County of West Palm Beach State of Florida ss:

I, Eliot I. Bernstein, of 2753 N.W. 34th St., Boca Raton, Florida 33434-3459, being duly sworn, deposes and say:

I make this criminal complaint against Andrew Cuomo, New York Attorney General, Monica Connell and Steven M. Cohen, all employed at 120 Broadway, New York City, NY 10271-0332. Mr. Steven M. Cohen is personally known to me since childhood and school together and he has personally spoke and told me that he and Andrew Cuomo are well aware of my court actions involving the State of New York Employees and my criminal allegations, including those against the New York Attorney General’s office and Andrew Cuomo. Monica Connell has personally prepared and received the papers related to my Federal RICO & ANTITRUST LAWSUIT, which has been legally “RELATED” to the New York Supreme Court Whistleblower Lawsuit of Christine C. Anderson, a former New York Supreme Court Attorney. Anderson’s riveting Federal court testimony, includes allegations that a “Cleaner”, a one Naomi Goldstein of the New York Supreme Court Appellate Division First Department, was routinely cleaning complaints for United States Attorneys, District Attorneys, Assistant District Attorneys and “Favored Lawyers and Law Firms.

Both Anderson and myself have given testimony to an ongoing New York Senate Judiciary Committee investigating the Appellate Division First Department Departmental Disciplinary Committee, the grievance committees of the various Judicial Districts and the New York State Commission on Judicial Conduct and Chaired by the Hon. Senator John Sampson and links to the testimony are below.

Christine C. Anderson, Esq. Testimony @ <http://www.youtube.com/watch?v=6BlK73p4Ueo>

Eliot Bernstein Testimony Part 1 @ <http://www.youtube.com/watch?v=8Cw0gogF4Fs&feature=player_embedded>

Eliot Bernstein Testimony Part 2 @ <http://www.youtube.com/watch?v=Apc_Zc_YNIk>

Also, attached herein as Exhibit \_\_ is Anderson’s sworn statement to Senator Sampson, which details absolute allegations of Criminal Obstruction, Threats on Federal Witnesses in a Federal Whistleblower Lawsuit and Conspiracy amongst Public Officials responsible for investigating complaints.

The New York Federal Lawsuits at the New York Second Circuit are as follows:

1. 08-4873-cv United States Court of Appeals for the Second Circuit Docket - Bernstein, et al. v Appellate Division First Department Disciplinary Committee, et al. - TRILLION DOLLAR LAWSUIT

2. Capogrosso v New York State Commission on Judicial Conduct, et al.

3. Esposito v The State of New York, et al.

4. McKeown v The State of New York, et al.

The Legally “Related” Cases and Cases Seeking Relation to Anderson at the US District Court - Southern District NY are as follows:

5. 07cv09599 Anderson v The State of New York, et al. - WHISTLEBLOWER LAWSUIT which other cases have been marked legally “related” to by Fed. Judge Shira A. Scheindlin

6. 07cv11196 Bernstein, et al. v Appellate Division First Department Disciplinary Committee, et al.

7. 07cv11612 Esposito v The State of New York, et al.,

8. 08cv00526 Capogrosso v New York State Commission on Judicial Conduct, et al.,

9. 08cv02391 McKeown v The State of New York, et al.,

10. 08cv02852 Galison v The State of New York, et al.,

11. 08cv03305 Carvel v The State of New York, et al., and,

12. 08cv4053 Gizella Weisshaus v The State of New York, et al.

13. 08cv4438 Suzanne McCormick v The State of New York, et al.

14. 08 cv 6368 John L. Petrec-Tolino v. The State of New York

15. 06cv05169 McNamara v The State of New York, et al

Their relationship and total hands-on involvement in all court actions by Steven M. Cohen and Andrew Cuomo is documented in Exhibit A, here attached

Andrew Cuomo, Monica Connell and Steven M. Cohen on my personal knowledge and on my information and belief violated § 20.00 Criminal liability for conduct of another, by engaging in conduct which intentionally aided the “persons committing the Iviewit Crimes,” herein later described.

Andrew, Cuomo, Monica Connell and Steven M. Cohen on my personal knowledge and on my information and belief violated §105.05 Conspiracy in the fifth degree, and § 105.10 Conspiracy in the fourth degree, when they with knowing intent agreed to allow class C, D, and E felonies, below mentioned , to be continued to be performed by “persons committing Iviewit crimes” herein described and aided and abetted in an elaborate conspiracy to deny due process through violations of Attorney Conduct Codes, Public Office Violations and both Federal and New York State Laws.

Andrew, Cuomo, Monica Connell and Steven M. Cohen on my personal knowledge and on information and belief violated § 115.00 Criminal facilitation in the fourth degree, when they knowingly rendered aid to “persons committing the Iviewit Crimes,” herein later described.”

The underlying crimes which Andrew Cuomo, Monica Connell and Steven M. Cohen conspired concerning and facilitated were committed by “persons committing the Iviewit Crimes herein later described.” and partially include:

§ 125.25 Murder in the second degree.

§ 125.20 Manslaughter in the first degree.

§ 135.60 Coercion in the second degree

§ 155.42 Grand larceny in the first degree.

§ 170.15 Forgery in the first degree.

§ 170.30 Criminal possession of a forged instrument in the first degree.

§ 175.25 Tampering with public records in the first degree.

§ 175.35 Offering a false instrument for filing in the first degree.

§ 195.05 Obstructing governmental administration in the second degree.

§ 210.15 Perjury in the first degree.

§ 460.20 Enterprise corruption.

These underlying crimes by “persons committing Iviewit crimes” are fully described in attached Federal Court Filing attached as Exhibit \_\_ and the following URL’s, all exhibits, including all URL’s herein, are attached in entirety by reference herein. Due to the claims by Whistleblower Anderson of Document Destruction, Complaint Destruction, Evidence Destruction, Whitewashing by Public Officials from various New York and Federal Agencies, please formally docket this CRIMINAL COMPLAINT against the New York Attorney General’s Office AND the employees named herein and send a copy of this complaint and all exhibits back to myself at the address below to confirm that no document tampering has occurred en route and that you have downloaded and printed all EXHIBITS referenced herein. Please also return a Docket Number, Case Investigator and verification that your offices have received this Criminal Complaint.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Eliot I. Bernstein

Sworn to and subscribed to by Eliot I. Bernstein this \_\_day of November 2010

Notary

EXHIBIT A: From The Wall Street Journal

By JACOB GERSHMAN

As Andrew Cuomo seeks to take the reins of a sprawling state government wracked by fiscal disorder, former lawyers who worked for him at the attorney general's office say he was a micromanager who concentrated even the most routine decisions in a tight circle of advisers.

The centralized decision-making at times produced rapid results, particularly with settlements and other agreements in high-profile areas. But senior lawyers from several bureaus within the office say it also caused delays in prosecutions and more mundane civil actions and sapped morale of employees who were given more leeway under Mr. Cuomo's predecessors.

"The sense was that he didn't trust anyone. I never took it personally, because I realized he didn't trust anybody, except a very small group of advisers around him," said Robert Hernan, a former assistant attorney general in the environmental protection bureau who was a trial lawyer for the state in the Love Canal toxic-waste case in the late 1980s. "I have served under five attorneys general, and I never encountered that kind of micromanagement and lack of trust in the staff attorneys."

Mr. Hernan and another lawyer left the office, in part, over frustration with Mr. Cuomo's handling of what the attorney general had described as a "landmark" lawsuit filed against ExxonMobil over the cleanup of a decades-old oil spill in Greenpoint, Brooklyn. Settlement talks have yet to lead to a resolution.

The lawyers interviewed said Mr. Cuomo's concern about shaping the political impact and media coverage of cases at times took priority over the more technical and legal side of cases.

The lawyers said Mr. Cuomo required that suits, settlements and criminal subpoenas had to be first approved by either Mr. Cuomo or his chief of staff, Steven M. Cohen. "All of those things led to a logjam in the office." said Mr. Hernan.

Mr. Cohen, a former assistant U.S. attorney, defended Mr. Cuomo's management style, saying it would have been "irresponsible and reckless" to run a large office without a centralized structure. He said Mr. Cuomo's office has an "oversight process" that ensures decisions are carefully reviewed and considered.

Mr. Cohen said, initially, he wanted to see all criminal subpoenas to understand the nature of the investigations under way. He said approval authority has long since been given back to the bureau chiefs.

"From my vantage point, it seems to me that Andrew Cuomo has done an excellent job," said Robert Abrams, a former attorney general who headed Mr. Cuomo's transition team in 2006. "The proof is in the pudding," said Mr. Abrams, a partner at Stroock & Stroock & Lavan.

In several interviews, though, lawyers who served under Mr. Cuomo said his top-down control left high-ranking attorneys embittered. A former top attorney said Mr. Cuomo's decision-making was "wildly top-heavy" after Mr. Cuomo took over when Eliot Spitzer was elected governor in 2006. "I had little communication with people above me. There was virtually no policy communicated to me," said the lawyer.

A lawyer in another bureau described similar feelings. "Under Spitzer," he said, "we felt they could come up with an idea, send it to management, get it seriously considered and a decision would be made quickly. That disappeared under Cuomo."

Another adjustment, one attorney said, was a clamp down in communication with outsiders. In at least one instance, a longtime political aide to Mr. Cuomo, Joseph Percoco, who served as a special counsel to the attorney general, ordered attorneys handling a major civil case not to speak with local politicians or community groups also involved with the matter, according to an attorney. Mr. Percoco declined to comment.

Mr. Cuomo's approach did yield victories, even those who were most critical of the attorney general conceded. "I'm sure there were mistakes at times, but the big things that were accomplished were done incredibly quickly, efficiently and effectively with the full participation of a large number of lawyers," said a senior attorney who helped to manage the investigation of the auction-rate securities market, which resulted in agreements from nearly a dozen financial firms to buy back billions of dollars in debt.

Media concerns influenced decisions over when to make arrests, according to another lawyer, who said the timing was "completely contingent on the P.R. side." For example, he said, the supervisor of the attorney general's criminal justice division, Robin Baker, told investigators they had to be "mindful of the optics."

When the office was ready to charge somebody, arrests were postponed if Mr. Cuomo was unavailable for a news conference or if the announcement could wait until a day that could generate more media impact. "The joke was that you would write the press release before the indictment," the lawyer said.

Ms. Baker, who is now a litigator at a private law firm, said she could not comment on whether she gave such an order. She said she is "proud of the work we did at the attorney general's office and the professional and ethical standards with which we did it."

Mr. Cuomo's experience in the administration of his father, Gov. Mario Cuomo, had "a big impact on him," said James E. Tierney, a former Maine attorney general who runs the National State Attorneys General Program at Columbia Law School. "Governors tend to have a small group of people who are not arranged hierarchically. You probably had people [in the attorney general's office] who didn't quite know how to handle that."

Write to Jacob Gershman at jacob.gershman@wsj.com