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CONFLICT OF INTEREST (COI) DISCLOSURE FORM

THIS COI MUST BE SIGNED AND AFFIRMED PRIOR TO ANY ACTION ON THIS COURT MOTION ON YOUR PART

Please accept and return signed the following Conflict of Interest Disclosure Form (COI) before continuing further with adjudication, review or investigation of the attached MOTION to the **United States Second Circuit Court**, titled,

MOTION TO:

AFTER 10 DAYS, IF THIS FORM HAS NOT BEEN SIGNED OR SUBSEQUENTLY TURNED OVER TO A NON CONFLICTED PARTY, YOUR FAILURE TO COMPLY MAY RESULT IN CRIMINAL AND CIVIL CHARGES FILED AGAINST YOU FOR AIDING AND ABETTING A RICO CRIMINAL ORGANIZATION, FEDERAL OBSTRUCTION OF JUSTICE AND MORE, AS NOTED HEREIN.

and any/all materials relating to Eliot Bernstein and or the Iviewit companies.

The Conflict of Interest Disclosure Form designed to ensure that the review and any determinations from such review of the enclosed materials should not be 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 of the alleged crimes referenced in these matters or any other perpetrators not known at this time must be fully disclosed and affirmed in writing and returned by to any review.

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 until reviewed and approved by the Iviewit companies and Eliot I. Bernstein. If you feel that conflict of interest exists that cannot be eliminated through conflict resolution with the Iviewit Companies or Eliot Bernstein, instantly forward the matters 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 to the address listed at the end of this disclosure form. 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 objectively.

These matters already involve claims of, including but not limited to, Conflicts of Interest, Violations of Public Offices, Whitewashing of Official Complaints in the Supreme Courts of New York, Florida, Virginia and elsewhere, Threatening a Federal Witness in a Federal Whistleblower Lawsuit, Document Destruction and Alteration, Obstructions of Justice, RICO and ATTEMPTED MURDER. The need for prescreening for conflict is essential to the administration of due process in these matters and necessary to avoid charges of OBSTRUCTION OF JUSTICE and more, against you. Federal District Court Judge Shira A. Scheindlin SDNY legally related these same matters to a New York Supreme Court Attorney Whistleblower Lawsuit who alleges similar claims of public office corruption against Supreme Court of New York Officials, US Attorneys, NY District Attorneys and Assistant District Attorneys. This is a formal request for full disclosure of any conflict on your part, 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 Withdrawal from matters where conflict precludes involvement.

Failure to comply with all applicable conflict disclosure rules, public office rules and regulations and laws, prior to continued action on your part, **shall constitute cause** for the filing of criminal and civil complaints against you for any decisions or actions you make prior to a signed Conflict Of Interest Disclosure Form, with all applicable regulatory and prosecutorial 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.

I. Do you, your spouse, and your dependents, in the aggregate have, any direct or indirect relations (relationships), or interest in any entity or any direct or indirect relations (relationships) to any of the parties listed in **EXHIBIT 1** of this document and any of the named Defendants in these matters contained at the URL <http://iviewit.tv/CompanyDocs/Appendix%20A/index.htm#proskauer> , URL hereby incorporated by reference in entirety herein? Please review the online index in entirety. **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.

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, defined in I, 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.

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 as defined in I? **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 and any professional association rules and regulations regarding disclosure of any conflicts to verify that my spouse, my dependents, and I in the aggregate, have no conflicts 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 agencies, insurance concerns or any other person with liability that may result from my actions in these matters. **NO** **YES**

RELEVANT SECTIONS OF JUDICIAL CANNONS, ATTORNEY CONDUCT CODES AND LAW

Conflict of Interest Laws & Regulations

Conflict of interest indicates a situation where a private interest may influence a public decision. Conflict of Interest Laws are Laws and designed to prevent conflicts of interest that deny fair and impartial due process and procedure thereby Obstructing Justice in State and/or Federal Civil and Criminal Proceedings. These Laws may contain provisions related to financial or asset disclosure, exploitation of one's official position and privileges, improper relationships, regulation of campaign practices, etc. The Relevant Sections of Attorney Conduct Codes, Judicial Cannons, Public Office Rules & Regulations and State & Federal Law listed herein 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 the URL,

http://iviewit.tv/CompanyDocs/oneofthesedays/index.htm#_Toc107852933,

fully

incorporated by reference in entirety herein.

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

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 U.S.C. § 4. Misprision of felony. Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.

A federal judge, or any other government official, is required as part of the judge's mandatory administrative duties, to receive any offer of information of a federal crime. If that judge blocks such report, that block is a felony under related obstruction of justice statutes, and constitutes a serious offense.

Upon receiving such information, the judge is then required to make it known to a government law enforcement body that is not themselves involved in the federal crime.

Title 28 U.S.C. § 1361. Action to compel an officer of the United States to perform his duty. The district courts shall have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff.

This federal statute permits any citizen to file a lawsuit in the federal courts to obtain a court order requiring a federal official to perform a mandatory duty and to halt unlawful acts. This statute is Title 28 U.S.C. § 1361.

Fraud upon the court

FRAUD on the COURT

In the United States, when an officer of the court is found to have fraudulently presented facts to court so that the court is impaired in the impartial performance of its legal task, the act, known as "fraud upon the court", is a crime deemed so severe and fundamentally opposed to the operation of justice that it is not subject to any statute of limitation.

Officers of the court include: Lawyers, Judges, Referees, and those appointed; Guardian Ad Litem, Parenting Time Expeditors, Mediators, Rule 114 Neutrals, Evaluators, Administrators, special appointees, and any others whose influence are part of the judicial mechanism.

"Fraud upon the court" has been defined by the 7th Circuit Court of Appeals to "embrace that species of fraud which does, or attempts to, defile the court itself, or is a fraud perpetrated by officers of the court so that the judicial machinery can not perform in the usual manner its impartial task of adjudging cases that are presented for adjudication". Kenner v. C.I.R., 387 F.3d 689 (1968); 7 Moore's Federal Practice, 2d ed., p. 512, ¶ 60.23

In *Bulloch v. United States*, 763 F.2d 1115, 1121 (10th Cir. 1985), the court stated "Fraud upon the court is fraud which is directed to the judicial machinery itself and is not fraud between the parties or fraudulent documents, false statements or perjury. ... It is where the court or a member is corrupted or influenced or influence is attempted or where the judge has not performed his judicial function --- thus where the impartial functions of the court have been directly corrupted."

What effect does an act of "fraud upon the court" have upon the court proceeding? "Fraud upon the court" makes void the orders and judgments of that court.

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 Cannons

What causes the "Disqualification of Judges?"

Federal law requires the automatic disqualification of a Federal judge under certain circumstances.

In 1994, the U.S. Supreme Court held that "Disqualification is required if an objective observer would entertain reasonable questions about the judge's impartiality. If a judge's attitude or state of mind leads a detached observer to conclude that a fair and impartial hearing is unlikely, the judge must be disqualified." [Emphasis added]. *Liteky v. U.S.*, 114 S.Ct. 1147, 1162 (1994).

Courts have repeatedly held that positive proof of the partiality of a judge is not a requirement, only the appearance of partiality. *Liljeberg v. Health Services Acquisition Corp.*, 486 U.S. 847, 108 S.Ct. 2194 (1988) (what matters is not the reality of bias or prejudice but its appearance); *United States v. Balistreri*, 779 F.2d 1191 (7th Cir. 1985) (Section 455(a) "is directed against the appearance of partiality, whether or not the judge is actually biased.") ("Section 455(a) of the Judicial Code, 28 U.S.C. §455(a), is not intended to protect litigants from actual bias in their judge but rather to promote public confidence in the impartiality of the judicial process.").

That Court also stated that Section 455(a) "requires a judge to recuse himself in any proceeding in which her impartiality might reasonably be questioned." *Taylor v. O'Grady*, 888 F.2d 1189 (7th Cir. 1989). In *Pfizer Inc. v. Lord*, 456 F.2d 532 (8th Cir. 1972), the Court stated that "It is important that the litigant not only actually receive justice, but that he believes that he has received justice."

The Supreme Court has ruled and has reaffirmed the principle that "justice must satisfy the appearance of justice", *Levine v. United States*, 362 U.S. 610, 80 S.Ct. 1038 (1960), citing *Offutt v. United States*, 348 U.S. 11, 14, 75 S.Ct. 11, 13 (1954). A judge receiving a bribe from an interested party over which he is presiding, does not give the appearance of justice.

"Recusal under Section 455 is self-executing; a party need not file affidavits in support of recusal and the judge is obligated to recuse herself sua sponte under the stated circumstances." *Taylor v. O'Grady*, 888 F.2d 1189 (7th Cir. 1989).

Further, the judge has a legal duty to disqualify himself even if there is no motion asking for his disqualification. The Seventh Circuit Court of Appeals further stated that "We think that this language [455(a)] imposes a duty on the judge to act sua sponte, even if no motion or affidavit is filed." *Balistreri*, at 1202.

Judges do not have discretion not to disqualify themselves. By law, they are bound to follow the law. Should a judge not disqualify himself as required by law, then the judge has given another example of his "appearance of partiality" which, possibly, further disqualifies the judge. Should another judge not accept the disqualification of the judge, then the second judge has evidenced an "appearance of partiality" and has possibly disqualified himself/herself. None of the orders issued by any judge who has been disqualified by law would appear to be valid. It would appear that they are void as a matter of law, and are of no legal force or effect.

Should a judge not disqualify himself, then the judge is violation of the Due Process Clause of the U.S. Constitution. *United States v. Sciuto*, 521 F.2d 842, 845 (7th Cir. 1996) ("The right to a tribunal free from bias or prejudice is based, not on section 144, but on the Due Process Clause.").

Should a judge issue any order after he has been disqualified by law, and if the party has been denied of any of his / her property, then the judge may have been engaged in the Federal Crime of "interference with interstate commerce". The judge has acted in the judge's personal capacity and not in the judge's judicial capacity. It has been said that this judge, acting in this manner, has no more lawful authority than someone's next-door neighbor (provided that he is not a judge). However some judges may not follow the law.

If you were a non-represented litigant, and should the court not follow the law as to non-represented litigants, then the judge has expressed an "appearance of partiality" and, under the law, it would seem that he/she has disqualified him/herself.

However, since not all judges keep up to date in the law, and since not all judges follow the law, it is possible that a judge may not know the ruling of the U.S. Supreme Court and the other courts on this subject. Notice that it states "disqualification is required" and that a judge "must be disqualified" under certain circumstances.

The Supreme Court has also held that if a judge wars against the Constitution, or if he acts without jurisdiction, he has engaged in treason to the Constitution. If a judge acts after he has been automatically disqualified by law, then he is acting without jurisdiction, and that suggest that he is then engaging in criminal acts of treason, and may be engaged in extortion and the interference with interstate commerce.

Courts have repeatedly ruled that judges have no immunity for their criminal acts. Since both treason and the interference with interstate commerce are criminal acts, no judge has immunity to engage in such acts.

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

[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)

§ 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__ the foregoing statements in this CONFLICT OF INTEREST DISCLOSURE FORM are true. 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.



NOTE- CAR BOMBING IS NOT A SCENE OUT OF THE IRAQ WAR BUT INSTEAD BOYNTON BEACH FL

More images @ www.iviewit.tv

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).

Organization – United States Second Circuit Court

Print Name & Title and Organization

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 in writing within 10 business days to preclude legal actions against you. A copy can be sent to iviewit@iviewit.tv and original to the mailing address below:

Eliot I. Bernstein
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
2753 N.W. 34th St.
Boca Raton, Florida 33434-3459
(561) 245.8588 (o)
(561) 886.7628 (c)
(561) 245-8644 (f)
iviewit@iviewit.tv
www.iviewit.tv

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EXHIBIT 1 – PARTIAL LIST OF CONFLICTED 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 Zamas; 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 Meltzer - ("Meltzer"); 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, 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 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 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 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 Goote 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;
- James E. Peltzer, Clerk of the Court of the Appellate Division, Supreme Court of the State of New York, Second Judicial Department; Diana Kearse, 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. Jeffrey Friedstein ("Friedstein"); Sheldon Friedstein (S. Friedstein"), Donald G. Kane ("Kane"); any other John Doe ("John Doe") 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;
- David B. Simon, Esq. ("D. Simon");
- 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;
- 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;

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
- 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'HAGIEN 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;
 - 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;
- ANDREW CUOMO in his official and individual capacities, as both former Attorney General for the State of New York, and, as current Governor of the State of New York;
- Steven M. Cohen in his official and individual capacities, as both former Chief of Staff to Attorney General Andrew Cuomo for the State of New York, and, as current Secretary to the Governor of the State of New York;
- Emily Cole, in her official and individual capacities, as an employee of Steven M. Cohen for the Governor Cuomo 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. SCHRAIBER, 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.);
- 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;

To be added New Defendants in the RICO & ANTITRUST Lawsuit through amendment or in any anticipated future litigations and criminal filings:

- **Andrew Cuomo, in his official and individual capacities,**
- **Steven M. Cohen, in his official and individual capacities,**
- **Emily Cole, in her official and individual capacities,**
- **Justice Richard C. Wesley in his official and individual capacities,**
- **Justice Peter W. Hall in his official and individual capacities,**
- **Justice Debra Ann Livingston in her official and individual capacities,**
- **Justice Ralph K. Winter in his official and individual capacities,**
- **P. Stephen Lamont, (Questions about Lamont's filings on behalf of others and more filed with criminal authorities and this Court notified of the alleged fraudulent activities of Lamont)**
- **Alan Friedberg, in his official and individual capacities,**
- **Roy Reardon, in his official and individual capacities,**
- **Martin Glenn, in his official and individual capacities,**
- **Warner Bros. Entertainment, (Already named in the lawsuit since the amended complaint filed)**
- **Time Warner Communications, (Already named in the lawsuit since the amended complaint filed)**
- **AOL Inc., (Already named in the lawsuit since the amended complaint filed)**
- **Ropes & Gray,**
- **Stanford Financial Group,**
- **Bernard L. Madoff et al.**
- **Marc S. Dreier, (Already named Defendant in the lawsuit since the amended complaint filed)**
- **Sony Corporation, (Already named Defendant in the lawsuit since the amended complaint filed)**
- **Ernst & Young, (Already named Defendant in the lawsuit since the amended complaint filed)**
- **Arthur Andersen, (Already named Defendant in the lawsuit since the amended complaint filed)**
- **Enron, (Already named Defendant in the lawsuit since the amended complaint filed)**

C. Other Cases @ US District Court - Southern District NY Related to Christine C. Anderson

- 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.;
- 08cv04053 Gizella Weisshaus v The State of New York, et al.;
- 08cv04438 Suzanne McCormick v The State of New York, et al.
- 08cv06368 John L. Petrec-Tolino v. The State of New York

- All parties list at the URL <http://iviewit.tv/CompanyDocs/Appendix%20A/index.htm#proskauer>

MOTION TO

- Remand and Rehear this Lawsuit due to the New York State Attorney General's now Admitted and Acknowledged Conflicts of Interest both past and present, in acting ILLEGALLY as Counsel for 39 plus State Defendant/Actors in this Lawsuit by Violating Public Office Rules & Regulations, Attorney Conduct Codes and State & Federal Law.
- Remand and Rehear this Lawsuit due to the New York State Supreme Court Attorney Whistleblower Christine C. Anderson's Felony Criminal Allegations against SENIOR Court Officials, Public Officials and more.
- HALT THIS LAWSUIT and the "Legally Related" Lawsuits, pending investigations of Whistleblower Anderson's FELONY CRIMINAL Allegations against Members of the New York Attorney General's Office, the US Attorney's Office, the New York District Attorney's Office, Justices, Officers of the New York Supreme Court, the New York Supreme Court Disciplinary Departments and others, based on FELONY CRIMINAL ALLEGATIONS in US Federal Court and before the New York Senate Judiciary Committee by NEW YORK SUPREME COURT ATTORNEY/WHISTLEBLOWER/HERO CHRISTINE C. ANDERSON. The Felony Crimes alleged by Anderson, directly relate to this RICO & ANTITRUST Lawsuit, including having several identical New York State Public Official Actor/Defendants and the allegations are wholly germane to the nexus of the Iviewit RICO & ANTITRUST Lawsuit Crimes alleged. Further the two lawsuits are "Legally Related" by Federal Judge Shira Scheindlin.
- IMMEDIATELY DISQUALIFY ALL Justices and other Members of the United States Second Circuit Court of Appeals (this Court) whom have currently acted in this Lawsuit in anyway whatsoever, for their part in Aiding and Abetting Fraud on the Court, Obstruction of Justice, Denial of Due Process and more.
- Remove ALL other Conflicts of Interest currently in place in this Lawsuit in order to impart fair and impartial DUE PROCESS UNDER LAW.
- DEMAND that ALL parties to this Lawsuit going forward, including but not limited to, Court Justices & Officials, Attorneys at Law, Prosecutors, Clerks, etc. sign Affirmed Conflict of Interest Disclosures identical to the one attached herein, acknowledging PERSONAL and PROFESSIONAL LIABILITIES for any violation, prior to, ANY further Action by ANYONE in this RICO & ANTITRUST Lawsuit.
- Demand for Justices of the SECOND CIRCUIT to turn themselves in to State and Federal Criminal Authorities to ANSWER to filed CRIMINAL COMPLAINTS against them and served upon them.

I. INTRODUCTION

Caution, if you have not signed the attached Conflict of Interest Disclosure form and returned it as instructed, and you continue to act in any manner (i.e. adjudicate, clerical or other) Criminal Charges will be brought against you for Aiding & Abetting a Criminal RICO Organization.

NEW YORK SUPREME COURT WHISTLEBLOWER ATTORNEY, CHRISTINE C. ANDERSON, ESQ. (“Anderson”) MAKES FELONY CRIMINAL ALLEGATIONS IN US FEDERAL COURT AND BEFORE THE NEW YORK SENATE JUDICIARY COMMITTEE. ALLEGATIONS AGAINST SENIOR RANKING OFFICIALS OF THE US ATTORNEY’S OFFICE, THE NEW YORK ATTORNEY GENERAL’S OFFICE, THE NEW YORK DISTRICT ATTORNEY’S OFFICE, THE NEW YORK SUPREME COURT, THE NEW YORK SUPREME COURT DISCIPLINARY DEPARTMENTS AND “FAVORED LAWYERS AND LAW FIRMS.” THESE ALLEGATIONS DEMANDS IMMEDIATE INVESTIGATION AND IMMEDIATE HALTING OF THE IVIEWIT RICO & ANTITRUST LAWSUIT (“LEGALLY RELATED” TO ANDERSON’S LAWSUIT BY FEDERAL JUDGE SHIRA SCHEINDLIN), IN ORDER TO BEGIN INVESTIGATIONS TO IDENTIFY AND PROSECUTE THOSE FINGERED BY ANDERSON.

Anderson’s Whistleblowing CRIMINAL ALLEGATIONS reveal a **MASSIVE GOVERNMENT CORRUPTION**, exposing a PLETHORA OF CRIMINAL ACTIVITY operated by a CRIMINAL RICO ORGANIZATION comprised mainly of Law Firms and Lawyers operating in various capacities to subterfuge law and justice in order to commit a host of Racketeering Activities. Operatives of the CRIMINAL RICO ORGANIZATION include SENIOR STATE and FEDERAL PUBLIC OFFICIALS, almost all with legal degrees, operating inside Government Agencies, including the courts, to disable law and regulation to facilitate complex ILLEGAL LEGAL CRIMES. The Criminal Operatives disguised as LAWYERS are used to COVER-UP the CRIMINAL RICO ORGANIZATION’S ILLEGAL LEGAL CRIMES and these operatives now are deeply embedded throughout the entire US and New York regulatory agencies and courts at the highest posts, as revealed by Anderson. Here comes a political scandal to make Boss Tweeds Tammany Hall look like a small cocktail party.



Boss Tweed and the Tammany Ring, caricatured by Thomas Nast.

Source: 1870s cartoon by Thomas Nast. Date c.1870s Author Thomas Nast. Cropped by Beyond My Ken
URL = http://en.wikipedia.org/wiki/William_M._Tweed

Anderson's WHISTLEBLOWING claims provide an explanation into just how Wall Street/Greed Street has Melted Down through a conspiratorial controlled demolition, obliterating Countries in the process, including the United States. ILLEGAL COMPLEX FINANCIAL CRIMES perpetrated to steal now TRILLIONS OF DOLLARS from the American Public and yet NO PROSECUTIONS of the CRIMINALS FOR THEIR CRIMES? Cloaked behind all these crimes are Law Firms and Lawyers, planted in a variety of Public Offices to facilitate the crimes, who orchestrated these illegal financial crimes with their CRIMINAL CLIENTELE. In order to understand how the US and World ECONOMIC COLLAPSES were not due to economic factors but instead have occurred due to FINANCIAL TERRORISM and CRIME (an illegal form of Warfare), one must fully understand the riveting CRIMINAL ALLEGATIONS of the HEROIC Whistleblower NY Supreme Court Attorney Anderson made against virtually the entire framework of Justice.

Anderson, a seasoned New York Supreme Court Attorney who worked in the NY Supreme Court Attorney Regulatory Department, the very one that regulates Wall Street Lawyers, exposed how this CRIMINAL RICO ORGANIZATION operates and shields themselves from prosecution in scheme after scheme. The RICO Organization, composed mainly of a small group of DIRTY and UNETHICAL Law Firms and Lawyers, operates

virtually free of Prosecution, as if the criminals are above the law, as factually, they have disabled the rules of law. How do those charged with upholding law disable the rules of law? Simply by violating their SWORN OATHS OF OFFICE and committing Violations of Public Office Rules & Regulations, Judicial Cannons, Attorney Conduct Codes and State & Federal Law, easy when the Criminals are cloaked as Public Officials and Court Officials.

Anderson's allegations gain further substantiation from yet another HEROIC Senior New York Supreme Court Attorney Whistleblower Eyewitness Expert in ATTORNEY CRIMINAL MISCONDUCT complaints, filed against Corrupt Attorneys and Public Officials licensed as Attorneys at Law. A one, Nicole Corrado Esq., ("Corrado"), whom also works for the NEW YORK SUPREME COURT DISCIPLINARY DEPARTMENT, again, the REGULATORY DEPARTMENT that regulates WALL STREET/GREED STREET, deregulating it with intent to allow crimes according to Anderson. More aptly, according to Anderson and Corrado, SENIOR RANKING OFFICIALS of the NY Supreme Court Disciplinary Department, intentionally and in conspiracy, worked to disable a number of State and Federal Regulatory Agencies and "WHITEWASH" and Obstruct Justice in any complaints against them. Further, a Senior Official of the New York Supreme Court then THREATENED Federal Witness Corrado while on her way to Deposition in the Anderson Federal Whistleblower Lawsuit and this Court already has evidence and thus absolute knowledge of this THREAT ON A FEDERAL WITNESS. This Court has absolute knowledge and evidence of these CRIMES through depositions and sworn statements in the "Legally Related" Anderson Lawsuit, testimony alleging a host of FEDERAL OFFENSES by TWO CREDIBLE and EXPERT INSIDE WHISTLEBLOWERS. Whereby Anderson's entire Whistleblowing Lawsuit in the US District Court and this Court, is hereby incorporated in entirety by reference herein, including all "SEALED RECORDS" maintained by either this Court or the US District Court.

Yet again we find THIS COURT through CRIMINAL MISCONDUCT failing to report these FELONY CRIMES ALLEGED, including but not limited to THREAT ON A FEDERAL WITNESS BY A SENIOR RANKING PUBLIC OFFICIAL OF THE SUPREME COURT OF NEW YORK, creating clear and irrefutable EVIDENCE OF FURTHER OBSTRUCTION OF JUSTICE, IN FEDERAL PROCEEDINGS by members of THIS COURT. As Adjudicators of this case, with solid evidence from Anderson and Corrado that FELONY CRIMINAL ACTS OCCURRED, ALL LICENSED ATTORNEYS AT LAW ARE REQUIRED by Judicial Cannons, Attorney Conduct Codes and State & Federal Law to report the crimes or face charges for FELONY CRIMINAL ACTS. The INTENTIONAL FAILURE TO REPORT THESE CRIMES constitute further crimes in efforts to AID & ABET the CRIMINAL RICO ORGANIZATION from prosecution. MEMBERS OF THIS COURT adjudicating this Lawsuit

have committed further Misprision(s) of Felony(ies)¹, including but not limited to, THREATS ON A FEDERAL WITNESS, AIDING & ABETTING a CRIMINAL RICO ORG, and MULTIPLE COUNTS OF FEDERAL OBSTRUCTION OF JUSTICE, all in continued attempts to cover up the FELONY CRIMES exposed by Anderson and Corrado. Crimes involving MEMBERS OF THIS COURT and their legal brethren buried, as reporting the crimes would expose MEMBERS OF THIS COURT as key players controlled by the CRIMINAL RICO ORGANIZATION.

In order to understand how the country has been robbed, and by whom, one must understand that the FINANCIAL FRAUDS that are ONGOING on Wall Street/Fraud Street, destroying Main Street, are committed by CRIMINAL LAW FIRMS, filled with CRIMINALS operating as ATTORNEYS AT LAW. These Operatives are central to creating the underlying documentation and de-regulation that allow these COMPLEX ILLEGAL FINANCIAL FRAUDS to take place. Take for example bogus mortgages, cdo's, derivatives, insurance contracts and TARP FRAUD and you see a steady stream of Attorneys at Law in various Public Office roles facilitating the schemes, from design of the contracts to using the courts and prosecutorial offices to aid and abet the crimes to get off (for the moment) scot free.

Whereby the CRIMINAL RICO ORGANIZATION, as exposed by Anderson, is composed of "Favored Law Firms and Lawyers" and their Criminal Clientele, who directly benefit from the crimes at the expense of the American People and Peoples of Foreign Nations. These CRIMINAL ATTORNEYS AT LAW all Profiting and taking Lavish Bonuses with their criminal clientele, all the while, (i) bankrupting Fortune 100 companies, (ii) destroying the mortgage market, (iii) rigging and destroying world markets intentionally and with scienter, causing global economies to collapse² and (iv) rigging illegal wars of aggression for war profiteering and oil price fixing. These controlled demolitions of markets and countries, have BANKRUPTED the US and World markets and caused ECONOMIC DEPRESSION on Citizens worldwide, all to the benefit of a few and all due to CRIMINAL ACTS.

To stop any Regulation or Prosecution for their crimes, Anderson further exposes that the CRIMINAL RICO ORGANIZATION is comprised almost exclusively of these CRIMINAL Law Firms and Lawyers, many operating as JUSTICES (including now Justices of this Court), US and State Prosecutors, Congressional Members and Regulators. This elaborate network of Government Operatives FINGERED BY ANDERSON AND CORRADO then acts to SUBTERFUGE any Criminal Complaint or Lawsuit that arises against the CRIMINAL RICO

¹ "Misprision of Felony" is an offense under United States federal law after being codified in 1909 under 18 U.S.C. § 4: Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.

²² Insert Levin Report

ORGANIZATION. Anderson FINGERS under sworn oath under G-d, in a Federal Court and before the New York Senate Judiciary Committee, Government Insiders who are all SENIOR PUBLIC OFFICIALS, all with “bought” legal degrees, whitewashing complaints for FELONY CRIMINAL ACTS for each other, a “Good Ole-Boy” network of Criminals inside government. All working in KEY REGULATORY POSTS, including but not limited to, the offices of the SEC, US ATTORNEY/DEPARTMENT OF JUSTICE, NEW YORK ATTORNEY GENERAL, NEW YORK DISTRICT ATTORNEY, NEW YORK SUPREME COURT, NEW YORK SUPREME COURT ATTORNEY DISCIPLINARY AGENCIES and more.

The Criminal Operatives with legal degrees, upon exiting these public offices, swing through a revolving door of a select group of “Favored Law Firms” (as described by Anderson). Big payouts are waiting for them in INSTANT PARTNERSHIPS with the “Favored Law Firms” for their time in public DISSERVICE and their work to aid and abet the facilitation of the Crimes by INTENTIONALLY FAILING TO REGULATE or PROSECUTE. Many of these Criminal Operatives in fact leave lucrative multi-million dollar legal jobs to enter low paying public service jobs with the intent of derailing complaints or disabling regulation in order to facilitate the schemes. The “Revolving Doors” are fully exposed in the Madoff Ponzi (or the RICO Money Laundering Operation), the Stanford Ponzi (or the RICO Money Laundering Operation), the Dreier Ponzi (or the RICO Money Laundering Operation), and now, the RIGGED COLLAPSE OF THE US THE ECONOMY. The market collapses expose an even more massive revolving door, as described in **Exhibit 2**, hereby incorporated (including the taped conversations with the New York Attorney General’s office) in entirety by reference herein, the recent letter to Schneiderman regarding the New York Attorney General’s ADMITTED and ACKNOWLEDGED Conflicts of Interest.

In all of these Fraudulent Illegal Legal Schemes, we again find CRIMINALS DISGUISED AS ATTORNEYS AT LAW in Key Regulatory Posts, where their failures directly link to the success of the fraud in each case and yet these “Regulators” more aptly “De-Regulators,” then just leave their posts and take INSTANT PARTNERSHIPS at the CRIMINAL RICO ORGANIZATION CONTROLLED LAW FIRMS. All of these Ponzi Schemes/Criminal RICO Money Laundering Operations have already been identified to this Court and other Authorities to be centrally linked to the Iviewit/Eliot Bernstein’s TWELVE COUNT, TWELVE TRILLION DOLLAR FEDERAL RICO & ANTITRUST LAWSUIT “LEGALLY RELATED” BY FEDERAL JUDGE SHIRA SCHEINDLIN TO THE ANDERSON WHISTLEBLOWER LAWSUIT.

The following documents explain more thoroughly the DIRECT LINKS of these schemes to this RICO & ANTITRUST lawsuit that this Court and the US District Court have failed to ACT upon since notification, thereby allowing these Frauds and Schemes to continue.

SEC Complaints

Filings on Madoff

Filings on Stanford

Filings on SGI

Galleon Information

The Iviewit technologies have been valued in the TRILLIONS of dollars, valued by leading engineers as “PRICELESS” and the “HOLY GRAIL” inventions of the digital imaging and video worlds, affecting virtually every form of digital communication. In fact, almost 99.99% of users of digital imaging and video products use the Iviewit Technologies in some form and the other .01% is most likely statistical aberration. Therefore, the Iviewit RICO stands as one of the largest crimes in World History against any citizen to rob them of their property rights and as such, was going to take an army of Criminals to execute. As the Amended Complaint depicts, the royalties owed the inventors have been ILLEGALLY CONVERTED by their former Intellectual Property and Corporate Counsel for their own gains, one of the Intellectual Property Attorneys accused, Raymond Anthony Joao of Defendant Proskauer/Meltzer Lippe Goldstein Wolfe and Schlissel, having put 90+ patents in his very own name. Joao acting as lacky for Kenneth Rubenstein of Proskauer/Meltzer Lippe Goldstein Wolfe and Schlissel, the sole (soulless) patent reviewer for DEFENDANT MPEGLA, LLC, who is the largest infringer and thief of the Iviewit Intellectual Properties. Joao after being accused by Iviewit Management of Falsifying Patent Oaths went to work with the recently imprisoned Marc S. Dreier law firm of Dreier & Baritz. The Attorneys at Law then used the courts to facilitate their crime by disabling the inventors’ Intellectual Property rights to their inventions through Conflict after Conflict in the Courts and Prosecutorial Offices, all as explained in detail in the Iviewit Amended Complaint and RICO Statement. Finally, in order to LAUNDER the ILL GOTTEN ROYALTIES over the past DECADE, the lawyers have created further frauds, allegedly including the Ponzis/Criminal RICO Money Laundering Operations mentioned above, as vehicles to wash hundreds of billions away while making it appear a Ponzi scheme.

Anderson’s FELONY CRIMINAL ALLEGATIONS now demand immediate investigations of ALL those responsible for the disabling of the Judicial System and Regulatory Oversight Agencies designed to protect US Citizens from Crimes committed by Public Officials, Law Firms and Attorneys at Law. As one can clearly see by the Anderson allegations, there is nowhere to turn at the State or Federal level where victims can pursue their claims against government officials, where Senior Public Officials are not blocking the complaints and intimately involved in the crimes, CONFLICTS, “the glue that binds” the crimes from prosecution in the courts. These Criminals, disguised as Public Officials with Law Degrees, are not lazy, lackadaisical, ignorant, or “asleep at the wheel,” they instead appear this way in order to subterfuge and derail prosecutions, lawsuits and regulatory discipline, while holding the door open for their criminal brethren as they loot the country and world markets. **THUS, WHY**

THERE HAVE BEEN NO SUBSTANTIVE PROSECUTIONS, ARRESTS OR TRIALS, OF ANY OF THE PUBLIC OFFICIALS, LAW FIRMS AND LAWYERS AND THEIR CLIENTS, JUSTICES AND PROSECUTORS, WHO WITH SCIENTER AIDED AND ABETTED THE CRIMES COMMITTED ON WALL STREET, ALL CRIMINALLY FAILING TO UPHOLD THEIR PUBLIC OFFICE DUTIES AND LAW. NO JUSTICE WHATSOEVER, DESPITE ABSOLUTE AND OVERWHELMING EVIDENCE OF DIRECT INVOLVEMENT IN THE CRIMES.

JUSTICE IS DEAD IN THIS COURT and OFFICIALS OF THIS COURT have a DIRECT and heavy hand in aiding and abetting the crimes of the herein complaint and the crimes committed on Wall Street that have destroyed Main Street and World Streets, as THIS COURT has jurisdiction over Wall Street where the crimes appear to both begin and end worldwide. By FAILING TO PERFORM JUDICIALLY according to Judicial Cannons, Attorney Conduct Codes, Public Office Rules & Regulations and State & Federal Law, OFFICIALS OF THIS COURT have become a central component of the RICO Criminal Organizations success in committing the crimes and evading prosecution. Officials of this Court's Criminal Acts are further evidenced by the failure of these Officials to CALL IN THE GUARDS after learning of Anderson and Corrado's FELONY CRIMINAL ALLEGATIONS AGAINST SENIOR PUBLIC OFFICIALS and instead, attempting to sweep these FELONY CRIMINAL ACTS under the rug to hide the crimes and their involvement in them.

Continued Criminal Felony Allegations Against Members of this Court

Plaintiff would AGAIN like to thank the Justices and Members of this Court, including but not limited to, **NAME ALL COURT MEMBERS**, who have FURTHER FINGERPRINTED themselves for CRIMINAL PROSECUTION. Thank you for submitting further PRIMA FASCIAE EVIDENCE of YOUR CONTINUED FRAUD on this COURT through issuance of Orders, without removing Conflicts of Interest and Other Identified Frauds and CRIMES on this Court and the Lower Court, prior to further adjudication. Additionally, for Members of THIS COURT'S failure to then act, according to well-established law, including but not limited to, MISPRISION OF A FELONY and AIDING & ABETTING, by reporting the Felony Criminal Acts alleged by Anderson against Senior Public Officials in the "Legally Related" Anderson Whistleblower Lawsuit for IMMEDIATE INVESTIGATION. The Court's INTENTIONAL failures constitute a continued Fraud on the Court by JUSTICES and other Members of this COURT, constituting further Felony Obstruction of Justice on behalf of the Criminal RICO Organization. Obstruction committed through ongoing combined VIOLATIONS of Attorney Conduct Codes, Judicial Cannons, Public Office Rules & Regulations and State, Federal and & International Law, by all those adjudicating this lawsuit and ALL those participating in the defense and prosecution of the Defendants in these matters.

The attached ILLEGAL and OBSTRUCTIONARY ruling to DISMISS³ issued by Members of this COURT, Exhibit 3, attempts to bury the Iviewit/Eliot Bernstein Federal RICO & ANTITRUST Lawsuit on Appeal, before removing any of these germane Violations of Law or investigating any of Anderson's allegations. In fact, this case was Dismissed prior to resolution of the "Legally Related" Anderson lawsuit, showing the Courts hurried rulings as merely illegal attempts to cover-up the crimes exposed by Anderson and further deny Plaintiff rights to Discovery and Investigation of the Anderson allegations. The Court attempts ILLEGALLY to dismiss this Lawsuit, prior to resolving these FELONY VIOLATIONS OF LAW exposed against SENIOR RANKING PUBLIC OFFICIALS and by removing the identified Conflicts of Interest and Violations of Law, which deny Plaintiff fair and impartial due process in a Conflict Free Court.

This makes the Court's DISMISSAL just another ILLEGAL ATTEMPT to COVER-UP the ONGOING crimes committed by Members of this Court in conjunction with Members of the US District Court Southern District of New York, the New York Supreme Court, the New York Attorney General's Office, the New York Governor Andrew Cuomo and others. The Court's failure to Halt this Lawsuit until summoned investigators can investigate Whistleblower Anderson's Felony Criminal Allegations, exposed in her sworn testimony in US Federal Court and before the New York Senate Judiciary Committee against US Attorneys, New York District Attorneys, New York Assistant DA's, the New York Attorney General (under the leadership of Spitzer, Cuomo and Schneiderman), Court Officials and "Favored Lawyers and Law Firms," stands as clear evidence of continued Obstruction of Justice and more. Then again, Plaintiff does not anticipate that this Court can rule in favor of Plaintiff, as it would result in Members of the Court serving very lengthy FEDERAL PRISON sentences for their part in the RICO. A phenomenon similar to a Concentration Camp Victim appealing to the Gestapo for Justice against other Gestapo members responsible for killing and torturing Camp Victims, the odds of success and fair and impartial due process, nil.

Plaintiff would like to also WELCOME all the new Second Circuit Officials who have FINGERPRINTED themselves thus far to the Iviewit Federal RICO & ANTITRUST Lawsuit. Kindly take this Motion as further OFFICIAL NOTICE, see Motion to Compel for earlier NOTICE, that you have been CRIMINALLY COMPLAINED OF, both personally and professionally, to FEDERAL, STATE & INTERNATIONAL CRIMINAL AUTHORITIES and other authoritative disciplinary agencies with oversight of your actions for FELONY CRIMINAL VIOLATIONS OF LAW. Members of the Court attempt to suppress the CRIMINAL CHARGES by attempting to DISMISS the Anderson Whistleblower Lawsuit and the "Legally Related" Lawsuits, prior to investigators investigating Members of This Court and the others fingered by Anderson, which acts as further evidence of Criminal Acts committed by

³ [Attach Link](#)

This Court. This too has been reported to criminal authorities and oversights and Plaintiff awaits their formal responses and ignores the ILLEGAL ORDERS OF THIS COURT UNTIL SUCH TIME THAT ALL CRIMINAL AUTHORITIES HAVE FINALIZED THEIR ONGOING INVESTIGATIONS.

Take this Motion as FURTHER OFFICIAL NOTICE that Members of this Court named herein, have, and will continue to be, included in ALL ongoing and future Iviewit/Eliot Bernstein Litigations, Criminal Complaints and Appeals/Rehearings of this RICO & ANTITRUST Lawsuit. The Iviewit Lawsuit is a 12 Count 12 Trillion Dollar Lawsuit, and as such, the named Members of this Court are required to report both the Criminal Complaints against them and all current, pending and future threatened legal actions to all those with liabilities that may result from their actions. Reporting these LIABILITIES to all Insurance Carriers, Bond Holders, the State of New York Auditors and to any parties who may incur liabilities from the Members of this Court's CRIMINAL ACTIVITIES. Plaintiff reminds the Members of this Court of InJustice that **THERE IS NO IMMUNITY FOR CRIMINAL ACTS COMMITTED BY JUSTICES OR MEMBERS OF THE COURTS, AS NO ONE IS ABOVE THE LAW, DESPITE YOUR CONTINUED EFFORTS TO SHIELD YOUR FELONY CRIMINAL ACTS USING RIDICULOUS IMMUNITY CLAIMS.**

II. REMAND AND REHEAR THIS LAWSUIT DUE TO THE NEW YORK STATE ATTORNEY GENERAL'S NOW ADMITTED AND ACKNOWLEDGED CONFLICTS OF INTEREST BOTH PAST AND PRESENT, IN ACTING ILLEGALLY AS COUNSEL FOR 39 PLUS STATE DEFENDANT/ACTORS IN THIS LAWSUIT BY VIOLATING PUBLIC OFFICE RULES & REGULATIONS, ATTORNEY CONDUCT CODES AND STATE & FEDERAL LAW.

On April 14, 2011, James Rogers, Esq. Special Counsel and Senior Advisor to New York Attorney General Eric T. Schneiderman, ADMITTED and ACKNOWLEDGED Conflicts of Interest for both himself personally and the New York Attorney General's Office. Conflicts of Interest, which precluded him and the AG's office from handling or even speaking to matters related to Iviewit and Eliot Bernstein's Criminal Complaints and this RICO & ANTITRUST Lawsuit. A multitude of Conflicts were identified, which This Court and the US District Court should have precluded but instead allowed to infect this proceeding, further evidence of FRAUD ON THE COURT. For example of one of the many conflicts, current and former Members of the New York Attorney General's Office are now noticed Defendants in the Lawsuit, while ILLEGALLY investigating (more aptly derailing) Iviewit Criminal Complaints against themselves and simultaneously and ILLEGALLY representing 39 Plus State Actor/Defendants (including their offices), both personally and professionally.

The taped phone calls between Eliot Bernstein and Governor Cuomo's office and the New York Attorney General's offices leading to these ADMISSIONS and ACKNOWLEDGEMENTS of Conflicts of Interest are located at <http://www.youtube.com/watch?v=X2pwFIEIp6E> , hereby incorporated by reference in entirety herein.

The admission of Conflicts of Interest then forced the NY Attorney General's office to refuse to further handle or even speak to Plaintiff regarding these matters and instead seek INDEPENDENT NON CONFLICTED COUNSEL to represent their offices and INDEPENDENT NON CONFLICTED PROSECUTORS to investigate the complaints before them. The integrity of Mr. Rogers should be applauded here as this admission breaks the WALL OF CONFLICTS that prior New York Attorney General's Spitzer and Cuomo, flagrantly and with SCIENTER violated. The Admission and Acknowledgement of Conflicts of Interest is therefore further reason for NEW SCREENED NON CONFLICTED MEMBERS of this Court, to IMMEDIATELY REMAND this RICO & ANTITRUST Lawsuit, the Anderson Whistleblower Lawsuit and the "Legally Related" Lawsuits, back to the US District Court for rehearings free of Conflicts of Interest, Violations of Attorney Conduct Codes, Public Office Rules & Regulations and State & Federal Law. Rehearings free of the Conflicts that infected these hearings from the start, Obstructing Justice and perpetrating a FRAUD ON THE COURTS, committed by former and current Officials of the New York Attorney General's office. This Court with knowledge gained herein and evidence submitted in support of these allegations must report these FELONY CRIMES OF THEIR PEERS or face further MISPRISION OF FELONY charges, AIDING & ABETTING a CRIMINAL RICO ORIGINATION and other VIOLATIONS of STATE, FEDERAL & INTERNATIONAL LAW.

Whistleblower Anderson has also presented evidence to this Court of Violations of Public Office Rules & Regulations, Attorney Conduct Codes and State & Federal Law by the New York Attorney General, in her Notice of Motion to Disqualifying the Office of the New York State Attorney General from Representation of Defendants, which can be found at,

http://www.frankbrady.org/TammanyHall/Documents_files/CCA%20091410%20Filing.pdf

and

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

the URL's fully incorporated by reference in entirety herein and ALL APPLICABLE and RELEVANT ARGUMENTS contained within the Anderson Motion therein to REMOVE the ATTORNEY GENERAL FROM the Anderson Lawsuit, are wholly incorporated herein in entirety for consideration in this Motion to also REMOVE THE ATTORNEY GENERAL FROM THESE PROCEEDINGS OTHER THAN AS A DEFENDANT with NON CONFLICTED COUNSELS to represent them both PERSONALLY and PROFESSIONALLY.

With the Attorney General removed from this Lawsuit, the case must be moved to a NON CONFLICTED COURT to REHEAR the matter in entirety FREE OF THE PERVERSIONS TO LAW CREATED BY THE CONFLICTS OF SENIOR RANKING PUBLIC OFFICIALS. As Plaintiff is suing the New York State Courts, Disciplinary Departments and State Bar Association, ANY MEMBER of those organizations cannot hear this Lawsuit and therefore the case should be remanded to a Court outside the State of New York and lawyers registered with the New York Courts, as again, this would be further ILLEGAL CONFLICTS that act to OBSTRUCT JUSTICE and ILLEGALLY DENY PLAINTIFF DUE PROCESS RIGHTS. Plaintiff demands a FEDERAL MONITOR or some other impartial party to choose the next venue this Lawsuit can proceed in and who can be party to the Lawsuit as defense counsel. With the removal of the New York Attorney General as Counsel to the State Actors/Defendants, each State Official must then retain new, NON CONFLICTED COUNSELORS, one to represent them personally and one professionally. It should be noted, and it was noted in Anderson's Motion to Remove the Attorney General for ILLEGAL REPRESENTATIONS and in the Motion to Compel filed by Plaintiff, that State Funds and RESOURCES are being illegally used to represent these PUBLIC OFFICIALS PERSONALLY in Violation of Attorney Conduct Codes, Public Office Rules and Regulations and State and Federal Law. Again, attempts to continue this THEFT and FRAUD of PUBLIC RESOURCES by STATE OFFICIALS by failure to end these crimes in THIS COURT or report the CRIMES to CRIMINAL AUTHORITIES will result in ADDITIONAL CRIMINAL CHARGES AGAINST MEMBERS OF THIS COURT.

- III. REMAND AND REHEAR THIS LAWSUIT DUE TO THE NEW YORK STATE SUPREME COURT ATTORNEY WHISTLEBLOWER CHRISTINE C. ANDERSON'S FELONY CRIMINAL ALLEGATIONS AGAINST SENIOR COURT OFFICIALS, PUBLIC OFFICIALS AND MORE.**
- IV. HALT THIS LAWSUIT AND THE "LEGALLY RELATED" LAWSUITS, PENDING INVESTIGATIONS OF WHISTLEBLOWER ANDERSON'S FELONY CRIMINAL ALLEGATIONS AGAINST MEMBERS OF THE NEW YORK ATTORNEY GENERAL'S OFFICE, THE US ATTORNEY'S OFFICE, THE NEW YORK DISTRICT ATTORNEY'S OFFICE, JUSTICES, OFFICERS OF THE NEW YORK SUPREME COURT, THE NEW YORK SUPREME COURT DISCIPLINARY DEPARTMENTS AND OTHERS, BASED ON FELONY CRIMINAL ALLEGATIONS IN US FEDERAL COURT AND BEFORE THE NEW YORK SENATE JUDICIARY COMMITTEE BY NEW YORK SUPREME COURT ATTORNEY/WHISTLEBLOWER/HERO CHRISTINE C. ANDERSON. THE FELONY CRIMES ALLEGED BY ANDERSON, DIRECTLY RELATE TO THIS RICO & ANTITRUST LAWSUIT, INCLUDING HAVING SEVERAL IDENTICAL NEW YORK STATE PUBLIC OFFICIAL ACTOR/DEFENDANTS AND THE ALLEGATIONS ARE WHOLLY GERMANE TO THE NEXUS OF THE IVIEWIT RICO & ANTITRUST LAWSUIT CRIMES ALLEGED. FURTHER THE TWO LAWSUITS ARE "LEGALLY RELATED" BY FEDERAL JUDGE SHIRA SCHEINDLIN.**
- V. IMMEDIATELY DISQUALIFY ALL JUSTICES AND OTHER MEMBERS OF THE UNITED STATES SECOND CIRCUIT COURT OF APPEALS (THIS COURT) WHOM HAVE CURRENTLY ACTED IN THIS LAWSUIT IN ANYWAY WHATSOEVER, FOR THEIR PART IN AIDING AND ABETTING FRAUD ON THE COURT, OBSTRUCTION OF JUSTICE, DENIAL OF DUE PROCESS AND MORE.**

IMMEDIATE Disqualification of Justices and other Members of the Second Circuit Court who have acted in Violation of Law, Aiding and Abetting Fraud on the Court. In seeking DISQUALIFICATION of the JUSTICES OF THIS COURT, PLAINTIFF DEMANDS FULL REMOVAL OF ALL PRIOR RULINGS and ORDERS, which have been tendered in CONFLICT and have Violated Attorney Conduct Codes, Judicial Cannons, Public Office Rules & Regulations and State & Federal Law.

What causes the "Disqualification of Judges?" Federal law requires the automatic disqualification of a Federal judge under certain circumstances.

In 1994, the U.S. Supreme Court held that "Disqualification is required if an objective observer would entertain reasonable questions about the judge's impartiality. If a judge's attitude or state of mind leads a detached observer to conclude that a fair and impartial hearing is unlikely, the judge must be disqualified." [Emphasis added]. *Liteky v. U.S.*, 114 S.Ct. 1147, 1162 (1994).

Courts have repeatedly held that positive proof of the partiality of a judge is not a requirement, only the appearance of partiality. *Liljeberg v. Health Services Acquisition Corp.*, 486 U.S. 847, 108 S.Ct. 2194 (1988) (what matters is not the reality of bias or prejudice but its appearance); *United States v. Balistrieri*, 779 F.2d 1191 (7th Cir. 1985) (Section 455(a) "is directed against the appearance of partiality, whether or not the judge is actually biased.") ("Section 455(a) of the Judicial Code, 28 U.S.C. §455(a), is not intended to protect litigants from actual bias in their judge but rather to promote public confidence in the impartiality of the judicial process.").

That Court also stated that Section 455(a) "requires a judge to recuse himself in any proceeding in which her impartiality might reasonably be questioned." *Taylor v. O'Grady*, 888 F.2d 1189 (7th Cir. 1989). In *Pfizer Inc. v. Lord*, 456 F.2d 532 (8th Cir. 1972), the Court stated that "It is important that the litigant not only actually receive justice, but that he believes that he has received justice."

The Supreme Court has ruled and has reaffirmed the principle that "justice must satisfy the appearance of justice", *Levine v. United States*, 362 U.S. 610, 80 S.Ct. 1038 (1960), citing *Offutt v. United States*, 348 U.S. 11, 14, 75 S.Ct. 11, 13 (1954). A judge receiving a bribe from an interested party over which he is presiding, does not give the appearance of justice.

"Recusal under Section 455 is self-executing; a party need not file affidavits in support of recusal and the judge is obligated to recuse herself sua sponte under the stated circumstances." *Taylor v. O'Grady*, 888 F.2d 1189 (7th Cir. 1989).

Further, the judge has a legal duty to disqualify himself even if there is no motion asking for his disqualification. The Seventh Circuit Court of Appeals further stated that "We think that this

language [455(a)] imposes a duty on the judge to act sua sponte, even if no motion or affidavit is filed." Balistrieri, at 1202.

Judges do not have discretion not to disqualify themselves. By law, they are bound to follow the law. Should a judge not disqualify himself as required by law, then the judge has given another example of his "appearance of partiality" which, possibly, further disqualifies the judge. Should another judge not accept the disqualification of the judge, then the second judge has evidenced an "appearance of partiality" and has possibly disqualified himself/herself. None of the orders issued by any judge who has been disqualified by law would appear to be valid. It would appear that they are void as a matter of law, and are of no legal force or effect.

Should a judge not disqualify himself, then the judge is violation of the Due Process Clause of the U.S. Constitution. *United States v. Sciuto*, 521 F.2d 842, 845 (7th Cir. 1996) ("The right to a tribunal free from bias or prejudice is based, not on section 144, but on the Due Process Clause.").

Should a judge issue any order after he has been disqualified by law, and if the party has been denied of any of his / her property, then the judge may have been engaged in the Federal Crime of "interference with interstate commerce". The judge has acted in the judge's personal capacity and not in the judge's judicial capacity. It has been said that this judge, acting in this manner, has no more lawful authority than someone's next-door neighbor (provided that he is not a judge). However some judges may not follow the law.

If you were a non-represented litigant, and should the court not follow the law as to non-represented litigants, then the judge has expressed an "appearance of partiality" and, under the law, it would seem that he/she has disqualified him/herself.

However, since not all judges keep up to date in the law, and since not all judges follow the law, it is possible that a judge may not know the ruling of the U.S. Supreme Court and the other courts on this subject. Notice that it states "disqualification is required" and that a judge "must be disqualified" under certain circumstances.

The Supreme Court has also held that if a judge wars against the Constitution, or if he acts without jurisdiction, he has engaged in treason to the Constitution. If a judge acts after he has been automatically disqualified by law, then he is acting without jurisdiction, and that suggest that he is then engaging in criminal acts of treason, and may be engaged in extortion and the interference with interstate commerce.

Courts have repeatedly ruled that judges have no immunity for their criminal acts. Since both treason and the interference with interstate commerce are criminal acts, no judge has immunity to engage in such acts.

LET ME COUNT THE WAYS THIS COURT IS CONFLICTED and IN VIOLATION OF LAW, THAT DEMAND TOTAL DISQUALIFICATION OF ALL JUSTICES, OFFICERS and MEMBERS OF THIS COURT CURRENTLY HANDLING THIS LAWSUIT.

- Failure to Affirm or Deny Conflict to Opposing Counsel (Pro Se Bernstein) in order to assure fair and impartial, including after Anderson states favored Lawyers and Law Firms, as yet unidentified, are involved in **FELONY CRIMINAL ACTS OF OBSTRUCTION OF JUSTICE, THREATENING A FEDERAL WITNESS and MORE**, thereby necessitating **ALL ATTORNEYS AT LAW and LAW FIRMS** to be screened to know if they are **CONFLICTED** or one of the yet unidentified and perhaps contained within the sealed records of the Anderson Whistleblower Lawsuit. Where there should be no Conflicts of Interest in the Lawsuit, we now witness admission of Conflict with a Central Defendant in the RICO, the New York Attorney General's Office and cause for all parties to be screened. Where Plaintiff has requested COI's be signed by all Parties prior to adjudicating and has been ignored, there can be no reason not to sign one now with the Anderson allegations exposed.
- Scheindlin's Order Allowing AG into case
- Knowledge of Crimes Alleged by Credible Witness Anderson

VI. REMOVE ALL OTHER CONFLICTS OF INTEREST CURRENTLY IN PLACE IN THIS LAWSUIT IN ORDER TO IMPART FAIR AND IMPARTIAL DUE PROCESS UNDER LAW.

VII. DEMAND THAT ALL PARTIES TO THIS LAWSUIT GOING FORWARD, INCLUDING BUT NOT LIMITED TO, COURT JUSTICES & OFFICIALS, ATTORNEYS AT LAW, PROSECUTORS, CLERKS, ETC. SIGN AFFIRMED CONFLICT OF INTEREST DISCLOSURES IDENTICAL TO THE ONE ATTACHED HEREIN, ACKNOWLEDGING PERSONAL AND PROFESSIONAL LIABILITIES FOR ANY VIOLATION, PRIOR TO, ANY FURTHER ACTION BY ANYONE IN THIS RICO & ANTITRUST LAWSUIT.

VIII. DEMAND FOR JUSTICES OF THE SECOND CIRCUIT TO TURN THEMSELVES IN TO STATE AND FEDERAL CRIMINAL AUTHORITIES TO ANSWER TO FILED CRIMINAL COMPLAINTS AGAINST THEM AND SERVED UPON THEM.

PLAINTIFF DEMANDS THIS COURT REPORT THESE INEQUITIES perpetrated through this FRAUD ON THE COURT and FELONY CRIMINAL ACTS to all proper CRIMINAL AUTHORITIES for IMMEDIATE INVESTIGATION or face further Obstruction Charges by YOUR continued MISPRISION OF FELONY Offences of which you have direct knowledge of, including but not limited to evidence and sworn testimony of Anderson. Public Officials of the following State and Federal Agencies are directly implicated by Anderson's allegations in FELONY CRIMINAL ACTS, including Members of the New York Attorney General's Office, the US Attorney's Office, the New York District Attorney's Office, Justice and Officers of the US District Court Second Circuit, Justices and Officers of the New York Supreme Court, and Senior Officials of the New York Supreme Court Disciplinary Departments.

Anderson further claims that "Favored Law Firms and Lawyers" are directly involved in the FELONY CRIMINAL ACTS, of which Plaintiff demands to know which Lawyers and Law Firms this involves and specifically requests that ANY party with a legal degree be mandated to sign a Conflict of Interest Disclosure to assure that none of the, as yet, unnamed parties are those directly involved in these matters.

IX. ALLEGED CRIMES ONGOING BY P. STEPHEN LAMONT ET AL. BOTH KNOWN AND UNKNOWN AND FRAUD ON US DISTRICT COURT DC

By filing a similar action to this Ongoing RICO & ANTITRUST Lawsuit

X. RELIEF