – Smith letter to Lamont denying IP infringement and contract violations in utter denial of the facts and evidence, including the Signed License and Service Agreement, Signed NDA's, letters from Warner Bros. employees citing violations of the NDA's and more, already presented herein.

<http://www.iviewit.tv/CompanyDocs/20020305%20Wayne%20Smith%20Warner%20Bros%20Letter%20to%20Lamont%20Calkins.pdf>

- November 20, 2002 - April 15, 2002 Letter by Lamont to Rubenstein Regarding Conversations with Warner Bros et al. presented to Rubenstein at his November 20, 2002 Deposition as already discussed herein.

<http://iviewit.tv/CompanyDocs/Kenneth%20Rubenstein%20Deposition%20with%20Exhibits%20CERT.pdf>

Pages 3-9

- Please note that the correspondence exhibited above refers to a notification issued to Warner Bros. at that time, which provided Warner Bros et al. further notice at that time that Cease and Desist letters and threatened litigation would be forthcoming regarding the technology infringements. Warner Bros et al. already was given notice of Breach of Contracts regarding the Intellectual Properties in prior communiqués exhibited and these letters certainly cite specific liabilities Warner was aware of going forward.

Liabilities exist for Warner Bros et al. for their involvement in the alleged criminal RICO and ANTITRUST activities initially discovered from information partially uncovered by Warner Bros et al. in 2001, as they were on the verge of investing \$25 Million Dollars of capital to my companies. When doing their due diligence on a \$12 Million Dollar Private Placement with Wachovia Securities, corporate and intellectual property frauds were uncovered, including discoveries by Smith regarding the Proskauer/Rubenstein/Joao filed patents and Calkins discovered initial evidence of corporate and bankruptcy frauds. At that time, Warner Bros et al. counsel, including Smith, employees and personnel became aware of frauds relating to both the patents filed with the US Patent Office and additional corporate fraud, additional information

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regarding similar corporate frauds was also being unearthed at that time in an audit being conducted by Arthur Andersen ("Andersen") which will be discussed further herein. This information of what Smith and Calkin's had discovered was relayed to Iviewit by Colter on behalf of both Smith and Calkins as rational for not going forward on the Private Placement investment.

Colter relayed that Warner Bros et al. uncovered fraud, including fraudulent statements made by Proskauer Rose and Foley & Lardner, former Iviewit counsel, regarding statements made in the Wachovia Private Placement whereby the bankruptcy and lawsuits were not disclosed that were later discovered. The Private Placement Memorandum completed by, billed for and circulated to potential Iviewit investors, including Warner Bros et al., by Proskauer. The Fraudulent statements by counsel and others contained in the Wachovia Private Placement, distributed for capital investment is cause for further SEC investigations of these criminal and SEC violations. Further questions arise as to Wachovia's actions once they too were aware of the Fraud.

Per Colter, Warner Bros et al. and Smith uncovered Intellectual Property Frauds involving fraudulent oaths to the US Patent Office and Worldwide Patent Authorities, which has in part led to suspension of my Intellectual Properties by the US Patent Commissioner pending investigations by the US Patent Office and the Federal Bureau of Investigation. This series of events led to further uncovering Patent Fraud by my former counsel Proskauer, Foley and Meltzer and others that are subject to several state, federal and international ongoing investigations and legal actions.

Investigations now include one by Harry I. Moatz ("Moatz"), Director of the United States Patent & Trademark Office – Office of Enrollment and Discipline ("OED"), charged with oversight of the Federal Patent Bar and patent attorney criminal issues. Moatz confirmed that W. Palm Beach FBI Special Agent, Stephen Lucchesi had joined his investigation of FRAUD ON THE UNITED STATES PATENT AND TRADEMARK OFFICE allegedly committed by attorneys registered with the Federal Patent Bar.

Moatz also directed me to file claims of Fraud on the USPTO with the Commissioner of the US Patent Office that resulted in the exhibited herein patent suspensions. Moatz assembled a team of Patent Office Officials to aid me in getting the Intellectual Properties ready for suspension while investigations proceeded, as he removed all prior counsel from access to the IP. Amazingly, the patent office initial information which led to suspension proved that materially false information on the patents was not only given to the US Patent Office but that similar false information was

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given by Proskauer, Foley and Meltzer to Wachovia Securities for inclusion into the Private Placement Memorandum.

Per Colter, Calkin's had found fraud involving a fraudulent billing lawsuit against the Iviewit companies by counsel Proskauer. Prior to Calkin's information Iviewit corporate officers, directors and management did not know about such lawsuit, except those now charged with the RICO and ANTITRUST crimes and therefore it was not disclosed by Proskauer or Iviewit Accountants to Wachovia Securities for their due diligence and therefore not reflected in the Private Placement, further false statements in a securities document. At the time, I retained independent counsel, Caroline Prochotska Rogers, Esquire to investigate the corporate and patent fraud allegations and it was confirmed that there was a bankruptcy filing and lawsuit that were not disclosed to Wachovia or Iviewit's Board and Management that were not part of the conspiratorial efforts.

It was later learned that the companies sued by Proskauer were companies fraudulently set up by former counsel Proskauer and had stolen Intellectual Properties in them, this was learned from information discovered directly from the US Patent Office OED Investigations. Whereby, Arthur Andersen on or about this time, while auditing the Iviewit companies for the largest investor Crossbow Ventures of West Palm Beach Florida, whose investment funds were two-thirds SBA SBIC funds, found identical and similarly named companies to the Iviewit companies. The Fraud involving the stolen Small Business Administration Funds is under ongoing investigation with the SBA Inspector General's office, the SEC through actions involving the Boca Raton Police Department ("Boca PD") to be discussed in detail herein and other investigators.

Per Colter, Smith discovered Fraud involving Kenneth Rubenstein, a Proskauer Rose law firm partner and sole patent evaluator for one of the largest infringers and criminal suspects in my Federal RICO and ANTITRUST Lawsuit and this was the supposed reason he want Rubenstein to re-opine. The SEC should note here that in addition to the US Patent Office OED investigation of Rubenstein, Rubenstein also is under investigation with other attorneys, including Joao, all ordered for investigation by unanimous consent of Five Justices of the New York Supreme Court Appellate Division First Department.

Investigations ordered for "**Conflicts of Interest and the Appearance of Impropriety**" when a Proskauer partner, Steven C. Krane, violated public office rules at the New York Supreme Court Appellate Division First Department – Departmental Disciplinary Committee. Krane caught handling Iviewit/Proskauer complaints, in order to block the complaints against his partner Rubenstein and his firm Proskauer, concealing



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the massive conflict he had as an Officer of the First Department Disciplinary Committee and other conflicts from other ethical public office positions he maintains in New York, while remaining a Proskauer partner.

After discovery of the alleged Intellectual Property fraudulent filings, Iviewit learned later that Smith, IP counsel for Warner Bros., was now working with Rubenstein who was Iviewit's former IP counsel, MPEG LA counsel and Warner Bros. counsel. Whereby, upon Smith's request for Rubenstein to re-opine, Rubenstein claimed he was conflicted with Warner Bros. et al. and Iviewit and therefore could not opine, including even to reiterate his prior opinion, as already evidenced herein. Whereby Warner Bros. et al. then breached their contracts and began illegally using and licensing the technologies to others in violation of the Binding Signed Agreements. The DVD6C, MPEG LA LLC and other patent pooling schemes, where Warner Bros. and Proskauer are major participants<sup>10</sup>, for example in the DVD6C pool which are managed and monetized by Warner Bros., Proskauer and Rubenstein. The pooling schemes are alleged to be merely artifices to STEAL INVENTIONS FROM INVENTORS in violation of multiple Antitrust laws and have illegally precluded me from market in classic RICO and ANTITRUST activities, including death threats and a car bomb.

The Patent Pooling Schemes that Warner Bros. is directly involved in and inuring benefit from are also using the technologies in violation of Signed and Binding Contracts and Licensing Agreements, admittedly. Yet, since that time Warner Bros. have also excluded Iviewit from market tying and bundling the technologies in their licensing schemes, again in classic RICO and ANTITRUST activities and not only failed to pay

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<sup>10</sup> "The Authoritative Blu-ray Disc (BD) FAQ: X. Copying Deterrents, Content Protection, and Intellectual Property" by Hugh Bennett - August 28, 2006 EMediaLive @ <http://www.emedialive.com/articles/readarticle.aspx?articleid=11760>

"On Oct. 20, 2009, One-Blue, LLC issued a call for patents with their essentiality to BD products sold in the United States to be evaluated by Proskauer, Rose LLP (an international law firm that performs similar determinations for MPEG LA, DVD6C and 4C). An initial meeting of essential patent holders is planned for Nov. 6, 2009 in Japan. However, it is far from clear how successful this effort will be with respect to its ultimate participants as well as the scope and terms of any possibly consensual programs."

and

"Seeking to avoid the complexities of DVD's multi-agent system (DVD6C, 4C, 3C, 1C, etc.), MPEG LA began working in 2005 with BD's multiple stakeholders to establish itself a one-stop essential Blu-ray patent licensing authority. Those who participated in this effort included: CyberLink, Dell, Disney, Hewlett-Packard, Hitachi, Philips Electronics, LG Electronics, Mitsubishi, Panasonic, Pioneer, Samsung, Sanyo, Sharp, Sonic Solutions, Sony, TDK, Victor Company of Japan (JVC) and Warner Home Video."

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Iviewit royalties but have failed to account for the 10 years of knowing infringement and the Massive Liabilities to Shareholders that mounts daily.

## 2009-2010 RECENT COMMUNICATIONS WITH WARNER BROS ET AL .

The SEC should note that while there is a long gap in time between the prior Iviewit and Warner Bros et al. communications and contracts, that during the gap I was nevertheless actively pursuing my rights contrary to Smith's claim that nothing has been done. Factually, I have given similar information to several state, federal and international investigators, House and Senate Judiciary Committees, the New York Senate Judiciary Committee, many state and federal courts and more over the last several years. During the gap in time, I was also forced to flee my home several times for my family's safety, including from death threats from Mr. Brian Utley on behalf of the law firms Proskauer Rose and Foley & Lardner and then from actual Attempted Murder of my family. Attempted Murder through a Car Bombing of my family minivan in Del Ray Beach, FL., images of the Car Bombing can be found on the [www.iviewit.tv](http://www.iviewit.tv) homepage.

- March 17, 2009 ~ Hall and I left a message for John Rogovin ("Rogovin") ~ Executive Vice President and General Counsel @ Warner Bros. Entertainment Inc. with his assistant Ginger Tipton ("Tipton") to arrange a business meeting to discuss the lawsuit liabilities, patent infringement liabilities, FASB NO. 5 accounting liabilities and regulatory issues that would likely result in Massive Shareholder Liabilities if not quelled, if possible.
- April 23, 2009 ~ Hall and I left a second message for Rogovin with assistant Tipton, as the March 17, 2009 call was not returned although Tipton was aware that urgent time frames were involved.
- April 28, 2009 ~ Hall and I spoke to Rogovin's office that referred us to Smith. The referral to Smith coming despite his conflicts resulting from his previous involvement in the alleged fraud, the fact that he is a central witness in the matters and the fact that as a lawyer he has multiple legal conflicts of interest, as well as, corporate conflicts in handling the matters he is central too. Yet, these conflicts would not matter unless Smith directly handled the matters, which he then did.
- April 30, 2009 ~ Bernstein spoke to Smith's assistant Yolanda who claimed that Smith was now tied up in litigation for two weeks and that he would get back with an answer shortly. This delay was despite pressing the need with Yolanda for urgent

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action on Smith's part due to the MASSIVE Shareholder liabilities and the need for a twenty-four hour response.

- *May 28, 2009 ~ Time Warner Inc. Announces Plan to Separate AOL*

<http://bx.businessweek.com/america-online/view?url=http%3A%2F%2Fwww.thedeal.com%2Fcorporatedealmaker%2F2009%2F05%2Ftime-warner-aol-timeline.php>

- The SEC should note the timing of this announcement with the delays in response by Warner Bros et al.'s Smith to the Iviewit notice of IP infringement liabilities and their involvement in my Federal RICO and ANTITRUST lawsuit.
- **The SEC should instantly ascertain if Warner Bros et al. notified Shareholders and Auditors during these corporate restructurings of the impending and absolute liabilities, to determine if Shareholders were formally noticed of the massive Twelve Count Twelve Trillion Dollar Lawsuit liability and additional patent infringement liabilities. Further, the SEC must determine if full disclosure by Counsel was concealed, including but not limited to, Smith and Rogovin. Finally, the question further arises of if the liabilities were properly accounted for in the Audited Financials for the separation transactions, where it does not appear to have been.**

**Obviously, if these material facts regarding massive liabilities were omitted from financial reporting, Shareholders would have Rescissory Rights from the securities fraud by the Officers. As evidenced in the following series of communications, not only is counsel notified and fails to disclose the liabilities but Officers, Directors and Auditors of the companies when contacted regarding the liabilities, all fail to handle the issues as fiducially required by law.**

- October 07, 2009 ~ Eliot Bernstein letter to Smith regarding setting up meeting to discuss matters that could have Catastrophic effect on the Shareholders. Smith already advised by Tipton, per confirmation with Tipton, of the Time Sensitive Nature and the seriousness of the liabilities in relation to their Shareholders.

<http://iviewit.tv/CompanyDocs/20091007%20Eliot%20Bernstein%20letter%20to%20Wayne%20Smith%20re%20Warner%20Bros%20AOL%20meetin%20request.pdf>

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- November 23, 2009 ~ Hall spoke directly with Smith, who claimed to Hall that he was not the best person to handle the matters but that he instead was assembling a team from Warner Bros et al. to discuss the matters and would get back to Hall. Yet, instead of putting a team together, Smith continued handling the matters despite the multiple conflicts.
- November 30, 2009 ~ Hall sent a letter to Smith reviewing their call @

<http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20091201%20Wayne%20Smith%20Fax%20Email%20Demand%20Receipt%20of%20Kevin%20Hall%20Confirmation%20Letter.pdf>

- December 02, 2009 ~ Smith response to Hall request for meeting @

<http://iviewit.tv/CompanyDocs/20091202%20Wayne%20Smith%20Response%20Warner%20Bros%20to%20Iviewit%20letter%2012-2-09.pdf>

- It should be noted by the SEC here, that the above linked exhibit has two attachments from February and March 2002. Whereby, despite the previously exhibited evidence herein, including but not limited to, Signed NDA's, Admission of Use and Violation of NDA's by a Warner Bros. employee and a SIGNED LICENSING AGREEMENT, the letter and the attached letters all attempt to deny these material incontestable facts, facts omitted in annual reports as well.

- *December 09, 2009 ~ AOL Time Warner completes split.*

<http://news.bbc.co.uk/2/low/business/8403302.stm>

- December 18, 2009 ~ Hall and Bernstein response to December 02, 2009 Warner Bros. letter @

<http://iviewit.tv/CompanyDocs/20091218%20FINAL%20Wayne%20Smith%20Warner%20Bros%20Demand%20Letter36889%20SIGNED%20KRHEIB%20fax.pdf>

<http://iviewit.tv/CompanyDocs/20091218%20FINAL%20Wayne%20Smith%20Warner%20Bros%20Demand%20Letter%20Cover%20Email.pdf>

- December 23, 2009 ~ Warner Bros. Letter from Smith to Iviewit and Bernstein.

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**<http://iviewit.tv/CompanyDocs/20091223%20Warner%20Bros%20Wayne%20Smith%20to%20Bernstein%20Response.pdf>**

- Note that in this letter Smith claims that,

“Your time-barred claims hinge almost entirely on an internal email written by David Colter on January 15, 2002 - an email he subsequently disavowed and admitted that he had written (and improperly provided you with a copy) only as a personal favor to you.”

This statement attempts to deny that liability claims were based on Multiple Signed NDA's, Admission of Use by Warner Employees, Admission of Violation of NDA's by Warner Bros. employees, a SIGNED LICENSING AND SERVICING AGREEMENT, correspondences and notices of an ongoing Federal Lawsuit, etc. The SEC should not that in my Federal RICO and ANTITRUST Lawsuit both Smith and Calkins are central witnesses and actors directly involved, again conflicting Smith's involvement in the matter.

Note that Smith is a licensed and practicing attorney and therefore has additional conflicts of interest and ethical violations under the Attorney Conduct Code, in addition to the Corporate Conflicts of Interest in handling the matters, again where he is directly involved in the alleged crimes described herein.

- December 29, 2009 ~ Hall and I, unclear if Smith had notified Senior Executives and Auditors or concealed the matters in an attempt to bury them despite our letters demand for him to copy all companies Executives, Board, Counsel and Auditors, contacted Warner Bros et al. Officers, Directors and Auditors directly. The first AOL Inc. spokesperson, returning our call to determine if Smith had contacted them was a one Jerry McKinley (“McKinley”) ~ Sr. Liaison of Executive Escalation at AOL Inc. calling to follow up on earlier messages to Tim Armstrong (“Armstrong”) ~ Chairman and CEO of AOL Inc. and others. A follow up letter to our call with McKinley can be found @

**<http://iviewit.tv/CompanyDocs/20091231%20Jerry%20McKinley%20AOL%20Inc%20letter%20Re%20Wayne%20Smith%20Warner%20Bros%20response.pdf>**

- McKinley was then given critical documents expressing the urgent nature of these matters and McKinley was to get back to Hall and me instantly with confirmation that the named Executives, Officers and Auditors from the

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companies had received the URGENT TIME SENSITIVE documents regarding the liabilities. McKinley then took a vacation the next day and was unavailable to answer calls despite knowing that the documents had a 24-hour period before we would be notifying the SEC and others of the liabilities, if resolution could not be achieved through sound business discussions and practices.

- December 29, 2009 ~ Hall and Bernstein calls to Time Warner Inc. and Warner Bros. executives.
  - Further, I hereby complain that such recent elusive conduct involves the CEO, CFO and General Counsel at Time Warner, Inc., even hiding and dodging professional phone calls, in fact wholly ignoring them, simply to confirm messages and communications were received and seeking responsibly to address the mass of liabilities described herein. Instead, quite shockingly, both Hall and I were intentionally passed along to extensions whereby the employees refused to give their names and several times just hung up on us. Then, unidentified employees transferred us to Security personnel, personnel who would claim to be proper members of the company to receive and deliver messages to the Senior Executives regarding the massive potential Shareholder liabilities, yet they too would offer no confirmation of the delivery of the matters to the Executives and several refused to give their proper names or oversight.
  - Security for Time Warner instead then took messages with a promise only to deliver the message and since there has been absolutely no call back from Senior Management, Counsel, Outside Counsel or an Auditor since those calls, we presume that avoidance equals concealment. This stands as additional cause for the SEC to investigate and find out more information regarding the failure to return these calls and address liabilities properly by either Officers, Directors, Auditors, Outside Counsel, etc. and further determine if they have reported the liabilities their offices have been notified about to Auditors and Shareholders.
- January 06, 2010 ~ Phone conversation with Day
  - Most amazingly, Wednesday Jan. 6, 2010, I had a Direct Phone conversation with Christopher Day ("Day") who claimed to be an Assistant General Counsel at AOL, Inc. The call also involved my business consultant Kevin Hall, Esq. Mr. Day was calling back after Hall and I left urgent voicemails for AOL CEO & COB Armstrong, after McKinley failed to return calls as

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promised. Mr. Day apparently is also Licensing and Patent counsel for AOL Inc., yet it was unclear on whose behalf Day was acting, as we had left messages for several key officers, including Armstrong and General Counsel Ira Parker ("Parker") and Day refused to tell us.

- Day also refused to tell us not only who sent him the information and gave him orders to call us back but also refused to disclose what documentation he was mysteriously and anonymously sent and referring to, making it impossible to even confirm the documents he referenced receiving.
- This was most bizarre conduct from an alleged Assistant General Counsel who refused to describe how, who or why the documents and business matters came to him. Yet, it appeared that Day was returning my calls to CEO Armstrong at AOL and **stated that he was a direct** report to the key management persons we were attempting to reach and assuming liability for the matters.
- Efforts to avoid the liabilities involve actual dodging and hiding by Senior Executives, Officers and Directors from these matters, including but not limited to, the brand new CEO Armstrong and General Counsel at AOL Inc., Parker. Upon leaving messages for Ira Parker, his assistant returned the call and stated that Parker was on vacation, could not be disturbed despite the PRIORITY situation and would return the call upon his return. As of this date, I have received no call back from Parker; perhaps he is on extended vacation.
- January 07, 2010 ~ Letter out to AOL Management Regarding Evasive Tactics of Management from Shareholder Liabilities.
  - Sent to: Tim Armstrong ~ Chairman and Chief Executive Officer @ AOL Inc. ( [tim.armstrong@corp.aol.com](mailto:tim.armstrong@corp.aol.com) ); Artie Minson ~ Chief Financial Officer @ AOL Inc. ( [arthur.minson@corp.aol.com](mailto:arthur.minson@corp.aol.com) ); Jerry McKinley @ AOL Inc. ( [mackinleyj@aol.com](mailto:mackinleyj@aol.com) ); Ira Parker ~ General Counsel and Executive Vice President, Corporate Development @ AOL Inc ( [ira.parker@corp.aol.com](mailto:ira.parker@corp.aol.com) ); Christopher Day ~ Assistant General Counsel - Patent Litigation, Prosecution, and Licensing @ AOL Inc ( [christopherday@corp.aol.com](mailto:christopherday@corp.aol.com) )

January 07, 2010 Letter to CEO, Armstrong at AOL Inc. @



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<http://iviewit.tv/CompanyDocs/20100110%20Kevin%20Hall%20Letter%20sent%20to%20Tim%20Armstrong%20AOL%20re%20Christopher%20Day%20calls%20to%20eib.pdf>

- January 08, 2010 ~ Additional Offer made to AOL Inc. CEO Armstrong thru Assistant General Counsel Christopher Day and Summarizing Notes of Jan. 6, 2010 conversation @

January 08, 2010 Letter of Hall to Bernstein copied to Tim Armstrong, CEO at AOL Inc. and others.

<http://iviewit.tv/CompanyDocs/20100108%20Letter%20to%20Tim%20Armstrong%20AOL%20Warner%20Bros.pdf>

- January 2010 ~ Calls were again placed to CEO Armstrong and Day by **Iviewit and Eliot Bernstein's Counsel**, Marc R. Garber, Esq. ("Garber") of Flaster Greenberg PC ("Flaster"), Kevin Hall, Esq. and Eliot Bernstein. Counsel Garber left the messages with his personal and business phone numbers for AOL Counsel, Officers, Directors or Auditors to return his call. Again, not even a return call from AOL to Iviewit Counsel Garber, whereby the failure of Warner Bros. et al. to return calls to our Counsel should send additional red flags to the SEC. **This failure to return calls to Counsel Garber by Warner Bros. et al. counsel and executives** regarding matters as serious as this to Shareholders is unheard of, indicating further cause for the SEC to investigate all named parties herein and in the attached Exhibit 1. Investigations by the SEC should include all personal and corporate stock transactions from 1999 to Present for all of these executives, including the recent corporate splits.

- Counsel Garber of Flaster left messages with both Armstrong and Day, giving them both a chance to return the calls, as it was already established that Armstrong had direct actual and constructive receipt of correspondences via email and therefore direct knowledge of the impending liabilities to AOL, Inc. The calls to contact Counsel Garber were not returned as of this date, leading to the filing of this Formal Complaint against Warner Bros et al. The failure of Warner Bros et al. to resolve the issues through sound business discussions and licensing of the technologies with the true and proper inventors, and in fact, instead exhibiting a continued pattern attempting to conceal the liabilities from Shareholders and others with potential liabilities, through establishing materially false record of fact, while transacting volumes of individual and corporate securities, prompted this action to the SEC and others addressed herein.

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The timeline and supplementary evidence herein should establish for the SEC and others addressed herein that Smith's recent claim in his December 23, 2009 communication, already exhibited herein, claiming, "Your time-barred claims hinge almost entirely on an internal email written by David Colter on January 15, 2002 - an email he subsequently disavowed and admitted that he had written (and improperly provided you with a copy) only as a personal favor to you" is both False and Misleading. False and Misleading in light of the substantial evidence refuting this claim presented and exhibited herein regarding the Binding Contractual relations between Warner Bros et al. and Iviewit. Smith's statements attempt to dismiss the liabilities as based on a single letter from a Warner Bros. employee and that the claims are somehow time barred.

The SEC and other investigators addressed herein however are presented with a far more complete and truthful picture of the long and contractual relationship between Iviewit and Warner Bros et al. A relationship based on thousands of pages of documented evidence and legal binding contracts, many with Smith center stage. The need to deny the extensively documented and binding contractual relationship that Smith is aware of obviously is an effort to cover up why he and Warner Bros et al. have failed properly to report to Shareholders, Regulators and Auditors these material facts. Facts that will likely result in Catastrophic Liabilities triggering Rescissory Rights of Shareholders due to fraud, concealment, securities fraud and other violations of law.

The SEC should also note that there are no time-barred claims on patent infringement, especially where the patents remain suspended by the US Patent Office and that the matter of time for Iviewit to file actions for infringement will remain open for Twenty years from the time the patents issue and from time of filing in 1998-2001.

## **FASB NO. 5 ACCOUNTING ISSUES REGARDING THE REPORTING OF LITIGATION LIABILITIES AND INTELLECTUAL PROPERTY INFRINGEMENT LIABILITIES**

Our intent in reaching out to Warner Bros et al. starting in March 2009, prior to filing this Formal Complaint, in conjunction and addition to other Federal complaints and actions, was to find out if Liabilities to Warner Bros. et al. Shareholders could be eliminated with sound business and licensing practices with the true and proper inventors of the technologies. Also, contact was made due to the fact that Warner Bros. and certain employees of Warner Bros. initially did the right thing and licensed the technologies and signed confidentiality, licensing agreements, etc. and we were offering them an

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opportunity to explain the about face in 2002 and breaches of those binding contracts, to determine if remedy could be made.

Knowingly infringing on backbone technologies and being involved in Ongoing Litigation would require proper accounting for the Liabilities on financial reports to Shareholders, Auditors, Outside Counsel and Regulators under Financial Accounting Standards Board ("FASB") rules and securities law, including but not limited to the following FASB rules,

#### FASB

For the purpose of this Statement, a contingency is defined as an existing condition, situation, or set of circumstances involving uncertainty as to possible gain (hereinafter a "gain contingency") or loss (hereinafter a "loss contingency") to an enterprise that will ultimately be resolved when one or more future events occur or fail to occur. Resolution of the uncertainty may confirm the acquisition of an asset or the reduction of a liability or the loss or impairment of an asset or the incurrence of a liability.

4. Examples of loss contingencies include:
- e. Pending or threatened litigation.
  - f. Actual or possible claims and assessments.

#### *Litigation, Claims, and Assessments*

The following factors, among others, must be considered in determining whether accrual and/or disclosure is required with respect to pending or threatened litigation and actual or possible claims and assessments:

- a. The period in which the underlying cause (i.e., the cause for action) of the pending or threatened litigation or of the actual or possible claim or assessment occurred.
- b. The degree of probability of an unfavorable outcome.
- c. The ability to make a reasonable estimate of the amount of loss.

Please take note of the following FASB language regarding Intellectual Property infringement:

**By way of further example, an enterprise may believe there is a possibility that it has infringed on another enterprise's patent rights, but the enterprise owning the patent rights has not indicated an intention to take any action and has not even indicated an awareness of the possible infringement. In that case, a judgment**

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must first be made as to whether the assertion of a claim is probable. If the judgment is that assertion is not probable, no accrual or disclosure would be required. On the other hand, if the judgment is that assertion is probable, then a second judgment must be made as to the degree of probability of an unfavorable outcome. If an unfavorable outcome is probable and the amount of loss can be reasonably estimated, accrual of a loss is required by paragraph 8. If an unfavorable outcome is probable but the amount of loss cannot be reasonably estimated, accrual would not be appropriate, but disclosure would be required by paragraph 10. If an unfavorable outcome is reasonably possible but not probable, disclosure would be required by paragraph 10.

I respectfully direct your focused attention to the following statement, **“In that case, a judgment must first be made as to whether the assertion of the claim is probable”** and where in this case, both the liabilities incurred by ongoing and future litigations and intellectual property infringement liabilities, are far more than probable and indeed actual.

The Intellectual Properties, currently suspended by the Commissioner of the US Patent Office<sup>11</sup>, at the center of these matters are pending completion of ongoing investigations of the attorneys involved in the alleged Intellectual Property Crimes by the US Patent Office OED Director and FBI, including charges of Fraud on the US Patent Office by the attorneys. The fact that investigations remain ongoing and new information is learned daily regarding the RICO and ANTITRUST activities, contribute to the delay in getting back to Warner Bros et al. since 2002 to further our rights, as noted by Smith. The delay Smith notes, while proving nothing, was due in part to the length of time that these complex investigations take, yet Smith being an Intellectual Property lawyer can anticipate and has been notified that a stream of additional lawsuits will be forthcoming against Warner Bros et al. and for the Twenty-Year life of the Intellectual Properties.

An Injunction on use of the technologies would also have catastrophic effects on Warner Bros et al. and the Shareholders and could shut down their entire Online Video Streaming and Downloading and reduce their Television cable channels throughput by 75% or more to their consumers. Injunction would result in likely payment of almost a decade of royalties owed; not only for the illegal usage but also for royalties they may have received from other parties they licensed the technologies too. Schemes including Patent Pooling Schemes where the technologies are illegally tied and bundled to licensing

<sup>11</sup> February 14, 2005 United States Patent Office Suspension Granted Exhibited @

<http://iviewit.tv/CompanyDocs/USPTO%20Suspension%20Notices.pdf>



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schemes that Warner Bros. et al. inure royalties from. Warner Bros. et al. has violated signed licensing agreements and other binding agreements, admittedly, and therefore Injunction or Licensing the technologies is again far more than probable and would have to be accounted for by Auditors, Regulators and Outside counsel and reported to Shareholders.

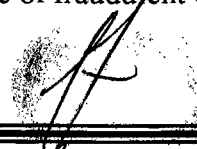
Ongoing litigation over the criminal acts again is not probable but **actual** and this too should have been recorded in the financial statements and fully disclosed by Auditors, Officers, Directors and Counsel to Shareholders and others with liabilities.

Warner Bros et al. has been formally noticed of the IP infringement and the actual ongoing and threatened future criminal litigations stemming from the alleged RICO and ANTITRUST civil and criminal crimes and yet chose to conceal this information and attempt to deny the factual evidence and their direct involvement. Therefore, formal notice of the matters additionally was sent to Warner Bros et al.'s accountancy firm, Ernst & Young, to the attention of James Turley ("Turley") ~ Chairman and Chief Executive Officer of Ernst & Young Global Limited ("EYG").

Turley formally noticed of the Iviewit SEC Intel Complaint liabilities as auditor for Intel when that SEC complaint was filed. Yet, Ernst & Young also has conflict with the Iviewit companies and these matters, which perhaps is clouding their better judgment in disclosing and reporting these matters to the proper Authorities and Warner Bros. et al. Shareholders, as Ernst and Young were accountants for the Iviewit companies at the time the initial crimes were discovered by Iviewit. Crimes discovered in part, due to information regarding fraud provided by Warner Bros et al.'s Smith, Calkins and Colter.

Further, Ernst & Young allegedly concealed these matters from the Shareholders of these highly traded Public Companies they audit. In fact, Ernst & Young's involvement in the Iviewit matters dates back to approximately the same time Warner Bros. et al. discovered fraud, and were hired by Iviewit to replace Arthur Andersen ("Andersen"), in an audit of Iviewit. An audit for Iviewit's largest investor, Crossbow Ventures of West Palm Beach whose investment funds were two-thirds SBA SBIC funds. During the audit Andersen discovered alleged corporate crimes, involving identically named Iviewit companies with different books and more.

Andersen began demanding answers regarding the corporate structure from Iviewit's internal accountant, accounting firm and Proskauer, who gave false and misleading information regarding the corporate structure and assets of the company. After Andersen discovered evidence of fraudulent corporations and fraudulent



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technology transfers<sup>12</sup>, including information regarding possible illegal technology transfers by former Proskauer and Proskauer referred management, to Enron Broadband, they FIRED Iviewit and quit the audit, accusing Iviewit's in-house accountant of misleading auditors. The SEC should note that the Enron Broadband division was perhaps the leading cause behind the Enron bankruptcy and the resulting document destruction by Andersen, which then led to the dissolution of Andersen. In fact, Enron Broadband was also part of a short-lived deal to distribute Internet movies with Blockbuster Video, which fell apart at approximately the same time Andersen and Warner Bros et al. employees discovered fraud, accounting irregularities, fraudulent bankruptcies of illegally set up Iviewit companies and illegal technology transfers through these schemes. Also, take note that Iviewit's seed investor was Wayne Huizenga who was the Founder of Blockbuster.

The recent 2009-2010 business calls to Warner Bros et al. could have possibly eliminated civil lawsuit issues in my ongoing Federal RICO Lawsuit<sup>13</sup>, giving Warner

<sup>12</sup> September 20, 2000 Iviewit Letter Regarding Erika Lewin of the accounting firm Goldstein Lewin & Co. misleading Andersen auditors @

<http://iviewit.tv/CompanyDocs/2000%2009%2020%20Hersh%20to%20Arthur%20Andersen%20Erika%20Lewin%20miffed%20letter.pdf>

and

October 09, 2000 Iviewit Letter to Arthur Andersen @

<http://iviewit.tv/CompanyDocs/2000%2010%2009%20ARTHUR%20ANDERSEN%20LETTER%20REGARDING%20PROOF%20OF%20HOLDINGS%20OWNING%20TECH.pdf>

and

November 27, 2000 Arthur Andersen terminating Iviewit as a client in the middle of an audit for Investor Crossbow Ventures of whose money was two thirds SBA SBIC Loans @

<http://iviewit.tv/CompanyDocs/2000%2011%2027%20ARTHUR%20ANDERSEN%20FILES%20TERMINATION%20LETTER.pdf>

and

Other Relevant Andersen evidence @

<http://iviewit.tv/CompanyDocs/ARTHUR%20ANDERSEN%20FILES.pdf>

<sup>13</sup> May 09, 2008 Federal RICO 12 Count 12 Trillion Dollar Lawsuit Amended Complaint @

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Bros. et al. potential remedies to eliminate the need to have a forensic audit to account for liabilities fraudulently concealed. An audit that would have to date back almost a decade to determine the liabilities and then report them properly under FASB and other accounting rules and laws, readjusting the books to reflect the liabilities and accounting for the changes to Shareholders, Lenders, etc. One question for the SEC to investigate arises from how long the Warner Bros et al. companies have **not** reported the liabilities to Shareholders, Lenders, Auditors and Regulators knowingly. The liabilities from the infringement of the technologies required reporting since the signing of Licensing Agreements and signing of multiple NDA's.

The financial reporting of my Federal RICO lawsuit and other earlier legal actions as liabilities, required reporting since Warner Bros et al. were notified of various legal actions from 2001-Present. Warner Bros et al. and certain of their employees are also central witnesses and defendants, regarding many of the allegations of fraud and more, allegations that include Fraud on the United States Patent & Trademark Offices, which has led to suspension of my Intellectual Properties pending ongoing Federal investigations and more, already evidenced herein.

The apparent lack of reporting the lawsuit liability of a Trillion Dollar plus Federal RICO Lawsuit, marked legally "related" to a Whistleblower Lawsuit by Federal Judge Shira Scheindlin, may have further catastrophic effect on the Warner Bros et al. Shareholders. Where fraud is a major element of my RICO lawsuit, this could trigger Rescissory Shareholder Rights and cause a run on these blue chip companies by investors who remain unaware of the alleged fraudulent accounting and other allegations of criminal activities concealed from them.


With my Intellectual Properties at the heart of these matters SUSPENDED by the US Patent Office, future litigation and lawsuits will continue over the twenty-year life of the IP or more and require reporting of liabilities throughout this time or until licensing arrangements are reached with the true and proper inventors. The resulting liabilities of the current and foreseen litigations must now be properly audited and disclosed for all financial reports, including but not limited to reports for, lines of credits with banks, annual reports, audited financial statements, liability insurance and bonding and regulatory agencies.

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<http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20080509%20FINAL%20AMENDED%20COMPLAINT%20AND%20RICO%20SIGNED%20COPY%20MED.pdf>

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**Iviewit Holdings, Inc./Iviewit Technologies, Inc.**  
2753 N.W. 34<sup>th</sup> St. Boca Raton, Florida 33434-3459  
(561) 245.8588 (o) / (561) 886.7628 (c) / (561) 245-8644 (f)  
[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) - [www.iviewit.tv](http://www.iviewit.tv)

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With the entire companies at stake and an opportunity to possibly to remedy the liabilities, avoidance of the recent calls, including calls from Counsel Garber of Flaster, coupled with attempts again to deny material facts to avoid disclosure, imparts knowing concealment and fraud upon Shareholders, perhaps in collusion with their auditor EYG. The concealment of these liabilities may be the actual reason for the recent breakup of the Warner Bros et al. companies, corporate restructuring while concealing the liabilities from Shareholders, Auditors and Regulators, all actions in violation of a plethora of SEC and other Criminal Codes.

All of this recent and past bizarre conduct is absolute cause for immediate investigation for alleged fraud, diversion/conversion of assets and other possible criminal securities transactions and violations of law, as the respective Warner Bros et al. Officers, Directors and Counsel continue to conceal, dodge and obfuscate the Massive Trillion Dollar legal liabilities. All this coming on the heels of the BREAKUP between the respective companies, apparently, after I began notifying them again in March of 2009 of the massive actual lawsuit liabilities and pending infringement liabilities, as illustrated in the timeline and evidence cited herein.

## **NEW EVIDENCE AND IMPORTANT INFORMATION FOR ONGOING SEC INVESTIGATIONS OF; ALLEN STANFORD, BERNARD L. MADOFF, PROSKAUER ROSE, MARC S. DREIER, GALLEON, ENRON BROADBAND, ENRON, ARTHUR ANDERSEN AND THEIR DIRECT RELEVANCY TO THIS COMPLAINT**

I am requesting that the ongoing SEC investigations of Allen Stanford, Bernard L. Madoff, Proskauer Rose, Marc S. Dreier, Galleon, Enron Broadband, Enron and Arthur Andersen all be revisited in light of the information contained herein which may prove central to those investigations. Whereby converted royalties from the stolen technologies may have been funneled through these Ponzi and other securities trading schemes, especially where Defendants in my Lawsuit are found directly involved in the schemes. The SEC should therefore freeze all asset transactions and sales of stock in all of the following Ponzi schemes and other artifices to fraud Shareholders and Investors in these frauds. The actual court cases may be further efforts by these all too clever law firms operating as a Criminal Enterprise to shuffle the stolen and converted Iviewit royalties (estimated in the hundreds of billions already) and other victims' funds, as the house of cards caves in. The Defendants in my RICO are mainly lawyers, judges, courts, state bar

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agencies and regulatory agencies and therefore the legal actions the SEC has filed may be attempts to use the courts to achieve further fraud, through additional frauds on the courts.

Many of the following Schemes directly involve Defendants in my Federal RICO and ANTITRUST Lawsuit. The SEC should note Proskauer's involvement in these Schemes and ongoing SEC investigations. Proskauer's involvement is pointed out in each scheme they have been found to have direct involvement in and where Proskauer is the main Defendant in my Lawsuit. Additionally, the FBI should take special note of Proskauer's direct and culpable involvement in the Sir Robert Allen Stanford Ponzi ("Stanford"), as Stanford tentacles into International Criminal Cartels, also deserving formal investigation by not only the SEC but also by the FBI and all other authorities addressed herein. Has Proskauer Rose reported these liabilities from their involvement in these schemes to their liability carriers, including their involvement in SEC, FBI and Civil Actions? Civil actions, including a Global Class Action Lawsuit for the entire Stanford debacle by injured investors.

Finally, from the SEC filings it is unclear if Proskauer Rose was included in the court ordered freeze and injunction on assets and documents issued by the court in the SEC Stanford Lawsuit. The order blankets lawyers and law firms, and from news reports, Proskauer has been identified with Proskauer Partner Thomas Sjoblom ("Sjoblom") as constituting one of the law firms listed but not named directly in the SEC filings. Perhaps the SEC can further clarify with that court if the order applies to Proskauer directly and in either event, Proskauer should be reporting these liabilities properly to all those they have exposed to risks, including all insurance carriers and banks.

News reports confirm that the FBI is already conducting investigations into Stanford but both the SEC and FBI should pay particular attention as to how that crime may also relate to the stolen technologies described herein also known as "Patentgate". The Ponzi Schemes and subsequent court cases may be a further vehicle for the Criminal Enterprise, composed mainly of Law Firms, to launder illegally converted royalties from the thefts of my Intellectual Properties and other illegal legal schemes. Schemes perpetrated under the cover of Law Firms who are involved in the Ponzi and other Scheme's court cases, acting in Conflicts of Interest as further defined herein, through frauds on the civil, criminal and bankruptcy courts and perhaps in collusion with the courts, in order further to launder the stolen monies.

The following information represents where correlations to these Schemes have involved Defendants named in my Federal RICO and ANTITRUST lawsuit, including



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but not limited to, all of the following Ponzi Schemes under investigation by the SEC and others.

### **SIR ROBERT ALLEN STANFORD ~ SEC ONGOING INVESTIGATION, INDICTMENT AND FBI INVESTIGATION**

The SEC Indictment, the FBI and SEC Investigations of Sir Robert Allen Stanford involve the main Defendant in my RICO and ANTITRUST Lawsuit Proskauer and Partner Sjoblom. Sjoblom has since resigned from Proskauer<sup>14</sup>, directly implicated in criminal activities in the Stanford investigation by the SEC and Stanford Employees. Proskauer was acting as counsel for Stanford and Proskauer and Sjoblom allegedly aided and abetted Stanford employees in lying to FEDERAL AGENTS investigating the Ponzi in a meeting in a Miami Airport Hanger. **Sjoblom was an SEC Enforcement Official Prior to Joining Proskauer.**

A Global Class Action lawsuit was filed against Proskauer for the entire damages resulting from the Stanford Ponzi.

- August 31, 2009 "Proskauer Targeted in Class Action Over Handling of Stanford Financial" by Leigh Jones @ The National Law Journal

<http://www.law.com/jsp/article.jsp?id=1202433436276&rss=newswire>

- List containing filed legal actions in the Stanford Ponzi, which includes legal actions against Proskauer by Injured Investors and Stanford Employees.

<http://74.125.47.132/search?q=cache:zDFm5gEXCbYJ:www.oakbridgeins.com/clients/blog/stanfordlist.doc+Troice+v.+Proskauer+Rose&cd=1&hl=en&ct=clnk&gl=us>

- August 27, 2009 "**PROSKAUER ROSE, LLP; THOMAS V. SJOBLUM [SPELLING INCORRECT SJOBLUM]/ SAMUEL TROICE; HORACIO MENDEZ; ANNALISA MENDEZ; PUNGA PUNGA FINANCIAL, LTD., ON BEHALF OF ALL INVESTORS WHO PURCHASED OR HELD CERTIFICATES OF DEPOSIT OR OTHERWISE MAINTAINED**

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<sup>14</sup> The SEC should also note that Christopher Clark Wheeler of Proskauer has taken early retirement from Proskauer Rose after ALMOST twenty years. See February 04, 2010 Press Release from the GEO group @

<http://www.docstoc.com/docs/24373589/The-GEO-Group-Announces-the-Appointment-of-Christopher-C-Wheeler-to-its-Board-of-Directors>

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**ACCOUNTS WITH STANFORD INTERNATIONAL BANK AS OF  
FEBRUARY 2009.”**

<http://www.oakbridgeins.com/clients/blog/troice.pdf>

Legal action also filed against Proskauer and Sjoblom by Laura Pendergest Holt, one of the Stanford officers arrested by the FBI in the Stanford Ponzi<sup>15</sup>.

- March 27, 2009 Thomas V. Sjoblom and Proskauer Rose, LLP/ Laura Pendergest-Holt

<http://amlawdaily.typepad.com/sjoblom.pdf>

- February 19, 2009 “Charges Against Stanford a Long Time Coming, Offshore Banking Experts Say Accused Financier Under Federal Drug Investigation” ABC News by Justin Rood and Brian Ross.

<http://abcnews.go.com/Blotter/story?id=6907429&page=1>

Note that Stanford is also under ongoing investigation by the FBI for involvement with leading International Criminal Cartels and where it has been reported that the FBI has been conducting a long-standing investigation of this connection.

- James Davis, a key figure also arrested by the FBI in Stanford and Allen Stanford’s longtime friend and second in command, copped a plea deal whereby he pointed to Proskauer and Sjoblom as directly involved, leading to further civil actions by Injured Investors against Proskauer.

August 27, 2009, “The Stanford Affair: Another Bad Day for Proskauer’s Tom Sjoblom” Wall Street Journal Legal Blog by Amir Efrati.

<http://blogs.wsj.com/law/2009/08/27/the-stanford-affair-another-bad-day-for-proskauers-tom-sjoblom/> article

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<sup>15</sup> February 27, 2009 “FBI make first arrest in \$8 billion Allen Stanford fraud investigation” Telegraph Media Group Limited @ <http://www.telegraph.co.uk/news/worldnews/northamerica/usa/4860579/FBI-make-first-arrest-in-8-billion-Allen-Stanford-fraud-investigation.html>

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More information Regarding the Stanford, Proskauer and Iviewit correlations can be found at all of the following URL's, hereby incorporated in entirety by reference herein:

- February 25, 2009 Eliot Bernstein Petition to the US District Court for the Northern District of Texas in the SEC v Stanford lawsuits DOCKETS NO: 3:09-cv-00298-N, 3:09-cv-00298-L and 1:09-mc-00002-JAD titled **"IN THE MATTER OF THE APPLICATION AND PETITION-COMPLAINT OF ELIOT BERNSTEIN TO INTERVENE AND/OR JOIN AS A PLAINTIFF IN THE WITHIN ACTION BOTH INDIVIDUALLY AND AS TRUSTEE ON BEHALF OF JOSHUA ENNIO ZANDER BERNSTEIN IRREVOCABLE TRUST, JACOB NOAH ARCHIE BERNSTEIN IRREVOCABLE TRUST & DANIEL ELIJSHA ABE OTTOMO BERNSTEIN IRREVOCABLE TRUST"**

<http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20090302%20FINAL%20Emergency%20Motion%20Re%20Proskauer%20Stanford%20Madoff%20Dreier%20Scandals4017.pdf>

- March 02, 2009 **"EMERGENCY MOTION TO INVESTIGATE PROSKAUER ROSE DEFENDANTS INVOLVEMENT IN THE ALLEN STANFORD FINANCIAL, THE BERNARD MADOFF AND THE MARC DRIER FRAUD SCANDALS. REMOVE PROSKAUER FROM SELF REPRESENTATION IN THESE MATTERS UNTIL SUCH TIME THAT THE FBI REMOVES THEM FROM THE ONGOING INVESTIGATIONS INTO THE STANFORD FINANCIAL FRAUD"**


<http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20090302%20FINAL%20Emergency%20Motion%20Re%20Proskauer%20Stanford%20Madoff%20Dreier%20Scandals4017.pdf>

- August 21, 2009 -08-4873-CV United States Court of Appeal for the Second Circuit **"IVIEWIT MOTION TO COMPEL US SECOND CIRCUIT COURT TO FOLLOW LAW. ALLEN STANFORD, BERNARD MADOFF, MARC S. DREIER LINKS TO IVIEWIT VIA PROSKAUER ROSE AND FOLEY AND LARDNER IMPLICATED IN TRILLION-DOLLAR SUIT. CITIZEN ARREST OF JUDGE RALPH WINTER & CLERK CATHERINE O'HAGAN WOLFE."**

Online Interactive Version @

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**Iviewit Holdings, Inc./Iviewit Technologies, Inc.**  
2753 N.W. 34<sup>th</sup> St. Boca Raton, Florida 33434-3459  
(561) 245.8588 (o) / (561) 886.7628 (c) / (561) 245-8644 (f)  
[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) - [www.iviewit.tv](http://www.iviewit.tv)

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<http://iviewit.tv/wordpress/?p=78>

Original Signed Filed Motion @

<http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20090908%20FINAL%20Emergency%20Motion%20to%20Compel%20SIGNED44948.pdf>

- September 24, 2009 New York Senate Judiciary Committee Hearing and Eliot Bernstein's testimony before the Committee, Bernstein's testimony begins at 3 Hours 38 Minutes into the hearings.

[http://www.youtube.com/watch?v=HR8OX8uuAbw&feature=player\\_embedded](http://www.youtube.com/watch?v=HR8OX8uuAbw&feature=player_embedded)

- October 05, 2009 – “PREPARED STATEMENT OF ELIOT I. BERNSTEIN OF IVIEWIT TO NEW YORK SENATE JUDICIARY COMMITTEE JOHN L. SAMPSON REGARDING TRILLION DOLLAR IVIEWIT FEDERAL LAWSUIT NAMING PROSKAUER ROSE, FOLEY & LARDNER, IBM, INTEL, SGI, LOCKHEED AND MORE”

Online Interactive Version @

<http://iviewit.tv/wordpress/?p=165>

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<http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20091005%20FINAL%20NY%20Judiciary%20Cover%20Letter%20for%20Prepared%20Statement%20to%20Committee%20John%20Sampson1897%20Signed.pdf>

The links provided in this Stanford Section are also beneficial for the following sections on Madoff and Dreier Ponzi Schemes and therefore will not be relisted in those sections.

This information should be cause for the SEC, FBI and others addressed herein to reanalyze the entire Stanford scheme in light of this new evidence. All asset sales and other distributions should instantly be halted until these material facts can be reviewed to determine if these funds are also relating to the Iviewit stolen patents.

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## BERNARD L. MADOFF SEC ONGOING INVESTIGATION AND CONVICTION AS IT RELATES TO PROSKAUER ROSE

Several ties between Proskauer and Madoff also exist, learned in part from the SEC OIG stinging report on Madoff, which harshly criticized lax regulators for overlooking the Madoff information from Whistleblowers and Insiders at the SEC, over a several year period. According to TPM, in 2004 an SEC attorney, Genevieve Walker-Lightfoot, notified the SEC of the Ponzi but was forced out of her job, the SEC later settling a claim filed by Lightfoot. Upon termination, Lightfoot turned over the Madoff file to Jacqueline Wood who then presumably buried the report, as it goes missing from that point, including information that could have exposed the Ponzi in 04. The SEC OIG's report mentions Wood throughout the entire report as a key figure in the regulatory failure, after leaving the SEC, Wood took a cozy Proskauer Rose partnership<sup>16</sup>. Again, we find an SEC employee, Wood, taking a Proskauer partnership, similar to Sjoblom leaving the SEC for Proskauer and both directly implicated in the SEC failures. This pattern may identify to the SEC how these alleged Criminal Enterprise Law Firms move in and out of Regulatory bodies to stave off investigations or to further complete their Schemes.

- **March 02, 2009 "EMERGENCY MOTION TO INVESTIGATE PROSKAUER ROSE DEFENDANTS INVOLVEMENT IN THE ALLEN STANFORD FINANCIAL, THE BERNARD MADOFF AND THE MARC DRIER FRAUD SCANDALS. REMOVE PROSKAUER FROM SELF REPRESENTATION IN THESE MATTERS UNTIL SUCH TIME THAT THE FBI REMOVES THEM FROM THE ONGOING INVESTIGATIONS INTO THE STANFORD FINANCIAL FRAUD"**

<http://www.fed.com/company/Does/United%20States%20District%20Court%20Southern%20District%20New%20York%20IN%20NY%20Emergency%20Motion%20Re%20Proskauer%20Stanford%20Madoff%20Ponzi%20Scandals4017.pdf>

I filed Motions at the US Second Circuit Court of Appeals and US District Court, already exhibited herein, with similar claims of regulatory failures of the prior Presidential administration. Failures allegedly directly related to the Madoff case and I have reported this to Federal Authorities. The Motions also discuss Conflicts centering on

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<sup>16</sup> "Bernie Madoff: SEC Investigator Fingered Bernie In '04; SEC Chief Lori Richards "Resigns"  
TPM Media LLC. July 9, 2009 @

[http://tpmcafe.talkingpointsmemo.com/talk/blogs/mrs\\_panstreppon/2009/07/bernie-madoff-sec-investigator.php](http://tpmcafe.talkingpointsmemo.com/talk/blogs/mrs_panstreppon/2009/07/bernie-madoff-sec-investigator.php)

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the Madoff saga where Proskauer publicly identified their firm as having the most clients in the Madoff Ponzi and now it is revealed in the press that many Madoff clients are the subject of ongoing SEC investigations.

The Motion at the US Second Circuit is to Compel that court to address the Conflicts of Interest and other matters according to law, laws being ignored while the Court and the Defendants perpetuate never ending Conflicts and Crimes. Note here that the handling of the Madoff Ponzi is by the same courts handling my RICO and ANTITRUST Lawsuit and that the same courts were notified for months of the correlations between the Madoff Ponzi and my Lawsuit and have failed to notify the proper authorities, including the SEC and instead attempted to bury my lawsuit and motions.

The SEC should further note that in the courts handling my Lawsuit, many of the judges and clerks are also Defendants in the Lawsuit and despite the obvious conflicts, they continue to handle the matters, as if no rules or laws apply to them. These illegal actions by members of the courts should also be cause for the SEC, FBI and others addressed herein to investigate the members of the courts involved for possible collusion and aiding and abetting these schemes through Fraud on the Courts. Following this Formal Complaint, for the courts failures to address the conflicts and misprision of a felony, the three Second Circuit Judges involved in my appeal will be filed on for Criminal Obstruction and other crimes, as exhibited already in the Motion to Compel.

The SEC should note here that the US Second Circuit has recently attempted to evade the Motion to Compel, by attempting to dismiss the Appeal as baseless, while the related Whistleblower case remains ongoing. Sneaky as it sounds, by dismissing the case, the court has evaded addressing the criminal charges levied against them and the request for oversight of their criminal actions, as set forth in the Motion to Compel. This brilliant but failed attempt to evade the Motion to Compel, without having to rule on their conflicts or answer the charges against them, despite factual and material conflicts of interests in the court, further evidences their continued criminal obstruction.

All those addressed herein, should therefore immediately begin investigation of the Second Circuit and US District Court for the Southern District of New York court officials involved. Especially concerning their concealment from authorities of these material facts relating to these Schemes, again which may be a Misprision of Felony and whereby had the courts acted within law they could have prevented injury to many victims in these Schemes years earlier, when I initially reported Proskauer's misdeeds to them.

This information should be cause for the SEC to reanalyze the entire Madoff Scheme in light of this new evidence. All asset sales and other distributions should instantly be

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halted until these material facts can be reviewed to determine if these funds are also relating to the Iviewit stolen patents.

### **MARC S. DREIER SEC INVESTIGATION AND CONVICTION**

The SEC Indictment and Conviction of Marc S. Dreier as it relates to Proskauer, comes from the connection to Patent Attorney Raymond A. Joao. Joao initially introduced to Iviewit as a Proskauer partner by Wheeler, along with Rubenstein, when they were actually with Meltzer at that time. Once investors in Iviewit learned Rubenstein and Joao were not with Proskauer as represented, Proskauer partner Christopher C. Wheeler ("Wheeler") claimed they were transferring to Proskauer shortly. Rubenstein then transferred almost overnight and Joao was to follow after he finished work at Meltzer but since he was actually writing the patent applications under Rubenstein's direction for Iviewit, Iviewit had to take an additional retainer to Proskauer's with Meltzer until Joao transferred.

However, Joao never transferred to Proskauer and during his first year of work for Iviewit, it was discovered that Joao allegedly was not filing timely and correct patent applications and patenting inventions in his own name. Joao now under ongoing investigation at the US Patent Office and FBI, ordered for by the First Dept and yet to be completed and more. Wheeler then claimed that Proskauer was beginning an investigation of Joao, ironically, and ignoring the conflicts this presented, as Joao was Proskauer, Wheeler and Rubenstein's referral.

Wheeler then suggested his good friend William Dick ("Dick") of Foley to replace Joao for filing the patents and reviewing Joao's work, continuing under Rubenstein's oversight, as described in the Wachovia Private Placement already exhibited herein. What Wheeler failed to disclose to Iviewit is that Dick had been involved immediately prior to being retained by Iviewit, with both Wheeler and another Proskauer/Wheeler referral to Iviewit, Brian G. Utley, formerly employed by IBM and working with Dick, Utley then becoming President of Iviewit, in another allegedly failed Intellectual Property theft. The prior attempted Intellectual Property heist was against another Florida businessperson, Philanthropist Monte Friedkin of Diamond Turf Equipment Co. and whereby all those addressed herein should take note of the Prior History of these alleged patent thieves, clearly indicating that this is an organized and repeated crime against inventors.

The SEC should note that Wheeler presented a falsified resume for his friend Utley to Iviewit that not only failed to disclose the attempted theft but also failed to disclose, and in fact materially falsified Utley's resume concealing the facts by claiming

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Utley left the company Diamond Turf a success due to his innovations. Factually, the attempted IP theft, according to Friedkin, led to the firing of Utley by Friedkin and Friedkin's immediately closing the business and taking a multimillion-dollar loss directly due to the scheme perpetrated by Utley, Dick and Wheeler. Dick also failed to disclose this fact when joining Iviewit. In both Utley and Wheeler's depositions, already exhibited herein, both Utley and Wheeler contradict each other's statements when confronted with the Friedkin information and Dick in his Virginia Bar Response to a complaint filed against him further contradicts both Wheeler and Utley regarding the Friedkin events. Supplementary evidence confirming these claims can be found on the Iviewit homepage at [www.iviewit.tv](http://www.iviewit.tv).

When Dick replaced Joao, the press reported that Joao claimed he now had 90+ patents in his own name, many allegedly directly lifted from Iviewit. Joao then joined the Marc S. Dreier law firm of Dreier & Baritz. This new information should be cause for the SEC to reanalyze the entire Dreier Ponzi Scheme in light of this new evidence, and in fact, the monies of the Dreier Ponzi allegedly directly relate to royalties from sales and licensing of Joao's stolen Intellectual Properties. The Dreier Ponzi is alleged to be another money-laundering scheme concocted by the Defendants in my Federal RICO and ANTITRUST lawsuit. The SEC should also cease distribution of assets in the Dreier Ponzi, especially where the Trustee appears conflicted with Proskauer and again the court actions may be further attempts by these all too clever law firms to abscond with funds in further illegal legal actions and Fraud on the Court.

In addition to the links in the Stanford section, which deal with the Drier / Joao / Iviewit connection, additional links below substantiate these claims.

- Joao's Dreier & Baritz LLP Bio

"Raymond A. Joao joined Dreier & Baritz LLP in 2001 as Of Counsel to the Firm's intellectual property department. Mr. Joao brings to the Firm an extensive legal, business and engineering background encompassing virtually all aspects of intellectual property, including prosecution of patent applications; reexaminations; preparation of patent opinions; litigation; and counseling clients in the development, management and exploitation of their intellectual property assets.

Mr. Joao is also currently an intellectual property management consultant for various start-up software, telecommunication, Internet and e-commerce companies. He regularly directs new business and intellectual property development efforts; negotiates contracts; drafts license agreements; performs due diligence in mergers and acquisitions; assists in the preparation of business plans, executive summaries and



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other corporate documents; conducts competitive analysis studies; aids in the formulation of litigation strategies; and assists in capital raising efforts.

Notably, Mr. Joao is the inventor of 10 issued U.S. patents and has over 80 patent pending technologies. Mr. Joao was also a founder of Electroship (N.Y.), Inc. which was formed to exploit certain patent pending technologies of which Mr. Joao was a co-inventor. Electroship (N.Y.), Inc. was acquired by a public company within six months of its formation. Mr. Joao headed Electroship's intellectual property and corporate efforts, as well as the merger and acquisition deal leading up to the merger.

Prior to joining Dreier & Baritz, Mr. Joao was head of the Intellectual Property Department at Meltzer, Lippe, Goldstein & Schlissel, P.C. in Mineola, New York. He was also formerly a partner at Anderson Kill & Olick, P.C. in New York in the Intellectual Property Group. Prior to the commencement of his legal career, Mr. Joao was an electrical engineer with Loral Corporation in the Systems Engineering Group, and prior to that was an engineer with Sperry Corporation. Mr. Joao obtained a Bachelor of Science in Electrical Engineering in 1982 and a Master of Science in Electrical Engineering in 1984 from Columbia University School of Engineering and Applied Science. He received his law degree in 1990 from St. John's University School of Law. Most recently, in 1999, he obtained a Masters in Business Administration in Finance from Baruch College/City University. Mr. Joao is admitted to practice before the United States Patent and Trademark Office, the U.S. District Courts for the Southern and Eastern Districts of New York, and the New York State and Connecticut Bars. e-mail: [rjoao@dreierbaritz.com](mailto:rjoao@dreierbaritz.com).

- January 02, 2009 ~ The WallStreet Journal “Former AUSA Selected as Bankruptcy Trustee in Dreier Case”

“For a week, it'd been all quiet on the Marc Dreier front. But now a new lawyer is set to be welcomed to the Dreier Party. The NYLJ reports that Sheila M. Gowan (University of Minnesota, Brooklyn Law) has been selected as the bankruptcy trustee in the case. Dreier, founder and sole owner of the law firm Dreier LLP — for those of you took December off — is alleged to have perpetrated a massive fraud against a group of hedge funds. (Here's our coverage.) Gowan, **A FORMER PROSKAUER ASSOCIATE** [Emphasis Added] and AUSA in the Southern District of New York, is now a partner at Diamond McCarthy...”

Again, the SEC should note Proskauer's direct involvement in the Dreier matters as trustee Gowan was a former Proskauer associate. The conflict is absolute in light of the claims herein, now demanding full disclosure by Gowan and conflict waivers from the victims. When viewed in light of the Joao / Proskauer / Dreier connections

RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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described and evidenced already herein, these conflicts will preclude Gowan's continued involvement. Again, the entire crime depends on continued conflicts of interests that preclude due process and procedure by infiltration of the Criminal Enterprise law firms into Regulatory, Prosecutorial and Court actions against them. The law firms are also well versed in court-orchestrated schemes and with infiltration into regulatory agencies are alleged to use the courts actually to effectuate further frauds.

- March 03, 2009 ~ USDOJ Letter by Lev L. Dassin, Acting US Attorney to Judge Stuart M. Bernstein. Note that not only Gowan is copied but also Proskauer Attorney Jeffrey W. Levitan, Esq. ( Levitan ) is also copied. The SEC has absolute cause to investigate if Levitan, Gowan and/or Proskauer failed fully to disclose their involvement with Dreier through Joao and the Iviewit matters. Proskauer and presumably Gowan are fully aware of their alleged involvement in my patent theft through my Federal RICO and ANTITRUST Lawsuit against the Proskauer firm.

Failure to disclose this material fact to the Bankruptcy court is allegedly further fraudulent activity. The SEC should also note that the courts have been notified in my legal actions and have obligations through Judicial Cannons to notify the proper authorities of any possible attorney misconduct they are aware of, or face Misprision of Felony charges and more. Thus, the courts should have also notified the SEC of the information given them in official court filings in my lawsuit regarding the Dreier lawsuit, including the correlating information in the Stanford case, which would have forced Gowan's disclosures regarding her involvement with Proskauer and the Dreier matters and her withdrawal as Trustee.

<http://iviewit.tv/CompanyDocs/20090325%20Dreier%20USDOJ%20Letter%20to%20BK%20Judge%20copies%20Proskauer%20and%20former%20Proskauer%20Gowan.pdf>

Again, all this new information is cause for the SEC to reinvestigate the Dreier Ponzi in light of these facts and whereby the Dreier Ponzi may be further efforts to launder monies gained from the stolen Intellectual Properties; this would represent possible Fraud Upon a United States Bankruptcy Court. All asset sales and other distributions should instantly be halted until these material facts can be reviewed to determine if these funds are also relating to the Iviewit stolen patents.

**GALLEON SEC ONGOING INVESTIGATION AND CONVICTIONS  
OCTOBER 16, 2009 SEC COMPLAINT GALLEON**

RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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<http://iviewit.tv/CompanyDocs/20091016%20SEC%20Galleon%20Complaint.pdf>

With information just beginning in this massive SEC insider trading case, the SEC should note that several of the key defendants in these matters are also Defendants in my Federal RICO and ANTITRUST Lawsuit.

**INTEL CAPITAL RAJIV GOEL INDICTED BY SEC AND INTEL CORPORATION IS A DEFENDANT IN MY FEDERAL RICO AND ANTITRUST LAWSUIT.**

- Intel Capital Rajiv Goel, a managing director at Intel Corporation has been implicated by the SEC in the Galleon Complaint.
  - The SEC should take note that one of the first people on the scene at the time of the Iviewit inventions was a one Hassan Miah (“Miah”), who signed NDA’s while analyzing Iviewit as an Investment for EarthLink founders Sky Dylan Dayton and Kevin O’Donnell. Miah had worked at the Intel / Creative Artist Agency (“CAA”) Multimedia Lab prior to involvement with Iviewit and upon viewing the inventions, called them the “Holy Grail” of the Digital Imaging and Video world, including the Internet. Later Miah again joined Intel at Intel Capital.

From Miah’s Biography @ Digital Hollywood

<http://www.digitalhollywood.com/%231-DHEurope/London-WednesdayFive.html> , I quote,

“Hassan Miah is the former Managing Director of Intel Capital, where he led worldwide media and entertainment investments. Today, he remains an advisor to Intel Corporation’s Digital Home Group, which is responsible for the company’s global consumer PC product line. He is also the former head of New Media for CAA, one of Hollywood’s leading entertainment and talent agencies. While at Intel, Mr. Miah led such media related investments as Bellrock Media, Synacor, Zinio, Black Arrow, Clickstar and Gametrust. At CAA, Mr. Miah established and headed the CAA/Intel Media Lab, the first significant collaboration between Hollywood and a major technology company, and helped form Tele-TV, a joint investment by NYNEX, PacBell and Bell Atlantic to provide interactive video television services over phone lines. Before joining CAA, Mr. Miah was a Management Consulting Partner for KPMG LLP, specializing in media and entertainment transactions. At KPMG, he helped structure such transactions as the sale of MCA Universal

RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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Studios to Matsushita, the sale of Geffen Records to Universal and Polygram's acquisition of A&M Records. Mr. Miah also has extensive operating/managerial experience having developed and sold companies in the digital media sector during his career, e.g., after creating the first consumer MP3 recording software, Mr. Miah successfully sold Xing Technology Corp. to Real Networks at a 10x multiple from when he joined the company less than two years after becoming CEO. Mr. Miah is a CPA and received a B.A. in Business from the University of Michigan and a M.B.A. from Stanford University's Graduate School of Business."

- April 27, 1999 letter from Richard R. Rosman, Esq. to Hassan Miah regarding the Iviewit inventions and Proskauer Rose Partner Rubenstein's opinion on the technologies. Note that Rubenstein and Miah know each other through MPEG and Miah's former employer XING. Immediately after learning of the Iviewit inventions, Miah sold XING to Real Networks as indicated above.

<http://iviewit.tv/CompanyDocs/1999%2004%2026%20Wheeler%20Letter%20to%20Rosman%20re%20Rubenstein%20opinion.pdf>

- June 01, 1999 – Donald G. Kane, Managing Director at Goldman Sachs letter regarding Hassan Miah and Miah's letter requesting to speak to Rubenstein.

<http://iviewit.tv/CompanyDocs/1999%2006%2001%20HASSAN%20LETTE R%20FORWARDED%20TO%20RUBENSTEIN.pdf>

- Roomy Khan, a convicted felon and former Intel employee is pleading guilty in the Galleon case and the relations between Iviewit and Intel are already described herein.

**ROBERT W. MOFFAT, JR. ~ SENIOR VICE PRESIDENT, INTEGRATED OPERATIONS AT IBM CORPORATION.**

- The SEC should note that IBM is a Defendant in my Federal RICO and ANTITRUST Lawsuit.
- The SEC should note that Dick of Foley was former IBM patent counsel for their far eastern patent pooling scheme.
- The SEC should note that Utley of Iviewit was formerly a General Manager at the IBM Boca Raton Florida facility.

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Iviewit Holdings, Inc./Iviewit Technologies, Inc.  
2753 N.W. 34<sup>th</sup> St. Boca Raton, Florida 33434-3459  
(561) 245.8588 (o) / (561) 886.7628 (c) / (561) 245-8644 (f)  
[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) - [www.iviewit.tv](http://www.iviewit.tv)

RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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- The SEC should note that Wheeler of Proskauer claimed to have been the real estate legal agent for the Boca Raton, IBM facility.
- The SEC should note again that Wheeler, Dick and Utley were part of an attempted theft of Intellectual Property from Florida businessperson Monte Friedkin.
- The SEC should note that former Chief Judge of the New York courts Chief Judge Judith Kaye was a former IBM lawyer and married to Proskauer Partner Stephen R. Kaye (deceased). Stephen Kaye became an Intellectual Property partner in the Proskauer Intellectual Property group formed immediately after learning of my inventions. Both Judith Kaye and her deceased husband's estate are Defendants in my Federal RICO and ANTITRUST Lawsuit.
- The SEC should note that Wheeler not only introduced Utley to Iviewit with a falsified resume but that Utley, Dick and Wheeler also brought in a one Michael Reale, a former IBM employee to work for Iviewit.
- The SEC should note that Wheeler and Utley recommended Dick to Iviewit after Joao's termination from Iviewit and under false pretenses, again failing to notify Iviewit Management, Officers, Board Members and Investors of their prior attempted theft at Friedkin's business and the resulting loss to Friedkin. Utley also provided a materially false resume for the Wachovia Private Placement.
- The SEC should note that it is alleged in my Federal RICO and ANTITRUST Lawsuit that IBM is part of a Criminal Patent Theft Ring committing Fraud Upon the US Patent Office and world Intellectual Property Offices.
- The SEC should note the recent appointment by President Barack Obama, whom also has been notified of the Iviewit claims as evidenced further herein, of David Kappos ("Kappos") as Under Secretary of Commerce for Intellectual Property. Kappos was a former IBM Vice President and Assistant General Counsel for Intellectual Property.

[http://www.uspto.gov/biographies/bio\\_kappos.htm](http://www.uspto.gov/biographies/bio_kappos.htm)

- The SEC should note that IBM has also been notified of the same liabilities as described herein regarding Warner Bros et al. and is believed to have also concealed these liabilities from their Shareholders and where this is again cause for the SEC to investigate IBM to prevent Massive Liabilities to IBM Shareholders.

<http://iviewit.tv/CompanyDocs/20090313%20IBM%20Notice%20of%20Liabilities%20Revised%20Web%20Sample%20Palmisano.pdf>

RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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**ANIL KUMAR, DIRECTOR AT MCKINSEY & CO.**

- The SEC should note that Calkin's of Warner Bros. was a former McKinsey employee. The SEC should also note that H. Hickman Powell, of Iviewit's largest investor, Crossbow Ventures, was also from McKinsey.

**NOVEMBER 04, 2009 SEC COMPLAINT GALLEON**

**<http://iviewit.tv/CompanyDocs/20091104%20Galleon%20SEC%20Complaint%20Ropes%20Gray%20etc.pdf>**

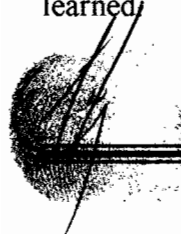
**ROPES & GRAY – ARTHUR CUTILLO, ESQ. – INTELLECTUAL PROPERTY ATTORNEY**

- The SEC should note that Ropes & Gray is directly involved as counsel in the Silicon Graphics, Inc. Bankruptcy whereby Iviewit has already filed papers in that case, exhibited herein and discussed further in the section titled "IVIEWIT SEC COMPLAINT FILED AGAINST INTEL, LOCKHEED MARTIN AND SGI"
- Ropes & Gray - Brien Santarlas – Intellectual Property Attorney
- The SEC should note that 3Com is an early purveyor of the Iviewit technologies and under NDA.
- The SEC should note that Ropes & Gray has patents listed at its website in digital imaging and video and that patent transfers occurred in SGI's multiple Bankruptcy cases filed since learning of the Iviewit technologies through Real 3D, Inc. in 1998.

**SULLIVAN & CROMWELL ~ MICHAEL KIMELMAN, ESQ. – SULLIVAN & CROMWELL MAY ALSO BE INVOLVED IN THE SGI BANKRUPTCY CASE.**

**<http://www.liquidatingtrustee.com/2010/01/continued-culture-of-conflict-and.html>**

Since the Galleon case is unfolding this information represents the initial correlations of several of the key defendants companies that may have further involvement with the Iviewit matters herein described, amendments will be made to this Formal Complaint with all those agencies addressed herein as more information is learned.



RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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## IVIEWIT SEC COMPLAINT FILED AGAINST INTEL, LOCKHEED MARTIN AND SGI (FORMERLY OWNERS OF REAL 3D, INC.)

Please note that this Request for Investigation and Formal Complaint against Warner Bros et al. directly relates to my prior formal complaint to the SEC<sup>17</sup> involving the Intel Corporation, Lockheed Martin, and Silicon Graphics, Inc. These three companies were all owners of the Real3d Inc. company ( later wholly acquired by Intel ), where my Technologies were first tested, used, viewed, approved, validated, Contracted and Licensed under Non Disclosure and other Licensing Agreements. Leading Industry Experts of the three companies at the Real3d Inc. laboratories, similar to Warner Bros et al. completed validation of the novelty of the Intellectual Properties in 1998-1999. Real 3D prior to acquisition by the minority interest owner Intel (20%), were previously located on Lockheed Martin properties in Orlando, Florida. Gerald Stanley was CEO of Real 3D, Inc. until the sale of the company to Intel, whereby Lawrence S. Palley, Director of Business Development for Intel took over the Iviewit agreements.

Complaints are on file already with the SEC against these companies for likely fraudulent stock transactions similar to those described herein committed by Warner Bros et al., as well as, likely massive fraud upon their Shareholders, Auditors and Regulators. All transactions, stock transfers, mergers and acquisitions dating back to 1998 should be part of the investigation of these companies, in addition to likely violations of FASB No. 5 and other corporate accounting rules for failure at minimum to book liabilities on the corporate financials and provide notice to Shareholders.

### INTEL

- March 06, 2009 Iviewit Letter of Liabilities to Intel

<http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20090306%20Intel%20Demand%20Letter%20&%20Liability%20Exposure%20%20Signed%203549I.pdf>

- March 25, 2009 Iviewit SEC Complaint Filed

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<sup>17</sup> March 25, 2009 SEC COMPLAINT – Real 3D, Inc., Intel, Silicon Graphics and Lockheed Martin

<http://www.iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20090325%20FINAL%20Intel%20SEC%20Complaint%20SIGNED2073.pdf>

RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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<http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20090306%20Intel%20Demand%20Letter%20&%20Liability%20Exposure%20%20Signed%2035491.pdf>

- September 15, 2009 Apple Press Release ~ Intel Counsel Bruce Sewell departs Intel to Apple

<http://www.apple.com/pr/library/2009/09/15sewell.html>

- January 16, 2002 The Register "SGI transfers 3D graphics patents to MS [Microsoft]

<http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20020116%20SGI%20transfers%20patents%20to%20MICROSOFT.pdf>

### LOCKHEED

- April 16, 2009 Iviewit Letter to Lockheed's Counsel James Comey Regarding Iviewit Liabilities

<http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20090416%20FINAL%20SIGNED%20Demand%20Letter%20to%20Lockheed%20Comey4841clow.pdf>

- April 27, 2009 Iviewit SEC Complaint Against Lockheed

<http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20090427%20FINAL%20Lockheed%20SEC%20Complaint2064.pdf>

### SILICON GRAPHICS INC.

- March 19, 2009 Iviewit Letter to Elena Ramirez regarding SGI Liabilities in the Iviewit matters.

<http://iviewit.tv/CompanyDocs/20090319%20SGI%20Notice%20of%20Liability%20Counsel%20Elena%20Rameriz.pdf>

- April 01, 2009 SGI Files Chapter 11 Bankruptcy
  - The SEC should note the immediate proximity of notice to SGI counsel Elena Ramirez on March 18, 2009 to the filing of the Bankruptcy and where



RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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Ramirez fails to the notify the court of the Liabilities she was aware of already, evidencing concealment from the Federal US Bankruptcy Court. This transaction may also trigger Rescissory SGI Shareholder Rights for Fraud involving this transaction.

- The SEC should note that all transactions of SGI stock from 1998-Present should be investigated for fraud based on SGI's involvement with Real 3D, Inc. and as it relates to the Iviewit matters.
- Voluntary Petition (Chapter 11). Order for Relief Entered. Filed by Mark R. Somerstein of Ropes & Gray LLP on behalf of Silicon Graphics, Inc.. (Somerstein, Mark) (Entered: 04/01/2009)
- April 13, 2009 Inside HPC News "A visual timeline of the rise and sale of SGI"  
<http://insidehpc.com/2009/04/13/a-visual-timeline-of-the-rise-and-sale-of-sgi>  
Timeline of SGI  
<http://insidehpc.com/images/04132009/SGItimeline.jpg>
- Vizworld Articles regarding what led to Rise and Fall of SGI  
<http://www.vizworld.com/tag/sgi-bts>  
<http://www.vizworld.com/?s=iviewit>
- April 09, 2009 Federal Bankruptcy Complaint Silicon Graphics, Inc. "EMERGENCY MOTION TO ESTABLISH PROOF OF CLAIM; VACATE OR MODIFY ORDER OF SALE; INJUNCTION; PRIORITY OF CLAIMS; AND OTHER RELIEF"  
<http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20090409%20FINAL%20US%20Bankruptcy%20Court%20SDNY%20SGI%20Motion.pdf>
- May 05, 2009 Ropes & Gray "OBJECTION OF THE DEBTORS TO EMERGENCY MOTION OF ELIOT I. BERNSTEIN TO ESTABLISH PROOF OF CLAIM; VACATE OR MODIFY ORDER OF SALE; INJUNCTION; PRIORITY OF CLAIMS; AND OTHER RELIEF" (related document(s) 102 ) filed by Mark R. Somerstein on behalf of Silicon Graphics, Inc.. (Attachments: # 1 Exhibit A - Original Complaint# 2 Exhibit B - Amended Complaint (Part 1)# 3

RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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Exhibit B - Amended Complaint (Part 2)# 4 Exhibit B - Amended Complaint (Part 3)# 5 Exhibit C - District Court Order) (Sommerstein, Mark) (Entered: 05/05/2009)

Objection to Motion

<http://www.donlinrecano.com/cases/docketfile.ashx?cl=sgi&c=09-11701&d=318>

Related Document

<http://www.donlinrecano.com/cases/docketfile.ashx?cl=sgi&c=09-11701&d=102>

# 1 Exhibit A - Original Complaint

<http://www.donlinrecano.com/cases/docketfile.ashx?cl=sgi&c=09-11701&d=318&sd=1>

#2 Exhibit B - Amended Complaint (Part 1)

<http://www.donlinrecano.com/cases/docketfile.ashx?cl=sgi&c=09-11701&d=318&sd=2>

# 3 Exhibit B - Amended Complaint (Part 2)

<http://www.donlinrecano.com/cases/docketfile.ashx?cl=sgi&c=09-11701&d=318&sd=3>

# 4 Exhibit B - Amended Complaint (Part 3)

<http://www.donlinrecano.com/cases/docketfile.ashx?cl=sgi&c=09-11701&d=318&sd=4>

# 5 Exhibit C - District Court Order)

<http://www.donlinrecano.com/cases/docketfile.ashx?cl=sgi&c=09-11701&d=318&sd=5>

<http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/SGI%20Bankruptcv/Bernstein%20Objection.pdf>



RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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- May 05, 2009 SGI Counsel Elena Rameriz Declaration to Bankruptcy Court titled, **“AFFIDAVIT DECLARATION OF ELENA RAMIREZ IN SUPPORT OF THE OBJECTION OF THE DEBTORS TO THE EMERGENCY MOTION OF ELIOT I. BERNSTEIN TO ESTABLISH PROOF OF CLAIM; VACATE OR MODIFY ORDER OF SALE; INJUNCTION; PRIORITY OF CLAIMS; AND OTHER RELIEF”** filed by Mark R. Somerstein on behalf of Silicon Graphics, Inc.. (Attachments: # 1 Exhibit A - Bernstein Letter to General Counsel of Intel Corporation# 2 Exhibit B - Bernstein Letter to the President of the United States# 3 Exhibit C - Bernstein Complaint to SEC) (Somerstein, Mark) (Entered: 05/05/2009)

<http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/SGI%20Bankruptcy/Ramirez%20Declaration.pdf>

- May 08, 2009 Eliot Bernstein prepared statement read into record during hearing of SGI Bankruptcy @

<http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/SGI%20Bankruptcy/20090508%20SGI%20BK%20Hearing%20Script%20into%20records.pdf>

A copy of this hearing was presumably transcribed into the record and where the SEC and others addressed herein may wish to obtain copies of the hearing as part of this Formal Complaint.

- May 08, 2009 – Order Denying **“EMERGENCY MOTION OF ELIOT I. BERNSTEIN TO ESTABLISH PROOF OF CLAIM; VACATE OR MODIFY ORDER OF SALE; INJUNCTION; PRIORITY OF CLAIMS; AND OTHER RELIEF.”** (Related Doc # 102 , Doc # 318 ) (Tetzlaff, Deanna) (Entered: 05/08/2009)

<http://www.donlinrecano.com/cases/docketfile.ashx?cl=sgi&c=09-11701&d=367>

<http://www.donlinrecano.com/cases/docketfile.ashx?cl=sgi&c=09-11701&d=102>

<http://www.donlinrecano.com/cases/docketfile.ashx?cl=sgi&c=09-11701&d=318>

- June 16, 2009 Iviewit **“PROOF OF CLAIM”** SGI Bankruptcy @

RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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<http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20090616%20FINAL%20NYSD%20BK%20Proof%20of%20Claim%20and%20Letter%20SGI%20BK.pdf>

- August 14, 2009 **“MOTION FOR OBJECTION TO CLAIM(S) Number: 225 - Objection of the Debtors to Claim of Eliot I. Bernstein with hearing to be held on 9/15/2009 at 10:00 AM at Courtroom 501 (MG) Responses due by 9/10/2009, filed by Mark R. Somerstein on behalf of Graphics Properties Holdings, Inc.. (Attachments: # 1 Exhibit A# 2 Exhibit B - Part 1# 3 Exhibit B - Part 2# 4 Exhibit B - Part 3# 5 Exhibit C - Ramirez Declaration# 6 Exhibit A to Ramirez Declaration# 7 Exhibit B to Ramirez Declaration# 8 Exhibit C to Ramirez Declaration# 9 Exhibit D# 10 Exhibit E# 11 Exhibit F - Gibson Declaration# 12 Exhibit G# 13 Exhibit H - Proposed Order)(Somerstein, Mark) (Entered: 08/14/2009)**

Docket for SGI Bankruptcy

<http://www.donlinrecano.com/Dockets/sgi/09-11701>

- August 14, 2009 **“NOTICE OF HEARING REGARDING OBJECTION OF THE DEBTORS TO CLAIM OF ELIOT I. BERNSTEIN (related document(s) 606 ) filed by Mark R. Somerstein on behalf of Graphics Properties Holdings, Inc.. with hearing to be held on 9/15/2009 at 10:00 AM at Courtroom 501 (MG) Objections due by 9/10/2009, (Somerstein, Mark) (Entered: 08/14/2009)”**
- September 11, 2009 **“RESPONSE - CLAIMANT - CREDITOR ELIOT I. BERNSTEIN’S RESPONSE AND CROSS MOTION TO DEBTOR’S OBJECTIONS TO THE BERNSTEIN PROOF OF CLAIM” No. 225 filed by Debtor Counsel Ropes and Gray, LLP filed by Eliot I. Bernstein. with hearing to be held on 9/15/2009 at 10:00 AM at Courtroom 501 (MG) (Lopez, Mary) (Entered: 09/11/2009)**

<http://www.donlinrecano.com/cases/docketfile.ashx?cl=sgi&c=09-11701&d=660>

- September 13, 2009 **“RESPONSE - REPLY OF THE DEBTORS TO CLAIMANT CREDITOR ELIOT I. BERNSTEIN’S RESPONSE AND CROSS MOTIONS TO DEBTOR’S OBJECTIONS TO THE BERNSTEIN PROOF OF CLAIM No. 225 Filed By Debtor Counsel Ropes and Gray, LLP, And Motion To Estimate The Claim Of Eliot I. Bernstein (related document(s) 660 ) filed by Mark R. Somerstein on behalf of Graphics Properties Holdings, Inc.. with hearing to be held**

RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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on 9/15/2009 at 10:00 AM at Courtroom 501 (MG) (Somerstein, Mark) (Entered: 09/13/2009)

<http://www.donlinrecano.com/cases/docketfile.ashx?cl=sgi&c=09-11701&d=664>

- September 15, 2009 **“ORDER SIGNED ON 9/15/2009 SUSTAINING THE OBJECTION OF THE DEBTORS TO CLAIM OF ELIOT I. BERNSTEIN”**. (related document(s) 606 ) (Tetzlaff, Deanna) (Entered: 09/15/2009)

<http://www.donlinrecano.com/cases/docketfile.ashx?cl=sgi&c=09-11701&d=676>

- November 19, 2009 **“MOTION TO COMPEL - LETTER TO THE CLERK’S OFFICE WITH MOTION TO COMPEL AND DISQUALIFY AND OTHER RELIEF UNDER RULE 9024 AND FRCP RULE 60 FILED BY ELIOT IVAN BERNSTEIN.”** (Lopez, Mary) (Entered: 11/24/2009)

<http://www.donlinrecano.com/cases/docketfile.ashx?cl=sgi&c=09-11701&d=841>

- The SEC should note here that this document was not docketed when received by the court on September 18, 2009
- December 30, 2009 **“ORDER DENYING ELIOT BERNSTEIN’S (1) MOTION FOR RECONSIDERATION UNDER BANKRUPTCY RULE 9024 AND FEDERAL RULE OF CIVIL PROCEDURE 60 AND (2) MOTION TO DISQUALIFY (RELATED DOC # 841 ) SIGNED ON 12/30/2009”** (White, Greg) (Entered: 12/30/2009)

<http://www.donlinrecano.com/cases/docketfile.ashx?cl=sgi&c=09-11701&d=865>

- The SEC should note that this document was not served upon me and was found on the docket while preparing this Formal Complaint. Again, all those addressed herein, should note how Federal Bankruptcy Judge Martin Glenn, similar to the US Second Circuit, failed to address the factual conflicts in the case and instead tried to dismiss the complaint while failing to address the conflicts of interest and further conceal the Fraud on the Bankruptcy court. Glenn’s actions reek of illegal behavior, formal criminal complaints will follow this complaint, with all appropriate authorities.

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- The SEC should intercede in this Bankruptcy on behalf of the Shareholders of SGI.
- The Bankruptcy attempts to shift intellectual properties, which may also be related to these matters. Of course, if fraud is determined to have occurred by Executive Officers of Real 3D, Inc., Intel, Lockheed Martin and SGI, again the Shareholders of those companies would have Rescissory Shareholder Rights due to the fraud. Again, the results will be catastrophic, as already described herein and in the former SEC Official Complaints filed against these companies. Whereby the bankruptcies may represent a shell game scheme through another Fraud on a US Federal Bankruptcy court, attempting to hide and distribute assets to Officers and Directors at the expense of Shareholders, again in violation of a mass of SEC laws.

### **IVIEWIT ADDITIONAL NEW INFORMATION REGARDING SEC INVESTIGATIONS OF ENRON BROADBAND, ENRON AND ARTHUR ANDERSEN**

This Formal Complaint, as it relates to the herein relevant Federal, State and International Crimes may have direct bearing of the Ongoing Investigations of Enron and Andersen and if those investigations are not currently active, this information may be cause for further new Investigations or re-opening prior investigations in light of this information already provided herein.

### **2004-PRESENT SEC INVESTIGATION OF IVIEWIT ALLEGATIONS AND FALSE STATEMENTS BY BOCA RATON POLICE DEPARTMENT DETECTIVES TO SEC**

2004-Present SEC Investigation Regarding Iviewit and Boca Raton, Florida, Police Department regarding Investigations of Stolen Funds and Intellectual Properties. SEC Investigators claim that statements made by the Boca Raton Police Department were false regarding a two-year SEC investigation that the SEC was supposed to have been conducting with the Boca PD per detectives at the Boca PD. SEC agents involved denied ever being informed or jointly working on any investigation with the Boca PD and further denied that they were invited to a meeting at the Boca Raton PD that the Boca PD stated they would be attending. Based on these false claims by the Boca PD, the agents involved at the SEC claimed they were beginning an investigation of the matters at that time.



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- October 07, 2004 Iviewit Petition to the Florida Supreme Court regarding the SEC and Boca Raton, FL Police Department Bogus Joint Investigation @

[http://iviewit.tv/CompanyDocs/2004\\_10\\_07\\_Supreme\\_Court\\_Florida\\_Motion\\_Final\\_Cert\\_Signed.pdf](http://iviewit.tv/CompanyDocs/2004_10_07_Supreme_Court_Florida_Motion_Final_Cert_Signed.pdf)

- October 08, 2004 Supplemental Petition to Florida Supreme Court Regarding SEC and Boca Raton Police Department Bogus Joint Investigation @

<http://iviewit.tv/CompanyDocs/2004%2010%2008%20Florida%20Supreme%20Court%20SC104%201078%20motion%20supp%20cert%20.pdf>

- August 28, 2003 Written Statement to Boca Raton PD Regarding Stolen Funds, Including SBA funds @

<http://iviewit.tv/CompanyDocs/POLICE%20REPORT%20-%20STOLEN%20CASH%20TIEDEMANN%20PROLOW%20PROSKAUER.pdf>

- September 02, 2003 Written Statement to Boca Raton PD Regarding Stolen Intellectual Property @

<http://iviewit.tv/CompanyDocs/Written%20Statement%20-%20-%20Stolen%20Intellectual%20Property.pdf>

## **DISCUSSION OF ONGOING LAWSUITS AND RELATED CASES TO FEDERAL WHISTLEBLOWER LAWSUIT OF CHRISTINE C. ANDERSON**

**RELATED CASES TO WHISTLEBLOWER CASE OF CHRISTINE C. ANDERSON, MARKED LEGALLY "RELATED" BY US FEDERAL JUDGE SHIRA A. SCHEINDLIN AT THE US DISTRICT COURT SOUTHERN DISTRICT NY**

1. 07cv09599 Anderson v The State of New York, et al.  
**WHISTLEBLOWER LAWSUIT** which other cases have been marked legally "related" to by Federal Judge Shira A. Scheindlin

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2. 07cv11196 Bernstein, et al. v Appellate Division First Department Disciplinary Committee, et al.
3. 07cv11612 Esposito v The State of New York, et al.
4. 08cv00526 Capogrosso v New York State Commission on Judicial Conduct, et al.
5. 08cv02391 McKeown v The State of New York, et al.
6. 08cv02852 Galison v The State of New York, et al.
7. 08cv03305 Carvel v The State of New York, et al.
8. 08cv4053 Gizella Weisshaus v The State of New York, et al.
9. 08cv4438 Suzanne McCormick v The State of New York, et al.
10. 08cv6368 John L. Petrec-Tolino v. The State of New York
11. 06cv05169 McNamara v The State of New York, et al.

### **CASES @ UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT**

12. 08-4873-cv Bernstein et al. v Appellate Division First Department Disciplinary Committee, et al.
13. 08-4879-cv Luisa C. Esposito v The State of New York et al.
14. Capogrosso v New York State Commission on Judicial Conduct, et al.
15. McKeown v The State of New York, et al.

In reviewing this Formal Complaint the SEC should note one of the biggest problems in bringing these criminals to prosecution is that those involved in the criminal activities are large law firms and therefore have the ability to cover-up their crimes through penetration and perversion of justice, far easier than for most organized criminal enterprises. The ability to infiltrate justice, using their pedigree of law, allows the fox into the henhouse, allowing them to deflect criminal and civil complaints by violating public offices, violating conflict of interest rules and law and fearing no legal repercussions as they control the NY Courts and Regulators top down. In fact, being



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lawyers, allows them the ability to even, in some circumstances, control law, rewrite law, control the courts and control or replace those who would typically uphold the law.

Enter Christine C. Anderson, Esq. to help prove this point of corruption not only in the NY courts but also at the US Attorney, NY Attorney General and NY District Attorney offices. Anderson is a former staff attorney at the New York Supreme Court Appellate Division First Department Departmental Disciplinary Committee ("First DDC") and a rare hero in the courts. Anderson fired for standing up to illegal acts and injustices in the NY ETHICS department, injustice at the highest office of law. When the regulatory body for attorney misconduct has no ethics, law becomes lawlessness. Note here, that the First DDC is the ethics department that regulates Wall Street attorneys which of late appears to be more like the streets of Sodom and Gomorra.

Anderson filed a Federal Lawsuit<sup>19</sup> and in her original filing mentioned my companies Iviewit, regarding a Motion Iviewit filed against the former Chief Counsel of the First DDC, Thomas Cahill ("Cahill") and others for violations of public offices. Cahill then ordered for investigation with the former President of the New York Bar Association ("NYSBA") and head of the ethics' departments in New York, Steven C. Krane ("Krane") of Proskauer Rose and his Proskauer partner Rubenstein. Orders for investigation were by Unanimous Consent of Five Justices of the New York Supreme Court Appellate Division First Department ("First Dept")<sup>20</sup> for the Appearance of Impropriety and Conflicts of Interest, this occurring prior to Iviewit's learning of Anderson.

Krane found handling complaints at the First DDC against his firm Proskauer and Proskauer attorney Rubenstein, while an officer of the First DDC and the head of the ethics' departments throughout New York. Krane also violated Public Office acting within a one-year blackout whereby the NYSBA precludes officers for a year after service from handling disciplinary complaints. Further, Cahill lied when confronted about Krane's role at the First DDC and even claimed he did not know if Krane was an officer of the court. Yet, upon contacting then clerk of the First Dept., Catherine

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<sup>19</sup> October 26, 2007 Anderson Federal Filing Pages 24-25

<http://iviewit.tv/CompanyDocs/2004%2008%2011%20new%20york%20first%20department%20orders%20investigation%20Krane%20Rubenstein%20Joao.pdf>

<sup>20</sup> August 11, 2004 First Dept Court Order for Investigation of Krane, Rubenstein and Joao

<http://iviewit.tv/CompanyDocs/2004%2008%2011%20new%20york%20first%20department%20orders%20investigation%20Krane%20Rubenstein%20Joao.pdf>

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O'Hagan Wolfe ("Wolfe"),<sup>21</sup> now clerk of the Second Circuit Court, Wolfe claimed that not only did Cahill know Krane was an acting and present officer of the court but that they had all had a scheduled First DDC meeting shortly.

Wolfe directed me to file the Motions against Cahill, Krane, Rubenstein, Proskauer, Meltzer and Joao with First Dept that led to the Orders for Investigation. The New York Supreme Court Appellate Division Second Department Departmental Disciplinary Committee ("Second DDC") and the New York Supreme Court Appellate Division Second Department ("Second Dept") then derailed the investigations and then further conflicts with Krane were discovered with the investigator at the Second DDC. The SEC should note here that Krane also was a law clerk for Chief Judge Judith Kaye and Kaye was married to Proskauer Partner, Stephen R. Kaye, who late in life became a partner in the newly formed Proskauer Intellectual Property department with Rubenstein, after learning of my inventions.

The complaints were then elevated to Federal Authorities, as it appeared that the New York Courts were corrupted top down, with Kaye controlling not only the courts but also the disciplinary departments of New York with Krane. Krane was hands on controlling the complaints filed against Proskauer and Proskauer partners, then even handling his own complaint while still a First Dept. officer. Unbelievable, yet Anderson provides pivotal evidence that the corruption was far worse than merely blocking my individual complaints against Proskauer attorneys, and in fact, exposes the corruption reaching the highest investigatory bodies in New York and in conspiracy with the Ethics Department. In order to support the heroic efforts of Anderson exposing this perverse internal court and ethics corruption, I filed my Federal RICO Lawsuit seeking relation to Anderson's lawsuit and while Judge Scheindlin did not approve all requests for relation to Anderson, she did mark mine, along with several others, as legally "related" to Anderson.

Anderson, in sworn testimony to the New York Senate Judiciary Committee<sup>22</sup> and in open Federal Court in Scheindlin's court, made claims that made the First Dept. look like a mob run organization, even physically assaulting Anderson who is approximately 63 years old. Anderson revealed in Federal Court that the First Dept had a "Cleaner" named Naomi Goldstein ("Goldstein") and that Goldstein was cleaning complaints, with

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<sup>21</sup> Wolfe is a Defendant in my Federal RICO and ANTITRUST Lawsuit, as well as, originally a Defendant in Anderson's complaint only later removed in Anderson's Amended Complaint.

<sup>22</sup> June 08, 2009 Senate Judiciary Committee hearing, Anderson's testimony starts in the video at 31 min 51 sec @ [http://www.youtube.com/watch?v=HR8OX8uuAbw&feature=player\\_embedded](http://www.youtube.com/watch?v=HR8OX8uuAbw&feature=player_embedded)

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Cahill<sup>23</sup> for not only “favored lawyers and law firms” but that she was cleaning complaints for the US Attorney, the District Attorney and the Assistant District Attorney. Anderson went on additionally to support here testimonies with a written statement of the corruptions, including claims of document and evidence destruction in attorney complaints found at the following URL @ <http://iviewit.tv/wordpress/?p=209> whereby Exhibit 2 at the URL contains Anderson’s sworn statement.

Mind blowing revelations not only confirming my deepest fears of alleged corruption in the ETHICS department but fingering Cahill, Wolfe and others in a CONSPIRATORIAL effort to deny not only individual rights in the courts but to use the Ethics Department as an Attorney Protection Agency. Anderson depicts the First DDC as a self-regulated disaster, a disgrace to the very term Ethics, a disgrace to the profession of Law, with those in charge acting criminally.

Pause for a moment to capture the breadth of these implications, not only in relation to this Formal Complaint but also in relation to the problems currently facing the country as a whole. Andersons’ revelations expose the corruption plaguing New York’s legal community but also now force a number of investigations to begin. Investigations of Federal and State Agencies, including but not limited to, the First Dept, the First DDC, the US Attorney, the District Attorney, the Assistant District Attorney and the New York State Attorney General. Investigation into every prior complaint that complains of injustice and denial of due process by all of these agencies, including my complaints with these agencies that mirror almost identically the claims Anderson made. All opinions, orders, rulings, reviews, both in the courts and at the investigatory agencies must now be discarded, re-evaluated and re-investigated by non-conflicted third parties and most likely outside of the corruption that plagues New York at the moment.

Anderson it appears had no regulatory or investigatory agency to turn to with her Whistleblower allegations as those charged with investigating such matters were all part of the alleged conspiracy and the very people and agencies she was complaining of in her Federal Lawsuit. In fact, the New Attorney General Andrew Cuomo, whose job it is to investigate New York Public Office Crimes through the Public Integrity Division of the AG, instead represents the State of New York Defendants, both professionally and individually.

Representation that appears illegal as the NY AG Cuomo is legally bound to advise the State Defendants to get independent counsel when there is Conflict in his representation. Conflicts that interfere with his duties to the People, as in Anderson’s

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<sup>23</sup> Cahill is both a Defendant in my Federal RICO and ANTITRUST Lawsuit and a Defendant in Anderson’s Lawsuit.

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case, where there is Absolute Conflict force the NY AG to investigate the Public Officials on behalf of the People of New York, not defend them. There are also problems created by the NY AG representing the Anderson defendants both personally and professionally and yet again, the NY AG violates these public office rules. These illegal representations are not only conflicted but the conflicts act to block due process and procedure by creating Obstruction of Justice, as the illegal representations of the defendants leaves no one investigating the defendants.

Anderson has filed a complaint with Scheindlin's court to dismiss the entire hearing in her case due to the AG fraud on the court. While Anderson filed this Motion Pro Se, Scheindlin rejected the filing on the grounds that she has counsel but Scheindlin did not formally rule on the matters yet and where Anderson's arguments remain valid.

November 16, 2009 Anderson's "Notice of Motion"

[http://www.frankbrady.org/TammanyHall/Documents\\_files/Anderson%20111609%20Filing.pdf](http://www.frankbrady.org/TammanyHall/Documents_files/Anderson%20111609%20Filing.pdf)

It should be noted here that similar to Anderson's claims that the NY AG has acted illegally and perpetrated a fraud on the court, I made very similar claims of internal corruption and for almost identical reasons prior to ever learning of Anderson. The NY AG Cuomo illegally represents as counsel both personally and professionally, the State Defendants in my Federal RICO and ANTITRUST Lawsuit in violation of his Public Office Duties. The NY AG also has issues of conflict in my Lawsuit, directly, including the fact that the NY AG is a Defendant in my Federal RICO and ANTITRUST. Information pertaining to the allegations against the NY AG can found by a thorough review of both my New York District Court and Court of Appeals filings and all of which hereby are incorporated in this Formal Complaint in entirety by reference herein.

Therefore, when considering this Formal Complaint and until all investigations ongoing worldwide and especially now in New York are fully completed, I request that any decisions emanating from New York, the First Dept, the First DDC, the New York courts, the Federal Courts, the Florida courts and Florida and Virginia State Bars be wholly discounted. Discounted and discarded entirely, as they have all been influenced by the illegal actions of the First Dept and First Dept DDC. Discarded and expunged other than to serve as evidence of the crimes committed and to fingerprint all those involved in the criminal enterprise operating inside the courts and reveal the hierarchy of criminals inside the courts, regulatory bodies and prosecutorial offices. Note here that in the state of Florida, similar conflicts to New York were discovered, again with Proskauer Partners caught violating Florida Bar Public Offices, the Florida Bar now also a Defendant in my Federal RICO and ANTITRUST Lawsuit.

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The ongoing court cases and investigations in New York and then Florida will all be subject to appeal because they emanate from the complaints filed in the First Dept and First DDC and many agencies may have relied upon the decisions in making their decisions. Due to the material Fraud on the Courts and Fraud inside investigatory agencies committed, through a never-ending series of Conflicts of Interest that act to Obstruct Justice leading to a denial of due process and procedure which influenced the outcomes of my complaints, all complaints and investigations will need to be removed from the persistent and continued conflicts of interest at play in New York and re-examined. Without conflicts, the proverbial "peeling of the onion" will begin, revealing a massive criminal organization led by corrupted law firms inside Public Offices to make the Tammany Hall Scandal in New York of Boss Tweed's day seem like a parking infraction.

On information and belief, another Whistleblower also has emerged from the First Dept, a one Nicole Corrado ("Corrado"), allegedly threatened by a First DDC official on her way to give a deposition in the Anderson case. On information and belief, Corrado's own claims center upon sexual misconduct allegations. Corrado has been on leave since the Federal Witness Tampering allegations surfaced. Also of note is that on June 28, 2007 an article appeared in Expose Corrupt Courts that further illustrates just how out of control the ETHICS departments are, titled, "Sex Scandal at the Attorney Committee on Character & Fitness", which may have been part of the cause for the departure of Cahill from the First DDC. The story at,

<http://exposecorruptcourts.blogspot.com/2007/06/sex-scandal-at-attorney-committee-on.html>

Hard to believe? Harder to believe that almost all of the ongoing problems in the United States at this time, from the WallStreet Meltdown, to lax or complicit State and Federal Regulators allowing a fleecing of the markets and the People's home equity to their 401k's, to Violations of War Crime Statutes and Torture Treatises, all center around *lawyers complicity and involvement in crimes*. All involve further derailing of justice as described by Anderson, whereby complaints against our leaders are whitewashed illegally to deflect prosecution. In almost all instances, the lawyers come from the state of New York and almost all in the hub of corruption Anderson defines at the New York Supreme Court Appellate Division First Department.

This sad but true fact of lawyers gone bad evidenced in the Schemes of Madoff, Dreier and Stanford finds lawyers and regulators center stage in the scandals, again many are also Defendants in my RICO and ANTITRUST lawsuit. Lawyers alleged to be rigging banking laws in Florida to allow the Stanford Ponzi to exist in the first place. Or,

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directly lax and complicit lawyers, acting as regulators in the Madoff and Stanford Schemes and in both of these, Proskauer and other Defendant lawyers and law firms in my Federal RICO and ANTITRUST lawsuit again tied at the center of the scandals.

Apparently, after committing crimes or covering them up through the MISUSE of Public Offices, these dirty rotten lawyers and regulators then hired back to the Criminal Enterprise Law Firms and rewarded with partnerships. One should question why these lawyers are leaving highly paid and comfortable law firm partnerships to take jobs as civil servants in the first place. To prevent conflict, thorough screenings of lawyers and regulators, prior to involvement with cases directly tied to their law firms are mandatory but again we find with no regulators regulating, a complete breakdown of conflict laws allows a further mass of crimes.

- January 05, 2010 The AmLaw Daily “TPM Shines Spotlight on Allen Stanford's Lawyers” by Brian Baxter

<http://amlawdaily.typepad.com/amlawdaily/2010/01/stanfords-lawyers.html>

## **SEC REGULATORY FAILURES AND PUBLIC PRESSURE FOR CHANGE RESULTING FROM PAST ADMINISTRATION REGULATORY FAILURES**

The SEC may have internal problems of its own relating to the Iviewit matters and conflicted cross currents to SEC actions already underway, in relation to Iviewit matters evidenced herein and therefore for several reasons oversight of the SEC must be instituted going forward and why this Formal Complaint includes addressing to the Inspector General for the SEC. With SEC failures now public and a lawsuit for such failures filed recently, the fact that the events herein are during the time where regulatory failure was the SOP (Standard Operating Procedure) at the SEC that led to the recent meltdown of our economy, all these events may have started as efforts to derail SEC investigations into the Iviewit matters.

I, therefore respectfully request, that the SEC sign the attached Conflict of Interest Disclosure, prior to ANY action in these matters and by all those charged with handling these matters prior to any involvement or decisions. I also request the SEC to call in immediate oversight authorities if investigation or even reviewing the matters, including but not limited to, the Inspector General whom I already summoned herein. All SEC oversight, Congressional Committees, etc., should be notified to review what, if anything, has occurred in the many years since the SEC had knowledge of criminal allegations

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resulting from the Iviewit matters with the Boca PD and in the more recent Formal Complaints against major Blue Chip Companies. Oversight to determine if SEC agents involved thus far have followed procedure already in these matters.

While your investigation may or may not include my personal involvement the investigation, the investigations need to relegate Conflict of Interest prior to allowing conflicts to seep in and derail due process. As Conflicts of Interest are center stage in my Federal RICO and ANTITRUST Lawsuit and Public Office violations are already being investigated and further where those Conflicts have led now to criminal allegations against all those who have been found conflicted, as conspirators in the overall RICO and ANTITRUST, an ounce of prevention will be worth its weight in gold.

The following public information from recent Press stories concerns me gravely but I reserve my judgment of the SEC's investigation into all of these matters, including the Iviewit investigation dating far back regarding the Boca Raton PD, until the matters are formally reviewed and addressed per SEC formal complaint procedures.

Yet, in the interim, I fear Stockholders of these major companies complained about herein may be horribly compromised in such time and therefore request that the SEC, in order to protect the Shareholders, immediately put restraints on all transactions of these companies named herein and in exhibit. Freezing assets and/or other injunctive actions by the SEC instantly should be enacted to halt further crimes against the Shareholders of the complained of companies and the Injured Ponzi victims. Actions that should last until all of these matters described herein are reviewed by the SEC or sent for a Special Prosecutor to investigate if conflicts are found to already exist. All of these matters described herein must now be reviewed by appropriate oversight and fully adjudicated by all State, Federal and International Authorities who are conducting ongoing investigations of ANY of the matters before further harms can occur to the People.

- SEC REPORT - Investigation of Failure of the SEC to Uncover Bernard Madoff's Ponzi Scheme - Public Version - August 31, 2009 Report No. OIG-509

<http://www.sec.gov/news/studies/2009/oig-509.pdf>

The SEC and other investigators addressed herein should pay particular attention to the role of Jacqueline Wood, of Proskauer Rose LLP, a former Staff Attorney for the Securities and Exchange Commission, who is central to the SEC regulatory failures and mentioned throughout the report.

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- “SEC Sued Over Failure To Disclose Post-Madoff Reforms” January 06, 2010 by Nick Pinto @ TPM Media LLC.

[http://tpmmuckraker.talkingpointsmemo.com/2010/01/sec\\_sued\\_over\\_failure\\_to\\_disclose\\_post-madoff\\_refo.php](http://tpmmuckraker.talkingpointsmemo.com/2010/01/sec_sued_over_failure_to_disclose_post-madoff_refo.php)

- The New York Times ~ “The S.E.C.’s Whistleblower Problem” January 21, 2010 by Legal Blog

<http://dealbook.blogs.nytimes.com/2010/01/21/the-secs-whistle-blower-problem>

- The Washington Post ~ “At SEC, the system can be deaf to whistleblowing” January 21, 2010 by Zachary A. Goldfarb Washington Post Staff Writer

<http://www.washingtonpost.com/wp-dyn/content/article/2010/01/20/AR2010012005125.html?dbk>

The reason for mentioning these internal regulatory problems currently and in the past is that the SEC now has the ability to tie all these investigations together to the Iviewit matters and prevent Shareholder Fraud on Companies complained of herein and in the attached exhibits and links. This presents an opportunity for the SEC to regain *trust and confidence of the public and preclude future lawsuits by injured Shareholders* against the SEC and many others. This is not regulatory failure or lack of regulation being complained of herein, these are very real federal allegations of criminal acts committed with Scierter to disable regulatory agencies so that the Criminal Enterprise disguised as Law Firms and Judges can commit crimes without fear of repercussions. Where the criminals may have infiltrated regulatory agencies in the past, it is now time for the SEC to show that it will not allow MAJOR CRIMES on SHAREHOLDERS of BLUE CHIP COMPANIES to continue after receiving legitimate complaints. More importantly for those handling these matters at the SEC is that the SEC is not found COMPLICIT in aiding and abetting the crimes.

Certainly, with the new information contained in this Formal Complaint, the SEC will forthright address these issues before exposure to massive liabilities results from failure to investigate and stop the crimes, which is allowing these complained of companies fraudulently to manipulate their corporate stocks. These fraudulent securities transactions possibly being structured to the detriment of Shareholders Worldwide in these most heavily traded blue chip companies must be stopped immediately while formal investigations are undertaken. At this time, however, as noted in my Feb. 2009 letter to the Office of the US President Barack Hussein Obama II and the US Attorney



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General Eric Holder<sup>24</sup>, I wish to bring to your direct attention the identities of several federal offices already involved in this ongoing national and international Intellectual Properties theft and fraud.

Please note that I provide the FBI and SEC and its various Office and Division heads this background solely as a starting point for full and proper investigations of Warner Bros et al. and related parties in this matter. I remain personally available to provide further information as necessary. It should be noted that a wealth of the history of these matters with additional evidence is available at my website [www.iviewit.tv](http://www.iviewit.tv), including links to the current federal complaint filed in the US Court of Appeals 2<sup>nd</sup> Circuit and the complaint filed with the US District Court – Southern District of New York.

## **LIST OF CURRENT ONGOING FEDERAL, STATE & INTERNATIONAL INVESTIGATIONS**

Investigations that will aid and facilitate the SEC with background information for the proper performance of complete investigations by the SEC allowing for information sharing with these agencies, some of the key offices are as follows:

- Glenn A. Fine, Office of Inspector General of the US Department of Justice
- Commissioner of Patents, US Patent Office
- Harry Moatz, Director, Office of Enrollment & Discipline of the US Patent Office
- Hon. Chairman John Conyers, United States House Judiciary Committee
- Hon. Dianne Feinstein, United States Senate Judiciary Committee
- Senator John L. Sampson, Chairman, New York Senate Judiciary Committee

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<sup>24</sup> February 13, 2009 Letter to President Barack Obama

<http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20090213%20FINAL%20SIGNED%20LETTER%20OBAMA%20TO%20ENJOIN%20US%20ATTORNEY%20FINGERED%20ORIGINAL%20MAIL%20l.pdf>

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RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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- Inspector General Tax
- Inspector General SBA
- A List of Ongoing Federal, State & International Actions can be found @

<http://iviewit.tv/CompanyDocs/INVESTIGATIONS%20MASTER.htm>



RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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## EXHIBIT 1

### Warner Bros. Contacts

#### New Contacts Left Message of Shareholder Liabilities

1. Barry M. Meyer ~ Chairman and CEO:
2. Alan F. Horn ~ President and COO:
3. Edward A. Romano ~ EVP and CFO:

#### Past Contacts under NDA, Patent Confidentialities and Licensing Agreement

4. Wayne M. Smith ~ Vice President and Chief Patent Counsel:
5. Massimiliano Gasparri ~ Director Multimedia Technology:
6. Lawrence S. Kelly ~ Director Strategic Planning & Business Development
7. Brent Roberts ~ Director: Workstation Systems WB Online
8. Thomas Sanford
9. Jeremy Wall ~ Manager Business Development - Warner Bros. New Media
10. Clarissa C. Weirick ~ Vice President General Counsel, New Media:
11. Ray Caldito ~ Director of Business Development:
12. Charles L. Dages ~ Senior Vice President Technology Emerging Technology New Media: Colter and Thagard Direct Report, Oversaw Iviewit technology evaluations, etc.
13. David J. Colter ~ Vice President Technology - Technological Operations Warner Bros.
14. Greg B. Thagard ~ Vice President Advanced Technology Technical Operations:
15. Carolyn Wessling ~ Director of Business and Legal Affairs
16. Spencer H. C. Yu ~ Director Business & Legal Affairs
17. Michael Rackman ~ Counsel Patents: Colter sent patent info
18. Alan Rubenstein ~ Counsel Patents: Colter sent patent info
19. John D. Calkins ~ Senior Vice President New Media Business Development
20. Chris Cookson ~ Executive VP Technology Operations: Key decision maker in licensing deal with Iviewit
21. Kevin Tsujihara ~ Executive Vice President: Introduced Iviewit to Dages after review
22. Wendy Aylsworth ~ Vice President Technology

RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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23. Michael Tritter ~ Chief Administrative Assistant to Don Buckley:  
Referred by Don Buckley, Sam Smith and Chuck Dages to expand Iviewit technologies across all sites and domains
24. Don Buckley ~ Senior Vice President Theatrical Public Relations:
25. Alan Bell ~ Senior Vice President, Technical Operations:
26. Larry Fischer ~ Director Operations & Engineering:
27. Kevin Froning ~ Director Engineering & Maintenance
28. Michael Carroll ~ Senior Staff Scientist, Network Architecture
29. Beattie Katie ~ Warner Online
30. Morgan Keiser ~ Warner Online
31. Jennifer Stewart ~ Software Specialist Advanced Technology
32. Houston T. ~ Manager of Multimedia
33. Sam Smith ~ Vice President Advanced Technology
34. Katie Beattie ~ Manager of Business Development
35. Guy Vardaman ~ Director Production & Original Programming
36. Karen Miller ~ Vice President Content Programming
37. Morgan Hall ~ Senior Producer of Original Programming

### **AOL, Inc. Contacts**

#### Recent Contacts

38. Tim Armstrong ~ Chairman and CEO: Contacted Regarding Shareholder Liabilities from Infringement and Lawsuit
39. Ira Parker ~ General Counsel and Executive Vice President, Corporate Development: Contacted Regarding Shareholder Liabilities from Infringement and Lawsuit
40. Christopher Day ~ Assistant General Counsel - Patent Litigation, Prosecution, and Licensing: Contacted Regarding Shareholder Liabilities from Infringement and Lawsuit
41. Jerry McKinley ~ Executive Escalation Team: Contacted Regarding Shareholder Liabilities from Infringement and Lawsuit

#### Past Contacts involved directly with Iviewit and under NDA's etc.

42. Ted Leonsis ~ Vice Chairman and New Product Officer: Colter contacted and he referred to Raduchel and others
43. Stephen M. Case ~ Chairman of the Board

RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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44. William J. "Bill" Raduchel ~ Chief Technology Officer and Executive Vice President – Leonsis referred the Iviewit investment information to Raduchel for review.
45. Steven Blumenfeld ~ Vice President, Advanced Services-AOL by Phone, AOL Time Warner: Patents sent to him and NDA
46. Janet Hall ~ Technical Director ~ referred to Iviewit by Ted Leonsis and Chuck Brunelas. Meetings in Nov. 2000
47. Ted Maidenberg ~ Senior Analyst: Ted spoke to Hank Powell, Iviewit Investor from Crossbow Ventures of West Palm Beach regarding AOL investment in Iviewit.
48. Matt McConnell ~ Director, Business Affairs & Development: Worked with William Raduchel.
49. Mario Vecchi ~ Head of Broadband Technology, reviewed and passed the information to David Corboy, senior director of technology.
50. Heidi Krauel ~ Associate Business Affairs: Part of AOL review for investment group
51. Velvet Carter ~ Executive Assistant for Mario Vecchi: In August 2000 presented the technologies and she presented them to M. Vecchi
52. Amy Hyde-Juarez ~ AOL Streaming Services
53. Gerald M. Levin ~ Chief Executive Officer of AOL Time Warner Inc.:

**Time Warner Contacts**

54. Chairman and Chief Executive Officer: Jeffrey L. Bewkes  
Executive Vice President and General Counsel of Time Warner Inc.: Paul T. Cappucci

Respectfully Yours,



Eliot I. Bernstein  
Founder & Inventor

Iviewit Holdings, Inc. – DL

*February 12, 2010*

*Dis 5/3*

RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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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:

The Honorable Elena Kagan  
Solicitor General  
US Department of Justice

Robert S. Mueller, III.  
Director  
Federal Bureau of Investigation

Candice M. Will  
Assistant Director, Office of Professional Responsibility  
Federal Bureau of Investigation

Chris P. Mercer  
President  
Institute of Professional Representatives before the European Patent Office (epi)

Steven Michael Cohen  
Counselor and Chief of Staff for Andrew Cuomo  
New York Office of the Attorney General

Joseph M. Demarest, Jr.  
FBI Assistant Director in Charge of the New York Division, 26 Federal Plaza, 23rd Floor  
New York, NY 10278-0004

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**Iviewit Holdings, Inc./Iviewit Technologies, Inc.**  
2753 N.W. 34<sup>th</sup> St. Boca Raton, Florida 33434-3459  
(561) 245.8588 (o) / (561) 886.7628 (c) / (561) 245-8644 (f)  
[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) - [www.iviewit.tv](http://www.iviewit.tv)

RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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David A. Paterson  
Governor  
New York State

New York Senate Judiciary Committee

Members:

[sampson@senate.state.ny.us](mailto:sampson@senate.state.ny.us) ; [onorato@senate.state.ny.us](mailto:onorato@senate.state.ny.us) ;  
[schneiderman@schneiderman.org](mailto:schneiderman@schneiderman.org) ; [schneiderman@senate.state.ny.us](mailto:schneiderman@senate.state.ny.us) ;  
[hasselt@senate.state.ny.us](mailto:hasselt@senate.state.ny.us) ; [diaz@senate.state.ny.us](mailto:diaz@senate.state.ny.us) ; [jdklein@senate.state.ny.us](mailto:jdklein@senate.state.ny.us) ;  
[eadams@senate.state.ny.us](mailto:eadams@senate.state.ny.us) ; [espada@senate.state.ny.us](mailto:espada@senate.state.ny.us) ; [breslin@senate.state.ny.us](mailto:breslin@senate.state.ny.us) ;  
[dilan@senate.state.ny.us](mailto:dilan@senate.state.ny.us) ; [savino@senate.state.ny.us](mailto:savino@senate.state.ny.us) ; [perkins@senate.state.ny.us](mailto:perkins@senate.state.ny.us) ;  
[maziarz@senate.state.ny.us](mailto:maziarz@senate.state.ny.us) ; [jdefranc@senate.state.ny.us](mailto:jdefranc@senate.state.ny.us) ;  
[volker@senate.state.ny.us](mailto:volker@senate.state.ny.us) ; [saland@senate.state.ny.us](mailto:saland@senate.state.ny.us) ; [lavalle@senate.state.ny.us](mailto:lavalle@senate.state.ny.us) ;  
[bonacic@senate.state.ny.us](mailto:bonacic@senate.state.ny.us) ; [winner@senate.state.ny.us](mailto:winner@senate.state.ny.us) ;  
[nozzolio@senate.state.ny.us](mailto:nozzolio@senate.state.ny.us) ; [lanza@senate.state.ny.us](mailto:lanza@senate.state.ny.us) ; [ranz@senate.state.ny.us](mailto:ranz@senate.state.ny.us) ;  
[spotts@senate.state.ny.us](mailto:spotts@senate.state.ny.us) .

Hon. Andrew Cuomo  
Attorney General  
Office of the Attorney General  
The Capitol  
Albany, NY 12224-0341  
and  
120 Broadway  
New York City, NY  
10271-0332

Monica Connell, Esq.  
Assistant Attorney General - Division of State Counsel Litigation Bureau, State of New York  
Office of the Attorney General  
120 Broadway  
New York City, NY  
10271-0332

Thomas P. DiNapoli  
Comptroller  
State of New York

Robert Morris Morgenthau  
District Attorney of New York County

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RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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One Hogan Place  
New York, NY 10013  
212-335-9000

Lovett & Bellatoni  
37A Saw Mill River Road, RT 9A  
Hawthorne, NY 10532

NY TIMES  
WASHINGTON POST  
CNBC  
RACHEL MADDOW  
Other Select Media

Select Iviewit Shareholders and Patent Interest Owners

Enclosure(s)/Attachment(s)

Uniform Resource Locator(s)

All Uniform Resource Locators ( URL 's) and Exhibited Links are incorporated in entirety by reference herein, including the over 1000 evidentiary links on the homepage at [www.ivaluetv.com](http://www.ivaluetv.com)

cmb/eib  
1/16/238  
NS



RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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## EXHIBIT 2

# CONFLICT OF INTEREST DISCLOSURE FORM

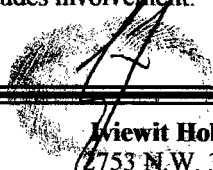
### FAILURE TO COMPLY MAY RESULT IN CRIMINAL AND CIVIL CHARGES AGAINST YOU

Please accept and **return signed** the following Conflict of Interest Disclosure Form (COI) before continuing further with adjudication, review or investigation of the attached **OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER, REGARDING TRILLION DOLLAR ALLEGED FRAUD ON SHAREHOLDERS; FASB NO. 5 AND OTHER SEC, ACCOUNTING VIOLATIONS AND VIOLATIONS OF STATE, FEDERAL AND INTERNATIONAL LAWS; RESCISSORY RIGHTS OF SHAREHOLDERS; EVIDENCE AND IMPORTANT INFORMATION FOR THE SEC REGARDING ONGOING SEC INVESTIGATIONS OF BERNARD L. MADOFF, MARC S. DREIER, ALLEN STANFORD, PROSKAUER ROSE, GALLEON ENRON BROADBAND, ENRON, ARTHUR ANDERSEN, AND MORE.**

This Conflict of Interest Disclosure Form designed to ensure that the review and any determinations from such review of the enclosed materials are not biased by any conflicting financial interest or any other conflicting interest by those reviewers responsible for the handling of this confidential information. Whereby any conflict with any of the main alleged perpetrators listed in the attached List of Parties of the alleged crimes referenced in these matters or any other perpetrators not know at this time must fully be disclosed and affirmed in writing and returned for review prior to any action on your part.

Disclosure forms with "Yes" answers by any party to any of the following questions are demanded not to open the remainder of the documents or opine in any manner and instead forward the matters on to the next available reviewer that is free of conflict that can sign and complete the requisite disclosure. Please identify conflicts that you have in writing upon terminating your involvement in the matters. As many of these alleged perpetrators are large law firms, members of various state and federal courts and officers of federal, state and local law enforcement agencies, careful review and disclosure of any conflict with those named herein is **pertinent in your continued handling of these matters.**

As these matters involve claims of, including but not limited to, conflicts, violations of public offices, interference with complaints in the Supreme Court of New York, coercion, document destruction, obstructions of justice, tampering with Federal Witnesses, RICO, ATTEMPTED MURDER, the need for prescreening for conflict is essential to the administration of due process in these matters to avoid further OBSTRUCTION OF JUSTICE. Federal Judge Shira A. Scheindlin has legally related these matters to a Whistleblower Lawsuit who alleges similar claims of public office corruption against Supreme Court of New York personnel and possibly others. Please take this as a formal written request for full disclosure of any conflict on your part to any related matters known or unknown, such request conforming with all applicable state and federal laws, public office rules and regulations, attorney conduct codes and judicial canons or other international law and treatises requiring disclosure of conflicts and recusal from matters where conflict precludes involvement.



RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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Failure to comply with all applicable conflict disclosure rules, regulations and laws prior to continued action on your part **will be cause** for the filing of complaints against you for any decisions or actions you make prior to a signed Conflict Of Interest Disclosure Form with all applicable regulatory agencies. Complaints will be filed with all appropriate authorities, including but not limited to the appropriate, Federal, State, Local and International Law Enforcement Agencies, Public Integrity Officials, Judicial Conduct Officials, State and Federal Bar Associations, Disciplinary Departments and any/all other appropriate oversight agencies for failing to follow well established rules and regulations governing public office conflict, attorney conduct conflicts, judicial conduct and law.

- I. Do you, your spouse, and your dependents, in the aggregate have, any direct or indirect relations (relationships), or interest in any outside entity or any direct or indirect relations (relationships) to the parties listed in attached LIST OF PARTIES to the proceeding of the matters you are reviewing?

NO  YES

**Please describe in detail any identified conflicted parties on a separate and attached sheet. Fully disclose all information regarding the conflict. If the answer is YES, please describe the relations, relationships and / or interests and please affirm whether such presents a conflict of interest in fairly reviewing the matters herein without undue bias or prejudice of any kind. Please indicate if you are seeking waiver of the conflict(s) or will be disqualifying from involvement in these matters.**

- II. Do you, your spouse, and your dependents, in the aggregate have, any direct or indirect relations (relationships), or interest in any outside entity or any direct or indirect relations (relationships) to Any other known or unknown person or known or unknown entity not named herein that will cause your review of the complaint you are charged with investigating to be biased by any conflicting past, present, or future financial interest or any other interest(s)?

NO  YES

**Please describe in detail any identified conflicted parties on a separate and attached sheet. Fully disclose all information regarding the conflict. If the answer is YES, please describe the relations, relationships and / or interests and please affirm whether such presents a conflict of interest in fairly reviewing the matters herein without undue bias or prejudice of any kind. Please indicate if you are seeking waiver of the conflict(s) or will be disqualifying from involvement in these matters.**

- III. Do you, your spouse, and your dependents, in the aggregate, receive salary or other remuneration or financial considerations from any entity related to the enclosed parties to the proceeding of the matters including but not limited to campaign contributions whether direct, "in kind" or of any type at all?

NO  YES

**Please describe in detail any consideration(s) on a separate and attached sheet fully disclosing all information regarding the consideration(s). If the answer is Yes, please describe the relations, relationships and / or interests and please affirm whether such presents a conflict of interest in fairly reviewing the matters herein without undue bias or prejudice of any kind. Please indicate if you are seeking waiver of the conflict(s) or will be disqualifying from involvement in these matters.**

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- IV. Have you, your spouse, and your dependents, in the aggregate, had any prior communication(s), including but not limited to, phone, facsimile, e-mail, mail, verbal, etc. with any person related to the proceeding of the Iviewit or related matters?

NO  YES

**Please describe in detail any identified communication(s) on a separate and attached sheet fully disclosing all information regarding the communication(s). If the answer is YES, please describe the communication(s) in detail, including but not limited to, who was present, what type of communication, the date and time, please affirm whether such communication(s) present a conflict of interest in fairly reviewing the matters herein without undue bias or prejudice of any kind.**

- V. I have run a thorough and exhaustive Conflict of Interest check to conform with any and all state, federal or local laws, public office rules and regulations, judicial cannons, attorney conduct codes and any other professional association rules and regulations regarding disclosure of any conflict(s) to verify that my spouse, my dependents, and I in the aggregate, have no conflict(s) with any parties to the matters referenced herein.

NO  YES

- VI. I have notified all parties with any liabilities regarding my continued actions in these matters, including state auditors and agencies, insurance concerns or any other person with liability that may result from my actions in these matters.

NO  YES

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RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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## LIST OF PARTIES

- Proskauer Rose, LLP; Alan S. Jaffe - Chairman Of The Board - ("Jaffe"); Kenneth Rubenstein - ("Rubenstein"); Robert Kafin - Managing Partner - ("Kafin"); Christopher C. Wheeler - ("Wheeler"); Steven C. Krane - ("Krane"); Stephen R. Kaye - ("S. Kaye") and in his estate with New York Supreme Court Chief Judge Judith Kaye ("J. Kaye"); Matthew Triggs - ("Triggs"); Christopher Pruzaski - ("Pruzaski"); Mara Lerner Robbins - ("Robbins"); Donald Thompson - ("Thompson"); Gayle Coleman; David George; George A. Pincus; Gregg Reed; Leon Gold - ("Gold"); Albert Gortz - ("Gortz"); Marcy Hahn-Saperstein; Kevin J. Healy - ("Healy"); Stuart Kapp; Ronald F. Storette; Chris Wolf; Jill Zammas; FULL LIST OF 601 liable Proskauer Partners; any other John Doe ("John Doe") Proskauer partner, affiliate, company, known or not known at this time; including but not limited to Proskauer ROSE LLP; Partners, Associates, Of Counsel, Employees, Corporations, Affiliates and any other Proskauer related or affiliated entities both individually and professionally;
- MELTZER, LIPPE, GOLDSTEIN, WOLF & SCHLISSSEL, P.C.; Lewis Melzter - ("Melzter"); Raymond Joao - ("Joao"); Frank Martinez - ("Martinez"); Kenneth Rubenstein - ("Rubenstein"); FULL LIST OF 34 Meltzer, Lippe, Goldstein, Wolf & Schlissel, P.C. liable Partners; any other John Doe ("John Doe") Meltzer, Lippe, Goldstein, Wolf & Schlissel, P.C. partner, affiliate, company, known or not known at this time; including but not limited to Meltzer, Lippe, Goldstein, Wolf & Schlissel, P.C.; Partners, Associates, Of Counsel, Employees, Corporations, Affiliates and any other Meltzer, Lippe, Goldstein, Wolf & Schlissel, P.C. related or affiliated entities both individually and professionally;
- FOLEY & LARDNER LLP; Ralf Boer ("Boer"); Michael Grebe ("Grebe"); Christopher Kise ("Kise"); William J. Dick - ("Dick"); Steven C. Becker - ("Becker"); Douglas Boehm - ("Boehm"); Barry Grossman - ("Grossman"); Jim Clark - ("Clark"); any other John Doe ("John Doe") Foley & Lardner partners, affiliates, companies, known or not known at this time; including but not limited to Foley & Lardner; Partners, Associates, Of Counsel, Employees, Corporations, Affiliates and any other Foley & Lardner related or affiliated entities both individually and professionally;
- Schiffrin & Barroway, LLP; Richard Schiffrin - ("Schiffrin"); Andrew Barroway - ("Barroway"); Krishna Narine - ("Narine"); any other John Doe ("John Doe") Schiffrin & Barroway, LLP partners, affiliates, companies, known or not known at this time; including but not limited to Schiffrin & Barroway, LLP; Partners, Associates, Of Counsel, Employees, Corporations, Affiliates and any other Schiffrin & Barroway, LLP related or affiliated entities both individually and professionally;
- Blakely Sokoloff Taylor & Zafman LLP; Norman Zafman - ("Zafman"); Thomas Coester - ("Coester"); Farzad Ahmini - ("Ahmini"); George Hoover - ("Hoover"); any other John Doe ("John Doe") Blakely Sokoloff Taylor & Zafman LLP partners, affiliates, companies, known or not known at this time; including but not limited to Blakely Sokoloff Taylor & Zafman LLP; Partners, Associates, Of Counsel, Employees, Corporations, Affiliates and any other Blakely Sokoloff Taylor & Zafman LLP related or affiliated entities both individually and professionally;
- Wildman, Harrold, Allen & Dixon LLP; Martyn W. Molyneaux - ("Molyneaux"); Michael Dockterman - ("Dockterman"); FULL LIST OF 198 Wildman, Harrold, Allen & Dixon LLP liable Partners; any other John Doe ("John Doe") Wildman, Harrold, Allen & Dixon LLP partners, affiliates, companies, known or not known at this time; including but not limited to Wildman, Harrold, Allen & Dixon LLP; Partners, Associates, Of Counsel, Employees, Corporations, Affiliates and any other Wildman, Harrold, Allen & Dixon LLP related or affiliated entities both individually and professionally;
- Christopher & Weisberg, P.A.; Alan M. Weisberg - ("Weisberg"); any other John Doe ("John Doe") Christopher & Weisberg, P.A. partners, affiliates, companies, known or not known at this time; including but not limited to Christopher & Weisberg, P.A.; Partners, Associates, Of Counsel, Employees,

RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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- Corporations, Affiliates and any other Christopher & Weisberg, P.A. related or affiliated entities both individually and professionally;
- YAMAKAWA INTERNATIONAL PATENT OFFICE; Masaki Yamakawa - ("Yamakawa"); any other John Doe ("John Doe") Yamakawa International Patent Office partners, affiliates, companies, known or not known at this time; including but not limited to Yamakawa International Patent Office; Partners, Associates, Of Counsel, Employees, Corporations, Affiliates and any other Yamakawa International Patent Office related or affiliated entities both individually and professionally;
  - GOLDSTEIN LEWIN & CO.; Donald J. Goldstein - ("Goldstein"); Gerald R. Lewin - ("Lewin"); Erika Lewin - ("E. Lewin"); Mark R. Gold; Paul Feuerberg; Salvatore Bochicchio; Marc H. List; David A. Katzman; Robert H. Garick; Robert C. Zeigen; Marc H. List; Lawrence A. Rosenblum; David A. Katzman; Brad N. Mciver; Robert Cini; any other John Doe ("John Doe") Goldstein & Lewin Co. partners, affiliates, companies, known or not known at this time; including but not limited to Goldstein & Lewin Co.; Partners, Associates, Of Counsel, Employees, Corporations, Affiliates and any other Goldstein & Lewin Co. related or affiliated entities both individually and professionally;
  - INTEL Corporation;
  - Silicon Graphics Inc.;
  - Lockheed Martin Corporation;
  - Real 3D, Inc. (SILICON GRAPHICS, INC., LOCKHEED MARTIN & INTEL) & RYJO; Gerald Stanley - ("Stanley"); Ryan Huisman - ("Huisman"); RYJO - ("RYJO"); Tim Connolly - ("Connolly"); Steve Cochran; David Bolton; Rosalie Bibona - ("Bibona"); Connie Martin; Richard Gentner; Steven A. Behrens; Matt Johannsen; any other John Doe ("John Doe") Intel, Real 3D, Inc. (Silicon Graphics, Inc., Lockheed Martin & Intel) & RYJO partners, affiliates, companies, known or not known at this time; including but not limited to Intel, Real 3D, Inc. (Silicon Graphics, Inc., Lockheed Martin & Intel) & RYJO; Employees, Corporations, Affiliates and any other Intel, Real 3D, Inc. (Silicon Graphics, Inc., Lockheed Martin & Intel) & RYJO related or affiliated entities, and any successor companies both individually and professionally;
  - Tiedemann Investment Group; Bruce T. Prolow ("Prolow"); Carl Tiedemann ("C. Tiedemann"); Andrew Philip Chesler; Craig L. Smith; any other John Doe ("John Doe") Tiedemann Investment Group partners, affiliates, companies, known or not known at this time; including but not limited to Tiedemann Investment Group and any other Tiedemann Investment Group related or affiliated entities both individually and professionally;
  - Crossbow Ventures / Alpine Partners; Stephen J. Warner - ("Warner"); Rene P. Eichenberger - ("Eichenberger"); H. Hickman Hank Powell - ("Powell"); Maurice Buchsbaum - ("Buchsbaum"); Eric Chen - ("Chen"); Avi Hersh; Matthew Shaw - ("Shaw"); Bruce W. Shewmaker - ("Shewmaker"); Ravi M. Ugale - ("Ugale"); any other John Doe ("John Doe") Crossbow Ventures / Alpine Partners partners, affiliates, companies, known or not known at this time; including but not limited to Crossbow Ventures / Alpine Partners and any other Crossbow Ventures / Alpine Partners related or affiliated entities both individually and professionally;
  - BROAD & CASSEL; James J. Wheeler - ("J. Wheeler"); Kelly Overstreet Johnson - ("Johnson"); any other John Doe ("John Doe") Broad & Cassell partners, affiliates, companies, known or not known at this time; including but not limited to Broad & Cassell and any other Broad & Cassell related or affiliated entities both individually and professionally;
  - FORMER IVIEWIT MANAGEMENT & BOARD; Brian G. Utley/Proskauer Referred Management - ("Utley"); Raymond Hersh - ("Hersh"); Michael Reale - ("Reale")/Proskauer Referred Management; Rubenstein/Proskauer Rose Shareholder in Iviewit - Advisory Board; Wheeler/Proskauer Rose Shareholder in Iviewit - Advisory Board; Dick/Foley & Lardner - Advisory Board, Boehm/Foley & Lardner - Advisory Board; Becker/Foley & Lardner; Advisory Board; Joao/Meltzer Lippe Goldstein

RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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Wolfe & Schlissel - Advisory Board; Kane/Goldman Sachs - Board Director; Lewin/Goldstein Lewin - Board Director; Ross Miller, Esq. ("Miller"), Prolow/Tiedemann Prolow II - Board Director; Powell/Crossbow Ventures/Proskauer Referred Investor - Board Director; Maurice Buchsbaum - Board Director; Stephen Warner - Board Director; Simon L. Bernstein - Board Director ("S. Bernstein"); any other John Doe ("John Doe") Former Iviewit Management & Board partners, affiliates, companies, known or not known at this time; including but not limited to Former Iviewit Management & Board and any other Former Iviewit Management & Board related or affiliated entities both individually and professionally;

- FIFTEENTH JUDICIAL CIRCUIT - WEST PALM BEACH FLORIDA; Judge Jorge LABARGA - ("Labarga"); any other John Doe ("John Doe") FIFTEENTH JUDICIAL CIRCUIT - WEST PALM BEACH FLORIDA staff, known or not known to have been involved at the time. Hereinafter, collectively referred to as ("15C");
- THE SUPREME COURT OF NEW YORK APPELLATE DIVISION: FIRST JUDICIAL DEPARTMENT, DEPARTMENTAL DISCIPLINARY COMMITTEE; Thomas Cahill - ("Cahill"); Joseph Wigley - ("Wigley"); Steven Krane, any other John Doe ("John Doe") of THE SUPREME COURT OF NEW YORK APPELLATE DIVISION: FIRST JUDICIAL DEPARTMENT, DEPARTMENTAL DISCIPLINARY COMMITTEE staff, known or not known to have been involved at the time;
- THE FLORIDA BAR; Lorraine Christine Hoffman - ("Hoffman"); Eric Turner - ("Turner"); Kenneth Marvin - ("Marvin"); Anthony Boggs - ("Boggs"); Joy A. Bartmon - ("Bartmon"); Kelly Overstreet Johnson - ("Johnson"); Jerald Beer - ("Beer"); Matthew Triggs; Christopher or James Wheeler; any other John Doe ("John Doe") The Florida Bar staff, known or not known to have been involved at the time;
- MPEGLA, LLC - Kenneth Rubenstein, Patent Evaluator; Licensors and Licensees, please visit [www.mpegla.com](http://www.mpegla.com) for a complete list; Columbia University; Fujitsu Limited; General Instrument Corp; Lucent Technologies Inc.; Matsushita Electric Industrial Co., Ltd.; Mitsubishi Electric Corp.; Philips Electronics N.V. (Philips); Scientific Atlanta, Inc.; Sony Corp. (Sony); EXTENDED LIST OF MPEGLA LICENSEES AND LICENSORS; any other John Doe MPEGLA, LLC. Partner, Associate, Engineer, Of Counsel or Employee; any other John Doe ("John Doe") MPEGLA, LLC partners, affiliates, companies, known or not known at this time; including but not limited to MPEGLA, LLC and any other MPEGLA, LLC related or affiliated entities both individually and professionally;
- DVD6C LICENSING GROUP - Licensors and Licensees, please visit [www.mpegla.com](http://www.mpegla.com) for a complete list; Toshiba Corporation; Hitachi, Ltd.; Matsushita Electric Industrial Co. Ltd.; Mitsubishi Electric Corporation; Time Warner Inc.; Victor Company Of Japan, Ltd.; EXTENDED DVD6C DEFENDANTS; any other John Doe DVD6C LICENSING GROUP Partner, Associate, Engineer, Of Counsel or Employee; any other John Doe ("John Doe") DVD6C LICENSING GROUP partners, affiliates, companies, known or not known at this time; including but not limited to DVD6C LICENSING GROUP and any other DVD6C LICENSING GROUP related or affiliated entities both individually and professionally;
- Harrison Goodard Foote incorporating Brewer & Son; Martyn Molyneaux, Esq. ("Molyneaux"); Any other John Doe ("John Doe") Harrison Goodard Foote (incorporating Brewer & Son) partners, affiliates, companies, known or not known at this time; including but not limited to Harrison Goodard Foote incorporating Brewer & Son and any other related or affiliated entities both individually and professionally;
- Lawrence DiGiovanna, Chairman of the Grievance Committee of the Second Judicial Department Departmental Disciplinary Committee;

RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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- James E. Peltzer, Clerk of the Court of the Appellate Division, Supreme Court of the State of New York, Second Judicial Department; Diana Kearsse, Chief Counsel to the Grievance Committee of the Second Judicial Department Departmental Disciplinary Committee;
- Houston & Shahady, P.A., any other John Doe ("John Doe") Houston & Shahady, P.A., affiliates, companies, known or not known at this time; including but not limited to Houston & Shahady, P.A. related or affiliated entities both individually and professionally;
- Furr & Cohen, P.A. any other John Doe ("John Doe") Furr & Cohen, P.A., affiliates, companies, known or not known at this time; including but not limited to Furr & Cohen, P.A. related or affiliated entities both individually and professionally;
- Moskowitz, Mandell, Salim & Simowitz, P.A., any other John Doe ("John Doe") Moskowitz, Mandell, Salim & Simowitz, P.A., affiliates, companies, known or not known at this time; including but not limited to Moskowitz, Mandell, Salim & Simowitz, P.A. related or affiliated entities both individually and professionally;
- The Goldman Sachs Group, Inc. The Goldman Sachs Group, Inc. partners, affiliates, companies, known or not known at this time; including but not limited to The Goldman Sachs Group, Inc. and any other related or affiliated entities both individually and professionally;
- Sachs Saxs & Klein, PA any other John Doe ("John Doe") Sachs Saxs & Klein, PA, affiliates, companies, known or not known at this time; including but not limited to Sachs Saxs & Klein, PA related or affiliated entities both individually and professionally;
- Huizenga Holdings Incorporated any other John Doe ("John Doe") Huizenga Holdings Incorporated affiliates, companies, known or not known at this time; including but not limited to Huizenga Holdings Incorporated related or affiliated entities both individually and professionally;
- Judge Martin Glenn, New York Southern District Bankruptcy;
- Judge Shira A. Scheindlin;
- Davis Polk & Wardell;
- Ropes & Gray LLP;
- Sullivan & Cromwell LLP;
- Eliot I. Bernstein, ("Bernstein") a resident of the State of California, and former President (Acting) of Iviewit Holdings, Inc. and its affiliates and subsidiaries and the founder of Iviewit and principal inventor of its technology;
- P. Stephen Lamont, ("Lamont") a resident of the State of New York, and former Chief Executive Officer (Acting) of Iviewit Holdings, Inc. and all of its affiliates and subsidiaries;
- SKULL AND BONES;
- The Russell Trust Co.;
- Yale Law School;
- Council on Foreign Relations;
- The Bilderberg Group;
- The Federalist Society;
- The Bradley Foundation;
- The Lynde and Harry Bradley Foundation;

Please include in the COI check the defendants and any other parties in the legally related cases in New York District Court Southern District of New York to Docket No 07cv09599 Anderson v The State of New York, et al. - WHISTLEBLOWER LAWSUIT, including but not limited to;

A. United States Court of Appeals for the Second Circuit 08-4873-cv

RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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- B. (07cv11196) Bernstein et al. v Appellate Division First Department Disciplinary Committee, et al. - TRILLION DOLLAR LAWSUIT Defendants, in addition to those already listed herein, include but are not limited to;
- STATE OF NEW YORK;
  - THE OFFICE OF COURT ADMINISTRATION OF THE UNIFIED COURT SYSTEM;
  - STEVEN C. KRANE in his official and individual Capacities for the New York State Bar Association and the Appellate Division First Department Departmental disciplinary Committee, and, his professional and individual capacities as a Proskauer partner;
  - ESTATE OF STEPHEN KAYE, in his professional and individual capacities;
  - MATTHEW M. TRIGGS in his official and individual capacity for The Florida Bar and his professional and individual capacities as a partner of Proskauer;
  - JON A. BAUMGARTEN, in his professional and individual capacities;
  - SCOTT P. COOPER, in his professional and individual capacities;
  - BRENDAN J. O'ROURKE, in his professional and individual capacities;
  - LAWRENCE I. WEINSTEIN, in his professional and individual capacities;
  - WILLIAM M. HART, in his professional and individual capacities;
  - DARYN A. GROSSMAN, in his professional and individual capacities;
  - JOSEPH A. CAPRARO JR., in his professional and individual capacities;
  - JAMES H. SHALEK; in his professional and individual capacities;
  - GREGORY MASHBERG, in his professional and individual capacities;
  - JOANNA SMITH, in her professional and individual capacities;
  - TODD C. NORBITZ, in his professional and individual capacities;
  - ANNE SEKEL, in his professional and individual capacities;
  - JIM CLARK, in his professional and individual capacities;
  - STATE OF FLORIDA, OFFICE OF THE STATE COURTS ADMINISTRATOR, FLORIDA;
  - FLORIDA SUPREME COURT;
  - HON. CHARLES T. WELLS, in his official and individual capacities;
  - HON. HARRY LEE ANSTEAD, in his official and individual capacities;
  - HON. R. FRED LEWIS, in his official and individual capacities;
  - HON. PEGGY A. QUINCE, in his official and individual capacities;
  - HON. KENNETH B. BELL, in his official and individual capacities;
  - THOMAS HALL, in his official and individual capacities;
  - DEBORAH YARBOROUGH in her official and individual capacities;
  - DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION – FLORIDA;
  - CITY OF BOCA RATON, FLA.;
  - ROBERT FLECHAUS in his official and individual capacities;
  - ANDREW SCOTT in his official and individual capacities;
  - PAUL CURRAN in his official and individual capacities;
  - MARTIN R. GOLD in his official and individual capacities;
  - SUPREME COURT OF NEW YORK APPELLATE DIVISION FIRST DEPARTMENT;
  - CATHERINE O'HAGEN WOLFE in her official and individual capacities;
  - HON. ANGELA M. MAZZARELLI in her official and individual capacities;
  - HON. RICHARD T. ANDRIAS in his official and individual capacities;
  - HON. DAVID B. SAXE in his official and individual capacities;



RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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- HON. DAVID FRIEDMAN in his official and individual capacities;
- HON. LUIZ A. GONZALES in his official and individual capacities;
- SUPREME COURT OF NEW YORK APPELLATE DIVISION SECOND JUDICIAL DEPARTMENT;
- SUPREME COURT OF NEW YORK APPELLATE DIVISION SECOND DEPARTMENT DEPARTMENTAL DISCIPLINARY COMMITTEE;
- HON. A. GAIL PRUDENTI in her official and individual capacities;
- HON. JUDITH S. KAYE in her official and individual capacities;
- STATE OF NEW YORK COMMISSION OF INVESTIGATION;
- ANTHONY CARTUSCIELLO in his official and individual capacities;
- LAWYERS FUND FOR CLIENT PROTECTION OF THE STATE OF NEW YORK;
- OFFICE OF THE ATTORNEY GENERAL OF THE STATE OF NEW YORK;
- ELIOT SPITZER in his official and individual capacities, as both former Attorney General for the State of New York, and, as former Governor of the State of New York;
- COMMONWEALTH OF VIRGINIA;
- VIRGINIA STATE BAR;
- ANDREW H. GOODMAN in his official and individual capacities;
- NOEL SENDEL in her official and individual capacities;
- MARY W. MARTELINO in her official and individual capacities;
- LIZBETH L. MILLER, in her official and individual capacities;
- MPEGLA LLC; LAWRENCE HORN, in his professional and individual capacities;
- INTEL CORP.; LARRY PALLEY, in his professional and individual capacities;
- SILICON GRAPHICS, INC.;
- LOCKHEED MARTIN Corp;
- EUROPEAN PATENT OFFICE;
- ALAIN POMPIDOU in his official and individual capacities;
- WIM VAN DER EIJK in his official and individual capacities;
- LISE DYBDAHL in her official and personal capacities;
- DIGITAL INTERACTIVE STREAMS, INC.;
- ROYAL O'BRIEN, in his professional and individual capacities;
- HUIZENGA HOLDINGS INCORPORATED, WAYNE HUIZENGA, in his professional and individual capacities;
- WAYNE HUIZENGA, JR., in his professional and individual capacities;
- BART A. HOUSTON, ESQ. in his professional and individual capacities;
- BRADLEY S. SCHRAIBERG, ESQ. in his professional and individual capacities;
- WILLIAM G. SALIM, ESQ. in his professional and individual capacities;
- BEN ZUCKERMAN, ESQ. in his professional and individual capacities;
- SPENCER M. SAX, in his professional and individual capacities;
- ALBERTO GONZALES in his official and individual capacities;
- JOHNNIE E. FRAZIER in his official and individual capacities;
- IVIEWIT, INC., a Florida corporation;
- IVIEWIT, INC., a Delaware corporation;
- IVIEWIT HOLDINGS, INC., a Delaware corporation (f.k.a. Uview.com, Inc.);
- UVIEW.COM, INC., a Delaware corporation;
- IVIEWIT TECHNOLOGIES, INC., a Delaware corporation (f.k.a. Iviewit Holdings, Inc.);

RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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- IVIEWIT HOLDINGS, INC., a Florida corporation;
  - IVIEWIT.COM, INC., a Florida corporation;
  - I.C., INC., a Florida corporation;
  - IVIEWIT.COM, INC., a Delaware corporation;
  - IVIEWIT.COM LLC, a Delaware limited liability company;
  - IVIEWIT LLC, a Delaware limited liability company;
  - IVIEWIT CORPORATION, a Florida corporation;
  - IBM CORPORATION;
- C. Other Cases @ US District Court - Southern District NY
- 07cv09599 Anderson v The State of New York, et al. - WHISTLEBLOWER LAWSUIT;
  - 07cv11196 Bernstein, et al. v Appellate Division First Department Disciplinary Committee, et al.;
  - 07cv11612 Esposito v The State of New York, et al.;
  - 08cv00526 Capogrosso v New York State Commission on Judicial Conduct, et al.;
  - 08cv02391 McKeown v The State of New York, et al.;
  - 08cv02852 Galison v The State of New York, et al.;
  - 08cv03305 Carvel v The State of New York, et al.;
  - 08cv4053 Gizella Weissshaus v The State of New York, et al.;
  - 08cv4438 Suzanne McCormick v The State of New York, et al.;
  - 08cv6368 John L. Petrec-Tolino v. The State of New York

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### RELEVANT SECTIONS OF JUDICIAL CANNONS, ATTORNEY CONDUCT CODES AND LAW<sup>25</sup>

**Conflict of interest" indicates a situation where a private interest may influence a public decision. Conflict of Interest Laws are laws and regulations designed to prevent conflicts of interest. These laws may contain provisions related to financial or asset disclosure, exploitation of one's official position and privileges, regulation of campaign practices, etc.**

**New York State Consolidated Laws Penal**

**ARTICLE 200 BRIBERY INVOLVING PUBLIC SERVANTS AND RELATED OFFENSES**

- S 200.03 Bribery in the second degree
- S 200.04 Bribery in the first degree
- S 200.05 Bribery; defense
- S 200.10 Bribe receiving in the third degree
- S 200.11 Bribe receiving in the second degree
- S 200.12 Bribe receiving in the first degree
- S 200.15 Bribe receiving; no defense

<sup>25</sup> The Relevant Sections are merely a benchmark guide and other state, federal and international laws may be applicable to your particular circumstances in reviewing or acting in these matters. For a more complete list of applicable sections of law relating to these matters please visit <http://iviewit.tv/CompanyDocs/oneofthesedays/index.htm# Toc107852933>

RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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S 200.20 Rewarding official misconduct in the second degree  
S 200.22 Rewarding official misconduct in the first degree S 200.25 Receiving reward for official misconduct in the second degree  
S 200.27 Receiving reward for official misconduct in the first degree  
S 200.30 Giving unlawful gratuities  
S 200.35 Receiving unlawful gratuities  
S 200.40 Bribe giving and bribe receiving for public office; definition of term  
S 200.45 Bribe giving for public office  
S 200.50 Bribe receiving for public office  
ARTICLE 175 OFFENSES INVOLVING FALSE WRITTEN STATEMENTS  
S 175.05 Falsifying business records in the second degree. S 175.10 Falsifying business records in the first degree.  
S 175.15 Falsifying business records; defense  
S 175.20 Tampering with public records in the second degree  
S 175.25 Tampering with public records in the first degree  
S 175.30 Offering a false instrument for filing in the second degree  
S 175.35 Offering a false instrument for filing in the first degree  
NY Constitution ARTICLE XIII Public Officers  
Public Officers - Public Officers ARTICLE 1  
ARTICLE 2 Appointment and Qualification of Public Officers - ARTICLE 15 ATTORNEYS AND COUNSELORS  
S 468-b. Clients' security fund of the state of New York  
S 476-a. Action for unlawful practice of the law  
S 476-b. Injunction to restrain defendant from unlawful practice of the law  
S 476-c. Investigation by the attorney-general  
S 487. Misconduct by attorneys  
S 488. Buying demands on which to bring an action.  
Public Officers Law SEC 73 Restrictions on the Activities Of Current and Former State Officers and Employees  
Public Officers Law SEC 74 Code of Ethics  
Conflicts of Interest Law, found in Chapter 68 of the New York City Charter, the City's Financial Disclosure Law, set forth in section 12-110 of the New York City Administrative Code, and the Lobbyist Gift Law, found in sections 3-224 through 3-228 of the Administrative Code.

**TITLE 18 FEDERAL CODE & OTHER APPLICABLE FEDERAL LAW**

**TITLE 18 PART I CH 11**

Sec. 201. Bribery of public officials and witnesses

Sec. 225. - Continuing financial crimes enterprise

BRIBERY, GRAFT, AND CONFLICTS OF INTEREST

Sec. 205. - Activities of officers and employees in claims against and other matters affecting the Government

Sec. 208. - Acts affecting a personal financial interest

Sec. 210. - Offer to procure appointive public office

Sec. 225. - Continuing financial crimes enterprise

TITLE 18 PART I CH 79 Sec 1623 - False declarations before grand jury or court

Sec 654 - Officer or employee of United States converting property of another

TITLE 18 PART I CH 73 Sec 1511 - Obstruction of State or local law enforcement

TITLE 18 PART I CH 96 Sec 1961 RACKETEER INFLUENCED AND CORRUPT Organizations ("RICO")

Section 1503 (relating to obstruction of justice),

Section 1510 (relating to obstruction of criminal investigations)

Section 1511 (relating to the obstruction of State or local law enforcement),

Section 1952 (relating to racketeering),

Section 1957 (relating to engaging in monetary transactions in property derived from specified unlawful activity),

TITLE 18 PART I CH 96 SEC 1962 (A) RICO

TITLE 18 PART I CH 96 SEC 1962 (B) RICO

TITLE 18 PART I CH 96 SEC 1962 (C) RICO

TITLE 18 PART I CH 19 SEC 1962 (D) RICO

TITLE 18 PART I CH 19 CONSPIRACY Sec 371 CONSPIRACY TO COMMIT OFFENSE OR TO DEFRAUD UNITED STATES

TITLE 18 PART I CH 95 RACKETEERING SEC 1957 Engaging in monetary transactions in property derived from specified unlawful activity

TITLE 18 PART I CH 47 Sec 1031 - Major fraud against the United States

**Judicial Canons**

**Canon 1. A Judge Should Uphold the Integrity and Independence of the Judiciary**

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**Iviewit Holdings, Inc./Iviewit Technologies, Inc.**  
2753 N.W. 4<sup>th</sup> St. Boca Raton, Florida 33434-3459  
(561) 245.8588 (o) / (561) 886.7628 (c) / (561) 245-8644 (f)  
[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) - [www.iviewit.tv](http://www.iviewit.tv)

RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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[1.1] Deference to the judgments and rulings of courts depends upon public confidence in the integrity and independence of judges. The integrity and independence of judges depends in turn upon their acting without fear or favor. Although judges should be independent, they must comply with the law, including the provisions of this Code. Public confidence in the impartiality of the judiciary is maintained by the adherence of each judge to this responsibility. Conversely, violation of this Code diminishes public confidence in the judiciary and thereby does injury to the system of government under law.

Canon 2. A Judge Should Avoid Impropriety and the Appearance of Impropriety in All Activities

(A) A judge shall respect and comply with the law and shall act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

[2.2][2A] The prohibition against behaving with impropriety or the appearance of impropriety applies to both the professional and personal conduct of a judge. Because it is not practicable to list all prohibited acts, the proscription is necessarily cast in general terms that extend to conduct by judges that is harmful although not specifically mentioned in the Code. Actual improprieties under this standard include violations of law, court rules or other specific provisions of this Code. The test for appearance of impropriety is whether the conduct would create in reasonable minds a perception that the judge's ability to carry out judicial responsibilities with integrity, impartiality and competence is impaired.

Canon 3. A Judge Should Perform the Duties of the Office Impartially and Diligently

(B) Adjudicative responsibilities.

(1) A judge shall be faithful to the law and maintain professional competence in it. A judge shall not be swayed by partisan interests, public clamor or fear of criticism.

(2) A judge shall require order and decorum in proceedings before the judge.

(D) Disciplinary responsibilities.

(1) A judge who receives information indicating a substantial likelihood that another judge has committed a substantial violation of this Part shall take appropriate action.

(2) A judge who receives information indicating a substantial likelihood that a lawyer has committed a substantial violation of the Code of Professional Responsibility shall take appropriate action.

(3) Acts of a judge in the discharge of disciplinary responsibilities are part of a judge's judicial duties.

(E) Disqualification.

(1) A judge shall disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned

[3.11][3B(6)(e)] A judge may delegate the responsibilities of the judge under Canon 3B(6) to a member of the judge's staff. A judge must make reasonable efforts, including the provision of appropriate supervision, to ensure that Section 3B(6) is not violated through law clerks or other personnel on the judge's staff. This provision does not prohibit the judge or the judge's law clerk from informing all parties individually of scheduling or administrative decisions.

[3.21][3E(1)] Under this rule, a judge is disqualified whenever the judge's impartiality might reasonably be questioned, regardless whether any of the specific rules in Section 3E(1) apply. For example, if a judge were in the process of negotiating for employment with a law firm, the judge would be disqualified from any matters in which that firm appeared, unless the disqualification was waived by the parties after disclosure by the judge.

[3.22][3E(1)] A judge should disclose on the record information that the judge believes the parties or their lawyers might consider relevant to the question of disqualification, even if the judge believes there is no real basis for disqualification.

Canon 4. A Judge May Engage in Extra-Judicial Activities To Improve the Law, the Legal System, and the Administration of Justice

Canon 5. A Judge Should Regulate Extra-Judicial Activities To Minimize the Risk of Conflict with Judicial Duties

Public Office Conduct Codes New York

PUBLIC OFFICERS LAW Laws 1909, Chap. 51.

CHAPTER 47 OF THE CONSOLIDATED LAWS PUBLIC OFFICERS LAW

Sec. 17. Defense and indemnification of state officers and employees.

2 (b)

Sec. 18. Defense and indemnification of officers and employees of public entities.

3 (b)

Sec. 74. Code of ethics.

(2)

(3)

(4)

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Iviewit Holdings, Inc./Iviewit Technologies, Inc.  
2753 N.W. 34<sup>th</sup> St. Boca Raton, Florida 33434-3459  
(561) 245.8588 (o) / (561) 886.7628 (c) / (561) 245-8644 (f)  
[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) - [www.iviewit.tv](http://www.iviewit.tv)

RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

§ 73. Business or professional activities by state officers and employees and party officers.

NY Attorney Conduct Code

(a) "Differing interests" include every interest that will adversely affect either the judgment or the loyalty of a lawyer to a client, whether it be a conflicting, inconsistent, diverse, or other interest.

CANON 5. A Lawyer Should Exercise Independent Professional Judgment on Behalf of a Client

DR 5-101 [1200.20] Conflicts of Interest - Lawyer's Own Interests.

DR 5-102 [1200.21] Lawyers as Witnesses.

DR 5-103 [1200.22] Avoiding Acquisition of Interest in Litigation.

DR 5-104 [1200.23] Transactions Between Lawyer and Client.

DR 5-105 [1200.24] Conflict of Interest; Simultaneous Representation.

DR 5-108 [1200.27] Conflict of Interest - Former Client.

CANON 6. A Lawyer Should Represent a Client Competently

CANON 7. A Lawyer Should Represent a Client Zealously Within the Bounds of the Law

DR 7-102 [1200.33] Representing a Client Within the Bounds of the Law.

DR 7-110 [1200.41] Contact with Officials.

DR 8-101 [1200.42] Action as a Public Official.

DR 8-103 [1200.44] Lawyer Candidate for Judicial Office.

A. A lawyer who is a candidate for judicial office shall comply with section 100.5 of the Chief Administrator's Rules Governing Judicial Conduct (22 NYCRR) and Canon 5 of the Code of Judicial Conduct.

CANON 9. A Lawyer Should Avoid Even the Appearance of Professional Impropriety

DR 9-101 [1200.45] Avoiding Even the Appearance of Impropriety.

I declare under penalty of perjury that the foregoing statements in this CONFLICT OF INTEREST DISCLOSURE FORM are true and correct. Executed on this \_\_\_\_ day of \_\_\_\_\_ 20\_\_\_. I am aware that any false, fictitious, or fraudulent statements or claims will subject me to criminal, civil, or administrative penalties, including possible culpability in the RICO related crimes including the alleged attempted murder of the inventor Eliot Bernstein and his wife and children in a car-bombing attempt on their lives. I agree to accept responsibility for the unbiased review, and presentation of findings to the appropriate party(ies) who also have executed this CONFLICT OF INTEREST DISCLOSURE FORM. A lack of signature will serve as evidence that I have accepted this document **WITH** conflict in the event that I continue to represent the matters without signing such COI first and will be an admission of such conflict(s).

Organizations this COI is applicable to for the attached Document:

ADDRESSED TO ALL OF THE FOLLOWING PARTIES:

SEC, Chairperson Mary Shapiro @ CHAIRMANOFFICE@sec.gov and enforcement@sec.gov,

SEC, Office of Chief Accountant @ enforcement@sec.gov,

SEC, Office of International Affairs @ enforcement@sec.gov,

SEC, Office of International Enforcement Assistance @ enforcement@sec.gov,

SEC, Division of Enforcement @ enforcement@sec.gov,

SEC, Office of Internet Enforcement @ enforcement@sec.gov,

SEC, Division of Corporate Finance @ enforcement@sec.gov,

SEC, Division of Corporate Finance Chief Accountant's Office ( CF-OCA ) @ , enforcement@sec.gov

SEC INSPECTOR GENERAL, H. David Kotz @ oig@sec.gov

INSPECTOR GENERAL OF THE UNITED STATES DEPARTMENT OF JUSTICE, Glenn Fine @

glenn.a.fine@usdoj.gov & oig.hotline@usdoj.gov ,

FEDERAL BUREAU OF INVESTIGATION – White Collar Crime Unit and all other appropriate divisions @ Miami@ic.fbi.gov ,

HOUSE AND SENATE JUDICIARY COMMITTEES @ john.conyers@mail.house.gov ,

RE: OFFICIAL FORMAL COMPLAINT SENT BY OFFICIAL SEC EMAIL AND OFFICIAL EMAIL ADDRESSES TO OTHER INVESTIGATORY AGENCIES AND COMMITTEES ADDRESSED HEREIN, AGAINST WARNER BROS. ENTERTAINMENT, INC., AOL INC. AND TIME WARNER...

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NEW YORK SENATE JUDICIARY COMMITTEE @ members' individual email addresses,  
UNITED STATES ATTORNEY GENERAL, Eric Holder, Jr., @ inspector.general@usdoj.gov &  
AskDOJ@usdoj.gov  
TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION, David Gourvaia @  
Complaints@tigta.treas.gov and david.gouvaia@tigta.treas.gov  
SMALL BUSINESS ADMINISTRATION INSPECTOR GENERAL, Peggy E. Gustafson & Daniel J.  
O'Rourke @ daniel.o'rourke@sba.gov & http://web.sba.gov/oigcss/client/dsp\_welcome.cfm Complaint  
Form  
US DEPARTMENT OF COMMERCE INSPECTOR GENERAL, Todd J. Zinser @ hotline@oig.doc.gov  
UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND DIRECTOR OF  
THE US PATENT OFFICE, David Kappos @ david.kappos@USPTO.gov  
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Print Name & Title \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_

If you are unable to sign this COI and are therefore unable to continue further to pursue these matters, please attach a statement of whom we may contact as your replacement, a copy can be sent to [iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) or the mailing address below:

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