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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| ELIOT BERNSTEIN on behalf ofIVIEWIT TECHNOLOGIES INTEREST HOLDERS,Plaintiffs Pro Se-against-APPELLATE DIVISION FIRST DEPARTMENT DEPARTMENTAL DISCIPLINARY COMMITTEE, et al. | CASE NO. 1:07-cv-11196-SASUnited States District Court JudgeSHIRA A. SCHEINDLINPresidingLEGALLY RELATEDASSOCIATED CASEChristine Anderson v. The State of New York et alCASE NO. 1:07-cv-09599-SAS |

**PLAINTIFFS' ("IVIEWIT COMPANIES INTEREST HOLDERS") MOTION TO REOPEN AND MEMORANDUM OF LAW IN COMPLIANCE WITH HER HONORABLE SHIRA A. SCHEINDLIN'S INDIVIDUAL RULES OF PRACTICE SEEKING CORRECTION OF THIS COURT'S DOCKET ANALYSIS CONFIRMED FLAGRANT PREJUDICES IN FAVOR OF OFFICIAL CORRUPTION FRAUD CIVIL RIGHTS CO-DEFENDANT ATTORNEY GENERAL'S ILLEGAL AND UNETHICAL LEGAL MALPRACTICE REPRESENTATION OF NEW YORK STATE CO-DEFENDANTS TO CAUSE FIVE YEARS OBSTRUCTION OF PATENT DISPUTE, RICO LITIGATION, WORSENING INJURIES TO PUBLIC INTEREST AND U.S. ECONOMY; QUELLED WITH ENFORCEMENT OF U.S. CITIZENS' RIGHT TO PETITION FEDERAL COURT FOR REDRESS OF GRIEVANCES PURSUANT TO U.S. CONSTITUTION AND PURSUANT TO U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT'S APRIL 23, 2012 DECISION THAT FEDERAL COURT HAS EXCLUSIVE JURISDICTION OVER LEGAL MALPRACTICE CLAIMS ARISING OUT OF PATENT PROSECUTION; AND PURSUANT TO AUGUST 15, 2011, GOVERNOR CUOMO SIGNED INTO LAW THE PUBLIC INTEGRITY REFORM ACT OF 2011.**

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**Enacts the public integrity reform act of 2011**

### N.Y. EXC. LAW § 63-a : NY Code - Section 63-A: Action by attorney-general for forfeiture of public office

Section (12) The attorney-general may maintain an action, upon his own information or

 upon the complaint of a private person, against a public officer, civil

 or military, who has done or suffered an act which by law works a

 forfeiture of his office.

 12. Whenever any person shall engage in repeated fraudulent or illegal

 acts or otherwise demonstrate persistent fraud or illegality in the

 carrying on, conducting or transaction of business, the attorney general

 may apply, in the name of the people of the state of New York, to the

 supreme court of the state of New York, on notice of five days, for an

 order enjoining the continuance of such business activity or of any

 fraudulent or illegal acts, directing restitution and damages and, in an

 appropriate case, cancelling any certificate filed under and by virtue

 of the provisions of section four hundred forty of the former penal law

 or section one hundred thirty of the general business law, and the court

 may award the relief applied for or so much thereof as it may deem

 proper. The word "fraud" or "fraudulent" as used herein shall include

 any device, scheme or artifice to defraud and any deception,

 misrepresentation, concealment, suppression, false pretense, false

 promise or unconscionable contractual provisions. The term "persistent

 fraud" or "illegality" as used herein shall include continuance or

 carrying on of any fraudulent or illegal act or conduct. The term

 "repeated" as used herein shall include repetition of any separate and

 distinct fraudulent or illegal act, or conduct which affects more than

 one person.

 In connection with any such application, the attorney general is

 authorized to take proof and make a determination of the relevant facts

 and to issue subpoenas in accordance with the civil practice law and

 rules. Such authorization shall not abate or terminate by reason of any

 action or proceeding brought by the attorney general under this section.