

***“Surf with Vision”***

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Friday, April 15, 2011

New York State Office of the Attorney General

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**Re: Phone Call on April 14, 2011 with James Rogers on behalf of Harlan Levy referred by Steven Michael Cohen, Chief of Staff to Governor Andrew Cuomo, Regarding FILED Criminal Complaints Against the New York Attorney General’s Office, Attorney General Andrew Cuomo, Steven Michael Cohen, Chief of Secretary to Governor Andrew Cuomo and Monica Connell, of the New York State Office of the Attorney General.**

Dear Mssrs. Levy and Rogers,

Please let this letter serve as formal commemoration of our April 14, 2011 phone conversation between Patrick Hanley, James Rogers, Esq., Special Counsel and Senior Advisor to Attorney General Eric T. Schneiderman and myself. James Rogers, Esq. was acting on behalf of Harlan Levy whom Steven Michael Cohen, Chief of Staff to Governor Andrew Cuomo, had referred us to. The following summarizes the salient points of the calls and the IMMEDIATE actions now required by Law, following the revelation and admission by Rogers of existing Conflicts of Interest. These Conflicts of Interest caused Rogers to assert that the inherent Conflicts for himself, the AG’s Office and other members of the AG’s Office, now demanded that the AG’s office was required forthwith to seek Outside Non Conflicted Independent Counsel to represent them in the Iviewit Filed Criminal Complaints, the Iviewit Ongoing Federal RICO & ANTITRUST Lawsuit and any/all “legally related” lawsuits, all further described herein.

1. **Summary of Calls with both the Governor’s Office and the Attorney General’s Office Regarding the Criminal Complaints against the Office of the New York Attorney General, Andrew Cuomo, Eliot Spitzer, Steven Michael Cohen, Monica Connell et al.**
	1. Earlier Calls with Cuomo
		* 1. On February 08, 2011, I spoke with Emily Cole, Assistant to Steven Michael Cohen, Secretary to Governor Cuomo, regarding CRIMINAL COMPLAINTS filed with both the Attorney General’s Office and the Governor’s Office on November 19, 2010. At that time, Emily Cole was informed that her work relation with Steven Michael Cohen, a named party to the Complaint could pose conflicts in her handling the complaint information. Emily proceeded to state that she would handle finding a non conflicted party and get back to me in a few days.
	2. Calls April 13-15th 2011
		* 1. After several failed calls for two months attempting to reach Emily, on April 13, 2011 both Patrick Handley[[1]](#footnote-1) and I reached Emily and requested further information on what had happened to the Criminal Complaint information. At this point it was learned that a one Kenneth Cole of Kenneth Cole Productions ( NYSE: KCP ) and Maria Cuomo Cole had a daughter named Emily Cole[[2]](#footnote-2) and Emily denied such relations and denied she was the daughter of the Cole’s and Cuomo’s but was adamant and defensive that even if she were, it was “none of my business” and would not matter. I explained that if she were related to the Cuomo’s this would be further Conflict of Interest in her handling the Criminal Complaint Against Andrew Cuomo, in addition to the Conflict of Interest already present with her employment by Steven Michael Cohen, who is also accused in the Criminal Complaint.
			2. Cole then admitted that she had turned the request for complaint information over to Steven Michael Cohen and was advised that this represented an extreme Conflict of Interest. As exhibited herein and in the exhibits, Conflicts Of Interest are the glue that binds the RICO Conspiracy together that is presented in my Amended Complaint and attached RICO Statement. The Amended Complaint can be found at

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

and the URL is hereby incorporated by reference in entirety herein. Emily then became distraught when notified that her actions would be included in future criminal and civil complaints filed for aiding and abetting the conspiracy through Obstruction of Justice caused by the Denial of Due Process and Procedure in the handling of the Complaints while in direct Conflicts of Interest and other violations of law and public office rules. Emily Cole, then hung up the phone rudely.

* + 1. Upon calling back a one Benjamin Lawsky, Chief of Staff to Governor Cuomo, to find a NON CONFLICTED party to handle the Criminal Complaint or pass the complaint to an INDEPENDENT NON CONFLICTED THIRD PARTY, the call was intercepted by Steven Michael Cohen directly. Cohen now further acted in a Plethora of Conflicts of Interest and Violations of Public Office Rules and Regulations in handling Complaint matters, of which, Cohen is individually an accused party. After noticing Cohen, of several of his conflicts and the fact that I was attempting to “PUT HIM IN PRISON” in my RICO and ANTITRUST Federal Lawsuit, Cohen proceeded to deflect the Complaint filed with the Governor to the New York Attorney General and a one Harlan Levy, Chief of Staff to New York AG Eric T. Schneiderman. Levy is the immediate successor to Steven Michael Cohen’s former job as Chief of Staff to Cuomo, when Cuomo was AG.
		2. Cohen, is aware of the Criminal Complaints filed against both he and Cuomo as exhibited in all of the following URL’s, all fully incorporated by reference in entirety herein,
			1. <http://www.free-press-release.com/news-iviewit-inventor-eliot-bernstein-files-criminal-charges-against-ny-ag-andrew-cuomo-chief-of-staff-steven-cohen-asst-ag-monica-connell-w-gov-david-1291165927.html>
			November 30, 2010 Intellectual Property news in Palm Beach, Florida, United States of America, Free-Press-Release, Inc. “Iviewit Inventor Eliot Bernstein Files Criminal Charges Against NY AG Andrew Cuomo, Chief of Staff Steven Michael Cohen & Asst AG Monica Connell w/ Gov David Paterson & NY Senate Judiciary Chair John Sampson”

\*\*\*This Complaint was similarly filed with Andrew Cuomo while he was AG and nothing was done but to Obstruct the Complaint for Due Process by Cuomo, despite the call that if conflict existed the Complaint was to be turned over to a Non-Conflicted Investigator.

* + - 1. <http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20090613%20FINAL%20NYAG%20Steven%20Cohen%20Letter%20signed%20low.pdf>
			June 13th 2009, letter to Steven Michael Cohen regarding “Conflicts of Interest; etc; Bernstein v. NYS First Department et al.; US Second Circuit Docket No. 08-4873-CV”
			2. <http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20090618%20FINAL%20NYAG%20Steven%20Cohen%20Letter%20Re%20Lamont%20Signed.pdf>

June 18th 2009 letter to Steven Michael Cohen regarding “First Department Obstruction of Justice”

* + 1. Cohen and Cuomo have been apprised of the Criminal Complaints and have failed to respond since June 13th 2009. A response cannot be tendered by either, as they and the AG Office in entirety are in a myriad of Conflicts of Interest and therefore they instead have choose to hide the Complaints and fail to perform their honest services, violating public office rules and regulations and violating state and federal law. This burying of the Complaints denies Due Process and Obstructs Justice, by failing to turn the Complaints over to Non Conflicted Parties.
		2. In addition to being Defendants themselves in the Amended Complaint, the AG’s Office is also representing 39+ State Defendants as Counsel both Professionally and Personally, in my RICO and ANTITRUST lawsuit, which represents yet another layer of Conflict and further Obstruction in the Conflict Swamp. Further, Federal Judge Shira Scheindlin has “legally related” my RICO and ANTITRUST lawsuit to that of Whistleblower Christine C. Anderson, a veteran Attorney in the New York Supreme Court Disciplinary Department, who has blown the Whistle on Corruption under oath in a Federal Court and before the New York Senate Judiciary Committee in an ONGOING investigation by that Committee. Anderson claims that a CLEANER exists inside the Ethics Department Of the New York Supreme Court named Naomi Goldstein, who has with the aid of other senior ranking New York Court Officials, WHITEWASHED complaints on behalf of US ATTORNEYS, DA’s, ADA and FAVORED LAW FIRMS and LAWYERS. Anderson further complains in Motion to the Federal Court that Cuomo is ILLEGALLY REPRESENTING STATE DEFENDANTS in New York, see Anderson’s filing to Remove the AG from her Lawsuit for similar Conflicts of Interest, keep in mind that Anderson is Decade old Staff Attorney for the New York Supreme Court Disciplinary Department @

<http://iviewit.tv/wordpress/?p=391>

“Wednesday, September 15, 2010 “Anderson Moves to Disqualify NY Attorney General”

For Motion see link @ <http://www.frankbrady.org/TammanyHall/Documents_files/CCA%20091410%20Filing.pdf>

This may also be further criminal financial abuses by Public Officials as the legal fees for them both Professionally and Personally are being paid for as a gift by the AG’s office and the New York Taxpayers and doubtfully reflected as legal fee gifts on their income tax returns. As Anderson’s Motion to Disqualify the AG Office shows, there are also Conflicts of Interest inherent in the multiple representations.

Similarly in my RICO and ANTITRUST lawsuit, the AG not only Represents 39+ State Defendants but acts as Pro Se Counsel for themselves in responding to the Amended Complaint, which was GRANTED by Judge Scheindlin,

<http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20080414%20Order%20Granting%20Filing%20of%20Amended%20Complaint.pdf>

and then responded to by the AG, a Defendant and Defense Counsel, acting in a bizarre and illegal myriad of Conflicts of Interest, Violations of Public Offices and Violations of State and Federal Law. It should also be noted here that prior to the Cuomo Administration the Spitzer Administration had buried the Iviewit Complaints against the very same Defendants the AG went on later to defend, after reviewing the information in the Iviewit Complaints and again this posed a massive conflict of interest. The Cuomo Administration upon the termination of Spitzer for Violations of the Federal Mann Act in Transporting Prostitutes across State Lines and other crimes then paid Defendant in my RICO and ANTITRUST lawsuit, Proskauer Rose (the central conspirator of the RICO) for Spitzer’s Legal Defense of approximately US $500,000.00 out of New York States coffers. Further, several key Spitzer Officials then took Partnerships with Proskauer further advancing the Conflicts in the Swamp. Again, this may represent illegal use of State Funds for personal legal defense fees, of course, a review of Defendant in my RICO Eliot Spitzer’s tax returns would reveal how his personal defense monies to Proskauer Rose were reported to the IRS or if they were.

Finally, Cuomo began representing New York State Defendants in my RICO after his offices had been given Iviewit Complaint Information and began investigating the same Defendants. Again, the Conflicts, Violations of Public Office and Law caused further Obstruction of the complaints against the AG’s now legal clients and then subsequent complaints were never transferred to a Non Conflicted Party for proper investigation.

March 14, 2008 “Based on New Information - Request for Reconsideration of Letter of September 24, 2007 from Attorney General Andrew Cuomo’s Office of Public Integrity (“OPI”) Case No. 07-507”

<http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20080314%20FINAL%20Letter%20to%20NY%20AG%20to%20reistigate%20investigation%20on%20new%20evidence.pdf>

* + 1. On April 15, 2011, calls made to Harlan Levy were intercepted, or transferred, to a one, James Rogers, Special Counsel and Senior Advisor to Attorney General Eric Schneiderman. Upon advising Mr. Rogers of the situation whereby,
			1. the AG’s Office and two former AG’s are Defendants in the Iviewit RICO and ANTITRUST Lawsuit,
			2. the AG is representing the AG’s Office and two former AG’s while having multiple Conflicts of Interest in the RICO and ANTITRUST Lawsuit,
			3. the AG, while representing themselves as a Defendant, as can be seen in their Motion to Dismiss the Amended Complaint in my RICO & ANTITRUST Lawsuit which was GRANTED by Federal Judge Shira Scheindlin, is also illegally representing 39+ State Defendants both Personally and Professionally in the RICO and ANTITRUST Lawsuit,
			4. the former AG’s and AG Office are the subjects of the Criminal Complaints referenced herein, the AG’s office and Defendant Proskauer Rose are in a direct business relationship and that it appears impossible for the AG to now review the FILED CRIMINAL COMPLAINTS against Cohen and Cuomo, Mr. Rogers did the impossible, he admitted an existing Conflict Of Interest. Immediately after declaring a Conflict of Interest Mr. Rogers choose to not discuss the CRIMINAL COMPLAINTS until retaining NON CONFLICTED OUTSIDE COUNSEL, as the Conflicts acknowledged were impossible to overcome.

First, I must applaud Mr. Rogers, for he is one of the very few people in over a decade who has handled the WEB OF CONFLICTS in the CONFLICT SWAMP ethically. Bravo Mr. Rogers! Upon learning that the New York Attorney General and members of the AG were undeniably conflicted with the Iviewit matters.

Now that Conflicts of Interest have been affirmed and acknowledged by the AG Office, a mass of actions must be taken to REMOVE the CONFLICTS from ALL APPLICABLE Iviewit matters and notify all relevant parties listed herein IMMEDIATELY.

1. **ACTIONS TO REMOVE CONFLICTS FROM ALL PROCEEDINGS**
	1. First the AG must not only RECUSE their offices from investigating the CRIMINAL COMPLAINTS filed at the AG and Governor’s Offices but they must also now WITHDRAW from REPRESENTATION in all COURT CASES of IVIEWIT, Eliot I. Bernstein and ALL LEGALLY RELATED CASES to Iviewit, Eliot I. Bernstein and the legally related WHISTLEBLOWER Christine C. Anderson’s Lawsuit as listed below.

**Legally Related Cases to Whistleblower Christine C. Anderson by Federal Judge Shira A. Scheindlin @ New York Second Circuit**

* 1. 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
	2. 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. – 12 COUNT 12 TRILLION DOLLAR FEDERAL RICO & ANTITRUST LAWSUIT
	3. Capogrosso v New York State Commission on Judicial Conduct, et al.
	4. Esposito v The State of New York, et al.
	5. McKeown v The State of New York, et al.

**Legally Related Cases to Whistleblower Christine C. Anderson by Federal Judge Shira A. Scheindlin @ 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 Fed. Judge Shira A. Scheindlin
	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., and,
	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. 08 cv 6368 John L. Petrec-Tolino v. The State of New York
	11. 06cv05169 McNamara v The State of New York, et al
	12. Acknowledging that the AG’s Office and members and former members are also personally and professionally sued and therefore further conflicted, now forces the AG to remove all PRIOR court filings IMMEDIATELY. All previous representation were filed in Conflict of Interest, as has been complained of in my case since the very start of the RICO & ANTITRUST Lawsuit and the AG must notify the Court and all other relevant parties, including all state and federal investigators listed herein of their Conflicts and Withdrawal from the cases**. Further, all of these matters now need to be handled by the AG’s NON-CONFLICTED Counsel, not the AG.**
1. The Acknowledged and Admitted Conflict of Interest Now Causes all Prior Criminal Complaints filed with the New York Attorney General’s Office to IMMEDIATELY be transferred to a INDEPENDENT NON CONFLICTED THIRD PARTY INVESTIGATOR.
2. **The Admitted Conflict of Interest Now Causes Current ILLEGAL** representation of New York State Defendants by the New York Attorney General’s Office to seek independent NON CONFLICTED COUNSEL and WITHDRAW IMMEDIATELY AS COUNSEL to all State Actors in the RICO and ANTITRUST Lawsuit. The AG should notify the Courts that the State Defendants must now seek new NON-CONFLICTED representation in the RICO & ANTITRUST LAWSUIT separate and distinct counsel for their Personal and Professional Representation.
3. The New York AG must also seek independent counsel for the New York Attorney General’s Office and for the members directly named as Defendants both Personally and Professionally. Also, notice has been given to both Cuomo and Cohen that in addition to the Criminal Complaints filed against them, they will both be forthcoming Defendants both Professionally and Personally in all Iviewit Lawsuits both current and future.
4. Conflict of Interest Now Causes the New York Attorney General to notify all Criminal and Court Officials involved in the Iviewit RICO & ANTITRUST LAWSUIT of the CONFLICT OF INTEREST and fully DISCLOSE ALL CONFLICTS in writing to Plaintiff Eliot Ivan Bernstein. Further, voluntary REMOVAL of all PRIOR FILINGS and PLEADINGS that were filed by the New York Attorney General’s Offices in the Iviewit RICO & ANTITRUST LAWSUIT and ALL LEGALLY RELATED CASES.
5. **Parties to Notice of AG CONFLICTS by AG**
6. **Parties Copied**

Respectfully Yours,



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Eliot I. Bernstein
Founder & Inventor

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

cc/ec:

Enclosure(s)/Attachment(s)/URL’s

Uniform Resource Locator(s), all Uniform Resource Locators ( URL’s ) and the contents of those URL’s Websites are incorporated in entirety by reference herein, include these sites and documents as part of this correspondence and as evidentiary material to be included.

cmb/eib

1. Patrick Handley represents Suzanne McCormick in a “Legally Related” Federal Lawsuit by Judge Shira Scheindlin to a New York Supreme Court Attorney Whistleblower Lawsuit of Christine C. Anderson. My RICO and ANTITRUST Federal Lawsuit is also “Legally Related” by Judge Scheindlin to Whistleblower Anderson. [↑](#footnote-ref-1)
2. [http://www.zimbio.com/photos/Maria+Cuomo+Cole/Emily+Cole/Cannes+Film+Festival/J5qqur\_otEh](http://www.zimbio.com/photos/Maria%2BCuomo%2BCole/Emily%2BCole/Cannes%2BFilm%2BFestival/J5qqur_otEh) “Maria Cuomo Cole and Emily Cole Photostream - Browse all photos of Maria Cuomo Cole and Emily Cole together in this socially oriented mega-slideshow”. URL fully incorporated by reference in entirety herein. [↑](#footnote-ref-2)