

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**ELIOT I. BERNSTEIN, INDIVIDUALLY and P.
STEPHEN LAMONT AND ELIOT I. BERNSTEIN
ON BEHALF OF SHAREHOLDERS OF IVIEWIT
HOLDINGS, INC., IVIEWIT TECHNOLOGIES,
INC., UVIEW.COM, INC., IVIEWIT HOLDINGS,
INC., IVIEWIT HOLDINGS, INC., IVIEWIT.COM,
INC., IVIEWIT.COM, INC., I.C., INC.,
IVIEWIT.COM LLC, IVIEWIT LLC, IVIEWIT
CORPORATION, IVIEWIT, INC., IVIEWIT, INC.,
and PATENT INTEREST HOLDERS ATTACHED
AS EXHIBIT B**

Plaintiffs,

-against-


**STATE OF NEW YORK,
THE OFFICE OF COURT ADMINISTRATION
OF THE UNIFIED COURT SYSTEM,
PROSKAUER ROSE LLP, and, all of its Partners,
Associates and Of Counsel, in their professional and
individual capacities,
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,
KENNETH RUBENSTEIN, in his professional
and individual capacities,
ESTATE OF STEPHEN KAYE, in his professional
and individual capacities,
ALAN S. JAFFE, in his professional
and individual capacities,
ROBERT J. KAFIN, in his professional
and individual capacities,
CHRISTOPHER C. WHEELER, 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,
ALBERT T. GORTZ, in his professional**

**DOCKET NO:
07-Civ-11196 (SAS)
Related
DOCKET NO:
07-Civ-9599 (SAS)**

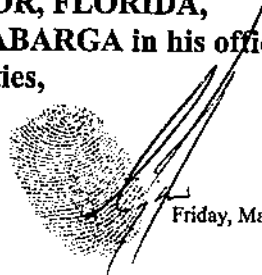


and individual capacities,
CHRISTOPHER PRUZASKI, in his professional
and individual capacities,
MARA LERNER ROBBINS, in her professional
and individual capacities,
DONALD "ROCKY" THOMPSON, in his
professional and individual capacities,
GAYLE COLEMAN, in her professional
and individual capacities,
DAVID GEORGE, in his professional
and individual capacities,
GEORGE A. PINCUS, in his professional
and individual capacities,
GREGG REED, in his professional
and individual capacities,
LEON GOLD, in his professional
and individual capacities,
MARCY HAHN-SAPERSTEIN, in her professional
and individual capacities,
KEVIN J. HEALY, in his professional
and individual capacities,
STUART KAPP, in his professional
and individual capacities,
RONALD F. STORETTE, in his professional
and individual capacities,
CHRIS WOLF, in his professional
and individual capacities,
JILL ZAMMAS, in her professional
and individual capacities,
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

AMENDED
COMPLAINT

A handwritten signature in black ink is written over a circular fingerprint. The signature is stylized and appears to be the initials 'G.M.' or similar. The fingerprint is a standard ten-print pattern.

**and individual capacities,
JOANNA SMITH, in her professional
and individual capacities,
MELTZER LIPPE GOLDSTEIN WOLF &
SCHLISSEL, P.C. and its predecessors
and successors, and, all of its Partners,
Associates and Of Counsel, in their professional and
individual capacities,
LEWIS S. MELTZER, in his professional
and individual capacities,
RAYMOND A. JOAO, in his professional
and individual capacities,
FRANK MARTINEZ, in his professional
and individual capacities,
FOLEY & LARDNER LLP, and, all of its Partners,
Associates and Of Counsel, in their professional and
individual capacities,
MICHAEL C. GREBE, in his professional
and individual capacities,
WILLIAM J. DICK, in his professional
and individual capacities,
TODD C. NORBITZ, in his professional
and individual capacities,
ANNE SEKEL, in his professional
and individual capacities,
RALF BOER, in his professional
and individual capacities,
BARRY GROSSMAN, in his professional
and individual capacities,
JIM CLARK, in his professional
and individual capacities,
DOUGLAS A. BOEHM, in his professional
and individual capacities,
STEVEN C. BECKER, in his professional
and individual capacities,
BRIAN G. UTLEY,
MICHAEL REALE,
RAYMOND HERSCH,
WILLIAM KASSER,
ROSS MILLER, ESQ. in his professional
and individual capacities,
STATE OF FLORIDA,
OFFICE OF THE STATE COURTS
ADMINISTRATOR, FLORIDA,
HON. JORGE LABARGA in his official and
individual capacities,**

A handwritten signature in black ink is written over a circular fingerprint. The signature is slanted and appears to be the name of the person who signed the document.

**THE FLORIDA BAR,
JOHN ANTHONY BOGGS in his official and
individual capacities,
KELLY OVERSTREET JOHNSON in her official
and individual capacities,
LORRAINE CHRISTINE HOFFMAN in her
official and individual capacities,
ERIC TURNER in his official and individual
capacities,
KENNETH MARVIN in his official and individual
capacities,
JOY A. BARTMON in her official and individual
capacities,
JERALD BEER in his official and individual
capacities,
BROAD & CASSEL, and, all of its Partners,
Associates and Of Counsel, in their professional and
individual capacities,
JAMES J. WHEELER, in his professional
and individual capacities,
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,
SUPREME COURT OF NEW YORK
APPELLATE DIVISION FIRST
DEPARTMENT DEPARTMENTAL DISCIPLINARY
COMMITTEE,**



THOMAS J. CAHILL in his official and individual capacities,
PAUL CURRAN in his official and individual capacities,
MARTIN R. GOLD in his official and individual capacities,
SUPREME COURT OF NEW YORK
APPELLATE DIVISION FIRST
DEPARTMENT,
CATHERINE O'HAGEN WOLFE in her official and individual capacities,
HON. ANGELA M. MAZZARELLI in her official and individual capacities,
HON. RICHARD T. ANDRIAS in his official and individual capacities,
HON. DAVID B. SAXE in his official and individual capacities,
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,
LAWRENCE DIGIOVANNA in his official and individual capacities,
DIANA MAXFIELD KEARSE in her official and individual capacities,
JAMES E. PELTZER in his official and individual capacities,
HON. A. GAIL PRUDENTI in her official and individual capacities,
HON. JUDITH S. KAYE in her official and individual capacities,
STATE OF NEW YORK COMMISSION OF INVESTIGATION,
ANTHONY CARTUSCIELLO in his official and individual capacities,
LAWYERS FUND FOR CLIENT
PROTECTION OF THE STATE OF NEW YORK,
OFFICE OF THE ATTORNEY GENERAL
OF THE STATE OF NEW YORK,



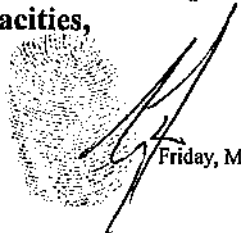
ELIOT SPITZER in his official and individual capacities, as both former Attorney General for the State of New York, and, as former Governor of the State of New York,
COMMONWEALTH OF VIRGINIA,
VIRGINIA STATE BAR,
ANDREW H. GOODMAN in his official and individual capacities,
NOEL SENDEL in her official and individual capacities,
MARY W. MARTELINO in her official and individual capacities,
LIZBETH L. MILLER, in her official and individual capacities,
MPEGLA, LLC,
LAWRENCE HORN, in his professional and individual capacities,
REAL 3D, INC. and successor companies,
GERALD STANLEY, in his professional and individual capacities,
DAVID BOLTON, in his professional and individual capacities,
TIM CONNOLLY, in his professional and individual capacities,
ROSALIE BIBONA, in her professional and individual capacities,
RYJO, INC.,
RYAN HUISMAN, in his professional and individual capacities,
INTEL CORP.,
LARRY PALLEY, in his professional and individual capacities,
SILICON GRAPHICS, INC.,
LOCKHEED MARTIN,
BLAKELY SOKOLOFF TAYLOR & ZAFMAN, LLP, and, all of its Partners, Associates and Of Counsel, in their professional and individual capacities,
NORMAN ZAFMAN, in his professional and individual capacities,
THOMAS COESTER, in his professional and individual capacities,
FARZAD AHMINI, in his professional and individual capacities,
GEORGE HOOVER, in his professional and individual capacities,



**WILDMAN, HARROLD, ALLEN &
DIXON LLP, and, all of its Partners,
Associates and Of Counsel, in their professional and
individual capacities,
MARTYN W. MOLYNEAUX, in his professional
and individual capacities,
MICHAEL DOCKTERMAN, in his professional
and individual capacities,
HARRISON GOODARD FOOTE, and, all of its
Partners, Associates and Of Counsel, in their
professional and individual capacities,
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,
YAMAKAWA INTERNATIONAL PATENT
OFFICE, and, all of its Partners,
Associates and Of Counsel, in their professional and
individual capacities,
MASAKI YAMAKAWA, in his professional
and individual capacities,
CROSSBOW VENTURES, INC.,
ALPINE VENTURE CAPITAL PARTNERS LP,
STEPHEN J. WARNER, in his professional
and individual capacities,
RENE P. EICHENBERGER, in his professional
and individual capacities,
H. HICKMAN "HANK" POWELL, in his
professional and individual capacities,
MAURICE BUCHSBAUM, in his professional
and individual capacities,
ERIC CHEN, in his professional
and individual capacities,
AVI HERSH, in his professional
and individual capacities,
MATTHEW SHAW, in his professional
and individual capacities,
BRUCE W. SHEWMAKER, in his professional
and individual capacities,
RAVI M. UGALE, in his professional
and individual 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,
TIEDEMANN INVESTMENT GROUP,
BRUCE T. PROLOW, in his professional
and individual capacities,
CARL TIEDEMANN, in his professional
and individual capacities,
ANDREW PHILIP CHESLER, in his professional
and individual capacities,
CRAIG L. SMITH, in his professional
and individual capacities,
HOUSTON & SHAHADY, P.A., and any successors,
and, all of its Partners,
Associates and Of Counsel, in their professional and
individual capacities,
BART A. HOUSTON, ESQ. in his professional
and individual capacities,
FURR & COHEN, P.A., and, all of its Partners,
Associates and Of Counsel, in their professional
and individual capacities,
BRADLEY S. SCHRAIBERG, ESQ. in his
professional and individual capacities,
MOSKOWITZ, MANDELL, SALIM &
SIMOWITZ, P.A., and, all of its Partners,
Associates and Of Counsel, in their professional and
individual capacities,
WILLIAM G. SALIM, ESQ. in his professional
and individual capacities,
SACHS SAX & KLEIN, P.A., and, all of its Partners,
Associates and Of Counsel, in their professional and
individual capacities,
BEN ZUCKERMAN, ESQ. in his professional
and individual capacities,
SPENCER M. SAX, in his professional
and individual capacities,
SCHIFFRIN & BARROWAY LLP, and any successors,
and, all of its Partners, Associates and Of Counsel,
in their professional and individual capacities,
RICHARD SCHIFFRIN, in his professional
and individual capacities,
ANDREW BARROWAY, in his professional
and individual capacities,

A handwritten signature in black ink is written over a circular, textured stamp. The signature is slanted and appears to be initials or a name. The stamp is partially obscured by the signature.

**KRISHNA NARINE, in his professional and individual capacities,
CHRISTOPHER & WEISBERG, P.A., and, all of its Partners, Associates and Of Counsel, in their professional and individual capacities,
ALAN M. WEISBERG, 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,
JOHN AND JANE DOES.**

Defendants

X

**JURY TRIAL
DEMANDED**

1. **PLAINTIFFS, ELIOT I. BERNSTEIN, Pro Se, individually, and, P. STEPHEN LAMONT, Pro Se and Plaintiff Bernstein on behalf of shareholders of Iviewit Holdings, Inc., Iviewit Technologies, Inc., Uview.com, Inc., Iviewit Holdings, Inc., Iviewit Holdings, Inc., Iviewit.com, Inc., Iviewit.com, Inc., I.C., Inc., Iviewit.com LLC, Iviewit LLC, Iviewit Corporation, Iviewit, Inc., Iviewit, Inc., and other John Doe**



companies (collectively, "Iviewit Companies¹"), and patent interest holders attached as Exhibit A, and for their Complaint against the above captioned defendants, state upon knowledge as to their own facts and upon information and belief as to all other matters:

PRELIMINARY STATEMENT

2. This is a civil action seeking injunctive relief, monetary relief, including past and on going economic loss, compensatory and punitive damages, disbursements, costs and fees for violations of rights brought pursuant to, including but not limited to, Article 1, Section 8, Clause 8 of The Constitution of the United States; Fifth, and Fourteenth Amendment to The Constitution of the United States; 15 U.S.C.A. §§ 1 and 2; Title VII of the Civil Rights Act of 1964 (as amended); 18 U.S.C. § 1961 through 18 U.S.C. § 1968; and, State law claims.

3. Plaintiffs allege that the defendants wantonly, recklessly, knowingly and purposefully, acting individually and in conspiracy with each other and in various combinations through a core group of original conspirators, sought to deprive Petitioners of title and pay through a pattern of violation of constitutional rights, violation of attorney ethics, misrepresentation, misinformation, fraud, fraud upon the United States Patent and Trademark Office ("USPTO") and other Federal, state, and international agencies, and abuse of and manipulation of laws, rules, and regulations, conflicts of interests and abuse of public offices of, including but not limited to, the First Department Departmental Disciplinary Committee, Second Department Departmental Disciplinary Committee, The Florida Bar, and appearances of impropriety² thru ³, to deprive Plaintiffs of interests in

¹ Where it is unknown and this time and will take further discovery to reveal which Iviewit Companies are legitimate and which are illegitimate, as many of the Iviewit Companies were opened by unauthorized parties in order to perfect the intellectual property crimes and other crimes described herein, it has been assumed that all companies eventually will be owned by the legitimate companies. Despite their being lumped together in reference for this Amended Complaint, they will need to be defined further in the future after receiving the corporate records from former counsel and accountants which have never been returned or made part of disclosure at a former civil billing case as described herein as to which were legitimate and which were illegitimate.

² See Unpublished Order incorporated herein by reference as if such appeared in this Amended Complaint: M3198 - Steven C. Krane & Proskauer Rose; M2820 Kenneth Rubenstein & Proskauer Rose; M3212 Raymond A. Joao and Meltzer Lippe Goldstein & Schlissel; and, Thomas J. Cahill - Special Inquiry #2004.1122.

³ See Motion in the Matters of Complaints Against Attorneys and Counselors at Law; Thomas J. Cahill - Docket Pending Review by Special Counsel Martin R. Gold On Advisement of Paul J. Curran and Related Cases (Separate Motion Attached) Against Kenneth Rubenstein - Docket 2003.0531, Raymond A. Joao -

intellectual properties valued at valued over several trillion dollars over twenty plus years of the patent and other IP rights of the inventors.

4. Plaintiffs are aware of the imminent filing or already filed civil cases seeking association to the related *Anderson, et al. v. the State of New York, et al.*, (U.S. District Court, S.D.N.Y.) (October 26, 2007) hereinafter ("*Anderson*") case, which this case has been associated with, which act together to support the denial of due process claimed by Plaintiffs herein, including but not limited to;

- A. (07cv09599) *Anderson v The State of New York, et al.*,
- B. (07cv11196) *Bernstein, et al. v Appellate Division First Department Disciplinary Committee, et al.*,
- C. (07cv11612) *Esposito v The State of New York, et al.*,
- D. (08cv00526) *Capogrosso v New York State Commission on Judicial Conduct, et al.*,
- E. (08cv02391) *McKeown v The State of New York, et al.*,
- F. (08cv02852) *Galison v The State of New York, et al.*,
- G. (08cv03305) *Carvel v The State of New York, et al.*, and,
- H. (08cv4053) *Gizella Weisshaus v The State of New York, et al.*

5. That this Court may note an additional large number of defendants have been added to the original complaint and this is due to the fact that as a RICO case and for other reasons, the whole of the conspiracy is herein defined with all participants, whereas the original complaint had only the defendants involved in covering up the crimes as it related to *Anderson's* claims of public office corruption. Where the original complaint was done with the urgency to support the heroic efforts of *Anderson* with the intent that if the Court accepted the case to expand through amending the complaint the entire case of Plaintiffs.

6. Said criminal and civil acts herein were done knowingly with the consent and condonation, of including but not limited to, the main conspiratorial parties of: Proskauer Rose LLP, Meltzer Lippe Goldstein Wolf & Schlissel, Foley & Lardner LLP, MPEGLA LLC and Intel Corporation in collusion with the cover up participants, once

caught in said acts to block due process, including but not limited to: First Department Departmental Disciplinary Committee, the Second Department Departmental Disciplinary Committee, the New York State Supreme Court Appellate Division First Department, Supreme Court of the State of New York Appellate Division Second Judicial Department, State of New York Court of Appeals, the State of New York Commission of Investigation, the Office of the Attorney General for the State of New York, Lawyers Fund for Client Protection of the State of New York, The Florida Bar, the Virginia State Bar, and other culpable defendants (collectively "Cover Up Participants") named herein to cloak the sabotage of, theft of, and unauthorized use of intellectual properties with a value of more than ONE TRILLION DOLLARS (\$1,000,000,000,000), where the defendants either acting alone, combined or in collusion with the Cover Up Participants at the direction of the main criminal enterprises as further defined herein, blocked due process with scienter in an effort to thwart the investigations of issues of patent sabotage and theft and other crimes described herein.

7. Contained in this Complaint, Plaintiffs depict a conspiratorial pattern of fraud, deceit, and misrepresentation, that runs so wide and so deep, that it tears at the very fabric, and becomes the litmus test, of what has come to be known as free commerce through inventors' rights and due process in this country, and in that the circumstances involve inventors' rights tears at the very fabric of the Democracy protected under the Constitution of the United States.

JURISDICTION AND VENUE

8. This Court has subject matter jurisdiction over this dispute pursuant to 28 U.S.C. §§ 1331 and 1338 (federal question jurisdiction). Jurisdiction is premised upon defendants breach of, among other federal statutes: Article 1, Section 8, Clause 8 of The Constitution of the United States; Fifth, and Fourteenth Amendment to The Constitution of the United States; Title VII of the Civil Rights Act of 1964 (as amended); 15 U.S.C.A. §§ 1 and 2; and, 18 U.S.C. § 1961 through 18 U.S.C. § 1968 -- Racketeer Influenced and Corrupt Organizations Act.

9. This Court has personal jurisdiction over the diverse defendants because all factual allegations derive from: (i) IP sabotage through violations of state, federal and international laws and treaties; (ii) the theft of intellectual properties, through a pattern

of false IP oaths submitted to the United States Patent & Trademark Office and worldwide patent authorities and through a bait and switch in other instances using similarly named corporate formations, unauthorized asset transfers, and unauthorized stock swaps; and (iii) the unauthorized use of, despite confidentiality agreements ("NDA's") or confidentiality clauses in strategic alliance contracts of proprietary intellectual properties; (iv) the denial of due process by Cover Up Participants, and other culpable defendants with scienter; where (i) to (iv) culminated in (v) a conspiratorial pattern of fraud, deceit, and misrepresentation not only against Plaintiffs but against the United States and foreign agencies and nations. For the sake of judicial expediency, this Court has supplemental jurisdiction over all other claims that are so related to claims in the actions of the parties within such original jurisdiction that they form part of the same dispute pursuant to 28 U.S.C. § 1367.

10. Venue is proper in this district pursuant to 28 U.S.C. §§1391 and 1400 because the bulk of the defendants transacts business and are found in this district, and for those defendants that do not, and for the sake of judicial expediency, this Court has supplemental jurisdiction over all other defendants that are so related to claims in the actions of the parties within such original jurisdiction that they form part of the same dispute pursuant to 28 U.S.C. § 1367.

PARTIES

11. On information and belief, Plaintiff BERNSTEIN, is a sui juris individual and resident of Red Bluff, Tehama County, California, and the Founder and principal inventor of the technology of the Iviewit Companies.

12. On information and belief, Plaintiff LAMONT, is a sui juris individual and resident of Rye, Westchester County, New York, and former Chief Executive Officer (Acting) of the Iviewit Companies formed to commercialize the technology of the Iviewit Companies⁴.

13. On information and belief, Plaintiff shareholders of IVIEWIT HOLDINGS, INC., are sui juris persons of their respective states.

⁴ Upon information and belief, and pending ongoing investigations, the discovery of multiple, unauthorized, similarly named corporate formations and unauthorized stock swaps and unauthorized asset transfers; therefore, the authenticity of the Iviewit Companies cannot be ascertained at this time.

14. On information and belief, Plaintiff shareholders of IVIEWIT TECHNOLOGIES, INC., are sui juris persons of their respective states.

15. On information and belief, Plaintiff shareholders of UVIEW.COM, INC., are sui juris persons of their respective states.

16. On information and belief, Plaintiff shareholders of IVIEWIT HOLDINGS, INC., are sui juris persons of their respective states.

17. On information and belief, Plaintiff shareholders of IVIEWIT.COM, INC., are sui juris persons of their respective states.

18. On information and belief, Plaintiff shareholders of IVIEWIT.COM, INC., are sui juris persons of their respective states.

19. On information and belief, Plaintiff shareholders of I.C., INC., are sui juris persons of their respective states.

20. On information and belief, Plaintiff shareholders of IVIEWIT.COM LLC, are sui juris persons of their respective states.

21. On information and belief, Plaintiff shareholders of IVIEWIT LLC, are sui juris persons of their respective states.

22. On information and belief, Plaintiff shareholders of IVIEWIT CORPORATION, are sui juris persons of their respective states.

23. On information and belief, Plaintiff shareholders of IVIEWIT, INC., are sui juris persons of their respective states.

24. On information and belief, Plaintiff shareholders of IVIEWIT, INC., are sui juris persons of their respective states.

25. On information and belief, defendant STATE OF NEW YORK sued herein, was an employer within the meaning of the Constitution of the State of New York and was a governmental entity acting under color of the laws, statutes, ordinances, regulations, policies, customs and usages of the State of New York.

26. On information and belief, defendant OFFICE OF COURT ADMINISTRATION OF THE UNIFIED COURT SYSTEM (hereinafter "OCA") sued herein, is and was at all relevant times a governmental entity created by and authorized under the laws of the State of New York. On information and belief, defendant OCA



was a governmental entity acting under color of the laws, statutes, ordinances, regulations, policies, customs and usages of the State of New York.

27. On information and belief, defendant PROSKAUER ROSE LLP, and, all of its Partners, Associates and Of Counsel from 1998 to present, in their professional and individual capacities, who all have gained pecuniary interests from the illegal actions of Proskauer (hereinafter "Proskauer") sued herein, is a domestic professional service limited liability company providing legal services to the public, located at 1585 Broadway, New York, New York 10036 and who provided legal services to the Iviewit Companies.

28. On information and belief, defendant STEVEN C. KRANE (hereinafter "Krane"), sued herein in his official and individual capacities as a member of the First Department Departmental Disciplinary Committee, in his official and individual capacity as President of the New York State Bar Association, and, as partner of defendant law firm Proskauer in his individual and professional capacities, is an attorney, who, upon information and belief, resides in the State of New York. On information and belief defendant Krane has been a partner in the defendant law firm Proskauer located at 1585 Broadway, New York, New York 10036.

29. On information and belief, defendant KENNETH RUBENSTEIN (hereinafter "Rubenstein"), sued herein in his professional and individual capacities, as a partner of defendant law firm Proskauer, in his professional and individual capacities as the patent evaluator and counsel to defendant MPEG LA LLC, and in his professional and individual capacities as former partner of defendant Meltzer, Lippe, Goldstein, Wolfe and Schlissel who, upon information and belief, resides in the State of New Jersey. On information and belief, defendant Rubenstein has been a partner in the defendant law firm Proskauer located at 1585 Broadway, New York, New York 10036.

30. On information and belief, defendant ESTATE OF STEPHEN KAYE (hereinafter "S. Kaye"), sued herein is a deceased individual and his estate is sued herein its capacities, and sued herein in his former professional and individual capacities, as a former partner of defendant Proskauer, was an attorney, who, upon information and belief, resided in the State of New York and is the former husband of the now widow Hon. Judith S. Kaye. On information and belief, defendant S. Kaye had been a partner in



the defendant law firm Proskauer located at 1585 Broadway, New York, New York 10036.,

31. On information and belief, defendant ALAN S. JAFFE (hereinafter "Jaffe"), sued herein in his professional and individual capacities, as a partner of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of New York. On information and belief, defendant Jaffe has been a partner in the defendant law firm Proskauer located at 1585 Broadway, New York, New York 10036.

32. On information and belief, defendant ROBERT J. KAFIN (hereinafter "Kafin"), sued herein in his professional and individual capacities, as partner of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of New York. On information and belief, defendant Kafin has been a partner in the defendant law firm Proskauer located at 1585 Broadway, New York, New York 10036.

33. On information and belief, defendant CHRISTOPHER C. WHEELER (hereinafter "Wheeler"), sued herein in his professional and individual capacities, as a partner of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Wheeler has been a partner in the defendant law firm Proskauer located at 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

34. On information and belief, defendant MATTHEW M. TRIGGS (hereinafter "Triggs"), sued herein in his professional and individual capacities, as partner of defendant law firm Proskauer, in his official and personal capacity as an officer of The Florida Bar, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Triggs has been a partner in the defendant law firm Proskauer located at 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

35. On information and belief, defendant ALBERT T. GORTZ (hereinafter "Gortz"), sued herein in his professional and individual capacities, as a partner of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Gortz has been a partner in the

A handwritten signature in black ink is written over a circular, textured stamp. The signature is slanted and appears to be the initials 'ATG'. The stamp is partially obscured by the signature.

defendant law firm Proskauer located at 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

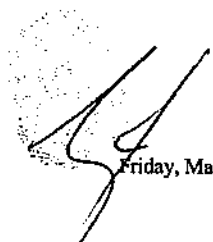
36. On information and belief, defendant CHRISTOPHER PRUZASKI (hereinafter "Pruzaski"), sued herein in his professional and individual capacities, as an associate of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Pruzaski had been an associate in the defendant law firm Proskauer located at 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

37. On information and belief, defendant MARA LERNER ROBBINS (hereinafter "Robbins"), sued herein in her professional and individual capacities, as an associate of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Robbins had been an associate in the defendant law firm Proskauer located at 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

38. On information and belief, defendant DONALD "ROCKY" THOMPSON (hereinafter "Thompson"), sued herein in his professional and individual capacities, as an associate of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Thompson had been an associate in the defendant law firm Proskauer located at 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

39. On information and belief, defendant GAYLE COLEMAN (hereinafter "Coleman"), sued herein in her professional and individual capacities, as an associate of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Coleman had been an associate in the defendant law firm Proskauer located at 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

40. On information and belief, defendant DAVID GEORGE (hereinafter "George"), sued herein in his professional and individual capacities, as an associate of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant George had been an associate



in the defendant law firm Proskauer located at 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

41. On information and belief, defendant GEORGE A. PINCUS (hereinafter "Pincus"), sued herein in his professional and individual capacities, and as an associate of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Pincus had been an associate in the defendant law firm Proskauer located at 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

42. On information and belief, defendant GREGG REED (hereinafter "Reed"), sued herein in his professional and individual capacities, as an associate of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Reed had been an associate in the defendant law firm Proskauer located at 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

43. On information and belief, defendant LEON GOLD (hereinafter "Gold"), sued herein in his professional and individual capacities, as a partner of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of New York. On information and belief, defendant Gold had been a partner in the defendant law firm Proskauer located at 1585 Broadway, New York, New York 10036.

44. On information and belief, defendant MARCY HAHN-SAPERSTEIN (hereinafter "Saperstein"), sued herein in her professional and individual capacities, as an associate of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Saperstein is an associate in the defendant law firm Proskauer located at 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

45. On information and belief, defendant KEVIN J. HEALY (hereinafter "Healy"), sued herein in his professional and individual capacities, as an associate of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Healy is an associate in the defendant law firm Proskauer located at 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.



46. On information and belief, defendant STUART KAPP (hereinafter "Kapp"), sued herein in his professional and individual capacities, as an associate of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Kapp is an associate in the defendant law firm Proskauer located at 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

47. On information and belief, defendant RONALD F. STORETTE (hereinafter "Storette"), sued herein in his professional and individual capacities, as an associate of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Storette is an associate in the defendant law firm Proskauer located at 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

48. On information and belief, defendant CHRIS WOLF (hereinafter "Wolf"), sued herein in his professional and individual capacities, as an associate of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Wolf is an associate in the defendant law firm Proskauer located at 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

49. On information and belief, defendant JILL ZAMMAS (hereinafter "Zammas"), sued herein in her professional and individual capacities, as an associate of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Zammas is an associate in the defendant law firm Proskauer located at 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

50. On information and belief, defendant JON A. BAUMGARTEN (hereinafter "Baumgarten"), sued herein in his professional and individual capacities, as an associate of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Baumgarten is an associate in the defendant law firm Proskauer located at 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.



51. On information and belief, defendant SCOTT P. COOPER (hereinafter "Cooper"), sued herein in his professional and individual capacities, as an associate of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Cooper is an associate in the defendant law firm Proskauer located at 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

52. On information and belief, defendant BRENDAN J. O'ROURKE (hereinafter "O'Rourke"), sued herein in his professional and individual capacities, as an associate of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant O'Rourke is an associate in the defendant law firm Proskauer located at 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

53. On information and belief, defendant LAWRENCE I. WEINSTEIN (hereinafter "Weinstein"), sued herein in his professional and individual capacities, as an associate of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Weinstein is an associate in the defendant law firm Proskauer located at 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

54. On information and belief, defendant WILLIAM M. HART (hereinafter "Hart"), sued herein in his professional and individual capacities, as an associate of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Hart is an associate in the defendant law firm Proskauer located at 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

55. On information and belief, defendant DARYN A. GROSSMAN (hereinafter "Grossman"), sued herein in his professional and individual capacities, as an associate of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Grossman is an associate in the defendant law firm Proskauer located at 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.



56. On information and belief, defendant JOSEPH A. CAPRARO JR (hereinafter "Capraro"), sued herein in his professional and individual capacities, as an associate of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Capararo is an associate in the defendant law firm Proskauer located at 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

57. On information and belief, defendant JAMES H. SHALEK (hereinafter "Shalek"), sued herein in his professional and individual capacities, as an associate of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Shalek is an associate in the defendant law firm Proskauer located at 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

58. On information and belief, defendant GREGORY MASHBERG (hereinafter "Mashberg"), sued herein in his professional and individual capacities, as a partner of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of New York. On information and belief, defendant Mashberg had been a partner in the defendant law firm Proskauer located at 1585 Broadway, New York, New York 10036.

59. On information and belief, defendant JOANNA SMITH (hereinafter "Smith"), sued herein in her individual capacities, as an associate of defendant law firm Proskauer, is an attorney, who, upon information and belief, resides in the State of New York. On information and belief, defendant Smith had been an associate in the defendant law firm Proskauer located at 1585 Broadway, New York, New York 10036.

60. On information and belief, defendant MELTZER LIPPE GOLDSTEIN WOLF & SCHLISSEL, P.C. (hereinafter "MLG") and its successors, and, all of its Partners, Associates and Of Counsel from 1998 to present, in their professional and individual capacities, who all have gained pecuniary interests from the illegal actions of MLG, sued herein is a domestic professional service limited liability company providing legal services to the public, located at 190 Willis Avenue, Mineola, New York 11501 and provided legal services to the Iviewit Companies.



61. On information and belief, defendant LEWIS S. MELTZER (hereinafter "Meltzer"), sued herein in his professional and individual capacities, as a partner of defendant law firm MLG, is an attorney, who, upon information and belief, resides in the State of New York. On information and belief, defendant Meltzer had been a partner in the defendant law firm MLG located at 190 Willis Avenue, Mineola, New York 11501.

62. On information and belief, defendant RAYMOND A. JOAO (hereinafter "Joao"), sued herein in his professional and individual capacities, as an Of Counsel and possible partner of defendant law firm MLG, is an attorney, who, upon information and belief, resides in the State of New York. On information and belief, defendant Joao had been a partner in the defendant law firm MLG located at 190 Willis Avenue, Mineola, New York 11501.

63. On information and belief, defendant FRANK MARTINEZ (hereinafter "Martinez"), sued herein in his professional and individual capacities, as a partner of defendant law firm MLG, is an attorney, who, upon information and belief, resides in the State of New York. On information and belief, defendant Martinez had been a partner in the defendant law firm MLG located at 190 Willis Avenue, Mineola, New York 11501.

64. On information and belief, defendant FOLEY & LARDNER LLP (hereinafter "Foley") and, all of its Partners, Associates and Of Counsel from 1998 to present, in their professional and individual capacities, who all have gained pecuniary interests from the illegal actions of Foley sued herein, is a domestic professional service limited liability company providing legal services to the public, located at 777 East Wisconsin Avenue, Milwaukee, Wis. 53202 and provided legal services to Iviewit Companies.

65. On information and belief, defendant MICHAEL C. GREBE (hereinafter "Grebe"), sued herein in his professional and individual capacities, as a partner of defendant law firm Foley, is an attorney, who, upon information and belief, resides in the State of Wisconsin. On information and belief, defendant Grebe had been a partner in the defendant law firm Foley located at 777 East Wisconsin Avenue, Milwaukee, Wis. 53202.

66. On information and belief, defendant WILLIAM J. DICK (hereinafter "Dick"), sued herein in his professional and individual capacities, as an Of Counsel of



defendant law firm Foley, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Dick had been an Of Counsel in the defendant law firm Foley headquartered at 777 East Wisconsin Avenue, Milwaukee, Wis. 53202.

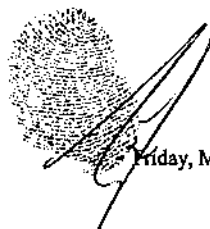
67. On information and belief, defendant TODD NORBITZ (hereinafter "Norbitz"), sued herein in his professional and individual capacities, as a partner of defendant law firm Foley, is an attorney, who, upon information and belief, resides in the State of New York. On information and belief, defendant Norbitz had been a partner in the defendant law firm Foley located at 90 Park Avenue, New York, NY 10016.

68. On information and belief, defendant ANNE SEKEL (hereinafter "Sekel"), sued herein in her professional and individual capacities, as a partner of defendant law firm Foley is an attorney, who, upon information and belief, resides in the State of New York. On information and belief, defendant Sekel had been a partner in the defendant law firm Foley located at 90 Park Avenue, New York, NY 10016.

69. On information and belief, defendant RALF BOER (hereinafter "Boer"), sued herein in his professional and individual capacities, as a partner of defendant law firm Foley, is an attorney, who, upon information and belief, resides in the State of Wisconsin. On information and belief, defendant Boer had been a partner in the defendant law firm Foley located at 777 East Wisconsin Avenue, Milwaukee, Wis. 53202.

70. On information and belief, defendant BARRY GROSSMAN (hereinafter "Grossman"), sued herein in his professional and individual capacities, as a partner of defendant law firm Foley, is an attorney, who, upon information and belief, resides in the State of Wisconsin. On information and belief, defendant Grossman had been a partner in the defendant law firm Foley located at 777 East Wisconsin Avenue, Milwaukee, Wis. 53202. ,

71. On information and belief, defendant JIM CLARK (hereinafter "Clark"), sued herein in his professional and individual capacities, as a partner of defendant law firm Foley, is an attorney, who, upon information and belief, resides in the State of Wisconsin. On information and belief, defendant Clark had been a partner in the



defendant law firm Foley located at 777 East Wisconsin Avenue, Milwaukee, Wis.

53202. ,

72. On information and belief, defendant DOUGLAS A. BOEHM (hereinafter "Boehm"), sued herein in his professional and individual capacities, as a partner of defendant law firm Foley, is an attorney, who, upon information and belief, resides in the State of Illinois. On information and belief, defendant Boehm had been a partner in the defendant law firm Foley headquartered at 777 East Wisconsin Avenue, Milwaukee, Wis. 53202. ,

73. On information and belief, defendant STEVEN C. BECKER (hereinafter "Becker"), sued herein in his professional and individual capacities, as an associate of defendant law firm Foley, is an attorney, who, upon information and belief, resides in the State of Wisconsin. On information and belief, defendant Becker had been an associate in the defendant law firm Foley located at 777 East Wisconsin Avenue, Milwaukee, Wis. 53202. ,

74. On information and belief, defendant BRIAN G. UTLEY (hereinafter "Utley"), sued herein in his professional and individual capacities, who, upon information and belief, resides in the State of Minnesota. On information and belief, defendant Utley was employed by defendant Delaware corporation, Iviewit.com, LLC., as President & COO located at 2255 Glades Road, Suite 337W, Boca Raton, Fla. 33431.

75. On information and belief, defendant MICHAEL REALE (hereinafter "Reale"), sued herein in his professional and individual capacities, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Reale was employed by defendant iviewit.com, Inc. as Vice President of Operations located at 2255 Glades Road, Suite 337W, Boca Raton, Fla. 33431.

76. On information and belief, defendant RAYMOND HERSCH (hereinafter "Hersch"), sued herein in his professional and individual capacities, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Hersch was employed by defendant Iviewit Holdings, Inc., a Florida corporation as Chief Financial Officer located at 2255 Glades Road, Suite 337W, Boca Raton, Fla. 33431.



77. On information and belief, defendant WILLIAM KASSER (hereinafter "Kasser"), sued herein in his professional and individual capacities, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Kasser was employed by an Iviewit Companies company as Controller located at 2255 Glades Road, Suite 337W, Boca Raton, Fla. 33431.

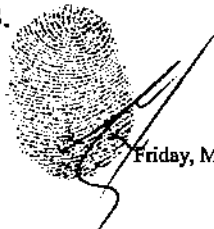
78. On information and belief, defendant STATE OF FLORIDA sued herein was an employer within the meaning of the Constitution of the State of Florida and was a governmental entity acting under color of the laws, statutes, ordinances, regulations, policies, customs and usages of the State of Florida.

79. On information and belief, defendant OFFICE OF THE STATE COURTS ADMINISTRATOR, FLORIDA (hereinafter "OSCA") and the FSC sued herein are and were at all relevant times governmental entities created by and authorized under the laws of the State of Florida. On information and belief, defendant OSCA was a governmental entity acting under color of the laws, statutes, ordinances, regulations, policies, customs and usages of the State of Florida.

80. On information and belief, defendant the HON. JORGE LABARGA (hereinafter "Labarga") sued herein in his official and individual capacities, on information and belief, is a citizen of the United States residing in the State of Florida. On information and belief, defendant Labarga was the Presiding Justice of the Circuit Court of the 15th Judicial Circuit in and for Palm Beach County, Florida.

81. On information and belief, defendant THE FLORIDA BAR (hereinafter "TFB") sued herein is and are at all relevant times a governmental entity created by and authorized under the laws of the State of Florida. On information and belief, defendant TFB was a governmental entity acting under color of the laws, statutes, ordinances, regulations, policies, customs and usages of the State of Florida and the recipient of attorney discipline complaints for Wheeler, Proskauer, Turner and Triggs.

82. On information and belief, defendant JOHN ANTHONY BOGGS (hereinafter "Boggs"), sued herein in his official and individual capacities, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Boggs was employed as Disciplinary Procedure and Review attorney for the defendant TFB.



83. On information and belief, defendant KELLY OVERSTREET JOHNSON (hereinafter "Johnson"), sued herein in her official, professional and individual capacities, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Johnson was employed as an attorney for and immediate former President of the defendant TFB and also worked as an attorney for defendant Broad & Cassel.

84. On information and belief, defendant LORRAINE CHRISTINE HOFFMAN (hereinafter "Hoffman"), sued herein in her official and individual capacities, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Hoffman was employed as an attorney for the defendant TFB.

85. On information and belief, defendant ERIC TURNER (hereinafter "Turner"), sued herein in his official and individual capacities, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Turner was employed as an attorney for the defendant TFB.

86. On information and belief, defendant KENNETH MARVIN (hereinafter "Marvin"), sued herein in his official and individual capacities, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Marvin was employed as Disciplinary Procedure and Review attorney for the defendant TFB.

87. On information and belief, defendant JOY A. BARTMON (hereinafter "Bartmon"), sued herein in her official and individual capacities, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Bartmon was employed as an attorney for the defendant TFB.

88. On information and belief, defendant JERALD BEER (hereinafter "Beer"), sued herein in his official and individual capacities, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Beer was employed as an attorney for the defendant TFB.

89. On information and belief, defendant BROAD & CASSEL (hereinafter "BC") and, all of its Partners, Associates and Of Counsel from 1998 to present, in their professional and individual capacities, who all have gained pecuniary interests from the

illegal actions of BC, sued herein is a domestic professional service limited liability company providing legal services to the public, located at 7777 Glades Road, Suite 300, Boca Raton, Fla. 33434.

90. On information and belief, defendant JAMES J. WHEELER (hereinafter "J. Wheeler"), sued herein in his professional and individual capacities, as a partner of defendant law firm BC, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant J. Wheeler had been a partner in the defendant law firm BC located at 7777 Glades Road, Suite 300, Boca Raton, Fla. 33434

91. On information and belief, defendant FLORIDA SUPREME COURT (hereinafter "FSC") sued herein is and was at all relevant times governmental entities created by and authorized under the laws of the State of Florida. On information and belief, defendant FSC was a governmental entity acting under color of the laws, statutes, ordinances, regulations, policies, customs and usages of the State of Florida.

92. On information and belief, defendant HON. CHARLES T. WELLS (hereinafter "Wells") sued herein in his official and individual capacities, upon information and belief, resides in the State of Florida. On information and belief, defendant Wells was a Justice of FSC.

93. On information and belief, defendant HON. HARRY LEE ANSTEAD (hereinafter "Anstead") sued herein in his official and individual capacities, upon information and belief, resides in the State of Florida. On information and belief, defendant Anstead was a Justice of FSC.

94. On information and belief, defendant HON. R. FRED LEWIS (hereinafter "Lewis") sued herein in his official and individual capacities, upon information and belief, resides in the State of Florida. On information and belief, defendant Lewis was a Justice of FSC.

95. On information and belief, defendant HON. PEGGY A. QUINCE (hereinafter "Quince") sued herein in his official and individual capacities, upon information and belief, resides in the State of Florida. On information and belief, defendant Quince was a Justice of FSC.

A handwritten signature in black ink is written over a circular, textured stamp. The signature is stylized and appears to be the initials 'P.A.' or similar. The stamp is a light gray, circular mark.

96. On information and belief, defendant KENNETH B. BELL (hereinafter "Bell") sued herein in his official and individual capacities, resides in the State of Florida. On information and belief, defendant Bell was a Justice of FSC.

97. On information and belief, defendant THOMAS HALL (hereinafter "Hall") sued herein in his official and individual capacities, is an attorney, who, on information and belief resides in the State of Florida. On information and belief, defendant Hall was employed as Clerk of the Florida Supreme Court ("FSC").

98. On information and belief, defendant DEBORAH YARBOROUGH (hereinafter "Yarborough") sued herein in her official and individual capacities, is an administrative clerk who, on information and belief resides in the State of Florida. On information and belief, defendant Yarborough was employed as an administrative clerk of the FSC.

99. On information and belief, defendant CITY OF BOCA RATON, FL. (hereinafter "Boca") sued herein was an employer within the meaning of the Constitution of the State of Florida and was a governmental entity acting under color of the laws, statutes, ordinances, regulations, policies, customs and usages of the State of Florida.

100. On information and belief, defendant ROBERT FLECHAUS (hereinafter "Flechaus"), sued herein in his official and individual capacities, is a detective, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Flechaus was employed by the defendant BC as a detective.

101. On information and belief, defendant ANDREW SCOTT (hereinafter "Scott"), sued herein in his official and individual capacities, is a police officer, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Scott was employed by the defendant BC as a Chief of Police.

102. On information and belief, defendant APPELLATE DIVISION: FIRST JUDICIAL DEPARTMENT, DEPARTMENTAL DISCIPLINARY COMMITTEE (collectively hereinafter "1st DDC") sued herein is and was at all relevant times a governmental entity created by and authorized under the laws of the State of New York. On information and belief, defendant 1st DDC was a governmental entity acting under color of the laws, statutes, ordinances, regulations, policies, customs and usages of the State of New York.



103. On information and belief, defendant THOMAS J. CAHILL (hereinafter "Cahill"), sued herein in his official and individual capacities, is an attorney, who, upon information and belief, resides in the State of Connecticut. On information and belief, defendant Cahill was employed as Chief Counsel for the defendant 1st DDC.

104. On information and belief, defendant PAUL CURRAN (hereinafter "Curran"), sued herein in his official and individual capacities, is an attorney, who, upon information and belief, resides in the State of New York. On information and belief, defendant Curran was employed as Chairman for the defendant 1st DDC.

105. On information and belief, defendant MARTIN R. GOLD (hereinafter "Gold"), sued herein in his official and individual capacities, is an attorney, who, upon information and belief, resides in the State of New York. On information and belief, defendant Gold was employed as a reviewer of in-house attorneys for the defendant 1st DDC.

106. On information and belief, defendant NEW YORK STATE SUPREME COURT APPELLATE DIVISION FIRST DEPARTMENT (hereinafter "First Department Court") sued herein is and was at all relevant times governmental entities created by and authorized under the laws of the State of New York. On information and belief, defendant First Department Court was a governmental entity acting under color of the laws, statutes, ordinances, regulations, policies, customs and usages of the State of New York.

107. On information and belief, defendant CATHERINE O'HAGEN WOLFE (hereinafter "WOLFE") sued herein in her official and individual capacities, is an attorney, who, under information and belief resides in the State of New York. On information and belief, defendant WOLFE was employed as Clerk of the Court of the Appellate Division, First Judicial Department.

108. On information and belief, defendant the HON. ANGELA M. MAZZARELLI (hereinafter "Mazzarelli") sued herein in her official and individual capacities, was at all relevant times and upon information and belief, resides in the State of New York. On information and belief, defendant Mazzarelli was a Justice of the New York State Supreme Court Appellate Division First Department.

A handwritten signature in black ink is written over a circular stamp. The signature appears to be 'A. Mazzarelli'. The stamp is partially obscured by the signature.

109. On information and belief, defendant the HON. RICHARD T. ANDRIAS (hereinafter "Andrias") sued herein in his official and individual capacities, was at all relevant times and upon information and belief, resides in the State of New York. On information and belief, defendant Andrias was a Justice of the New York State Supreme Court Appellate Division First Department.

110. On information and belief, defendant the HON. DAVID B. SAXE (hereinafter "Saxe") sued herein in his official and individual capacities, was at all relevant times and upon information and belief, resides in the State of New York. On information and belief, defendant Saxe was a Justice of the New York State Supreme Court Appellate Division First Department.

111. On information and belief, defendant the HON. DAVID FRIEDMAN (hereinafter "Friedman") sued herein in his official and individual capacities, was at all relevant times and upon information and belief, resides in the State of New York. On information and belief, defendant Friedman was a Justice of the New York State Supreme Court Appellate Division First Department.

112. On information and belief, defendant the HON. LUIZ A. GONZALES (hereinafter "Gonzales") sued herein in his official and individual capacities, was at all relevant times and upon information and belief, resides in the State of New York. On information and belief, defendant Gonzales was a Justice of the New York State Supreme Court Appellate Division First Department.

113. On information and belief, defendant APPELLATE DIVISION: SECOND JUDICIAL DEPARTMENT, DEPARTMENTAL DISCIPLINARY COMMITTEE (collectively hereinafter "2nd DDC") sued herein is and was at all relevant times a governmental entity created by and authorized under the laws of the State of New York. On information and belief, defendant 2nd DDC was a governmental entity acting under color of the laws, statutes, ordinances, regulations, policies, customs and usages of the State of New York.

114. On information and belief, defendant LAWRENCE F. DIGIOVANNA (hereinafter "DiGiovanna"), sued herein in his official and individual capacities, is an attorney, who, upon information and belief, resides in the State of New York. On

A handwritten signature in black ink is written over a circular, textured stamp. The signature appears to be 'L. F. DiGiovanna'.

information and belief, defendant DiGiovanna was employed as Chairman for the defendant 2nd DDC.

115. On information and belief, defendant DIANA MAXFIELD KEARSE (hereinafter "Kearse"), sued herein in her official and individual capacities, is an attorney, who, upon information and belief, resides in the State of New York. On information and belief, defendant Kearse was employed as Chief Counsel for the defendant 2nd DDC.

116. On information and belief, defendant NEW YORK STATE SUPREME COURT APPELLATE DIVISION SECOND DEPARTMENT (hereinafter "Second Department Court") sued herein is and was at all relevant times governmental entities created by and authorized under the laws of the State of New York. On information and belief, defendant First Department Court was a governmental entity acting under color of the laws, statutes, ordinances, regulations, policies, customs and usages of the State of New York.

117. On information and belief, defendant JAMES E. PELTZER (hereinafter "Peltzer") sued herein in his official and individual capacities, is an attorney, who, on information and belief resides in the State of New York. On information and belief, defendant Peltzer was employed as Clerk of the Court of the Second Department Court.

118. On information and belief, defendant the HON. A. GAIL PRUDENTI (hereinafter "Prudenti") sued herein in her official and individual capacities, on information and belief, resides in the State of New York. On information and belief, defendant Prudenti was the Presiding Justice of the Second Department Court.

119. On information and belief, defendant the HON. JUDITH S. KAYE (hereinafter "J. Kaye") sued herein in her official and individual capacities, on information and belief, resides in the State of New York. On information and belief, defendant J. Kaye was the Chief Judge of the State of New York Court of Appeals.

120. On information and belief, defendant STATE OF NEW YORK COMMISSION OF INVESTIGATION (hereinafter "COI") sued herein is and was at all relevant times a governmental entity created by and authorized under the laws of the State of New York. On information and belief, defendant COI was a governmental entity acting under color of the laws, statutes, ordinances, regulations, policies, customs and usages of the State of New York.



121. On information and belief, defendant ANTHONY CARTUSCIELLO (hereinafter "Cartusciello") sued herein in his official and individual capacities, is an attorney, who, on information and belief resides in the State of New York. On information and belief, defendant Cartusciello was employed as Chief Counsel/Deputy Commissioner of the COL.

122. On information and belief, defendant LAWYERS FUND FOR CLIENT PROTECTION OF THE STATE OF NEW YORK (hereinafter "LFCP") sued herein is and was at all relevant times a governmental entity created by and authorized under the laws of the State of New York. On information and belief, defendant LFCP was a governmental entity acting under color of the laws, statutes, ordinances, regulations, policies, customs and usages of the State of New York.

123. On information and belief, defendant ATTORNEY GENERAL OF THE STATE OF NEW YORK (hereinafter "NYAG") sued herein is and was at all relevant times a governmental entity created by and authorized under the laws of the State of New York. On information and belief, defendant NYAG was a governmental entity acting under color of the laws, statutes, ordinances, regulations, policies, customs and usages of the State of New York.

124. On information and belief, defendant ELIOT SPITZER (hereinafter "Spitzer"), sued herein in his official and individual capacities, is an attorney, who, upon information and belief, resides in the State of New York. On information and belief, defendant Spitzer was employed by the NYAG as Attorney General.

125. On information and belief, defendant COMMONWEALTH OF VIRGINIA sued herein was an employer within the meaning of the Constitution of the State of Virginia and was a governmental entity acting under color of the laws, statutes, ordinances, regulations, policies, customs and usages of the Commonwealth of Virginia.

126. On information and belief, defendant VIRGINIA STATE BAR (hereinafter "VSB") sued herein, is and was at all relevant times a governmental entity created by and authorized under the laws of the Commonwealth of Virginia. On information and belief, defendant VSB was a governmental entity acting under color of the laws, statutes, ordinances, regulations, policies, customs and usages of the Commonwealth of Virginia.



127. On information and belief, defendant ANDREW H. GOODMAN (hereinafter "Goodman"), sued herein in his official and individual capacities, is an attorney, who, upon information and belief, resides in the Commonwealth of Virginia. On information and belief, defendant Goodman was employed as a member of the Standing Committee on Lawyer Discipline for the defendant VSB.

128. On information and belief, defendant NOEL SENDEL (hereinafter "Sengel"), sued herein in her official and individual capacities, is an attorney, who, upon information and belief, resides in the Commonwealth of Virginia. On information and belief, defendant Sengel was employed as Senior Assistant Bar Counsel for the defendant VSB.

129. On information and belief, defendant MARY W. MARTELINO (hereinafter "Martelino"), sued herein in her official and individual capacities, is an attorney, who, upon information and belief, resides in the Commonwealth of Virginia. On information and belief, defendant Martelino was employed as Senior Assistant Bar Counsel for the defendant VSB.

130. On information and belief, defendant LIZBETH L. MILLER (hereinafter "Miller"), sued herein in her official and individual capacities, is an attorney, who, upon information and belief, resides in the Commonwealth of Virginia. On information and belief, defendant Miller was employed as Senior Assistant Bar Counsel for the defendant VSB.

131. On information and belief, defendant MPEGLA, LLC⁵ (hereinafter "MPEG") sued herein is a domestic limited liability company providing alternative technology licenses to the public, located at 6312 S Fiddlers Green Circle, Suite 400E, Greenwood Village, Colorado 80111.

132. On information and belief, defendant LAWRENCE A. HORN (hereinafter "Horn"), sued herein in his professional and individual capacities, who, upon information and belief, resides in the State of Colorado. On information and belief, defendant Horn was Chief Executive Officer employed by defendant MPEG located at 6312 S Fiddlers Green Circle, Suite 400E, Greenwood Village, Colorado 80111.

⁵ Plus royalties derived from patent pools including but not limited to: MPEG-2, ATSC, AVC/H.264, VC-1, MPEG-4 Visual, MPEG-2 Systems, DVB-T, 1394, MPEG-4 Systems, other programs in development.

133. On information and belief, defendant REAL 3D, INC. and successor companies (hereinafter "Real") sued herein, upon information and belief, was a domestic Florida corporation that develops and produces real-time three-dimensional (3-D) graphics technology products, and former strategic alliance partner with the Iviewit Companies, located at 2603 Discovery Drive, Suite 100, Orlando, Fla. 32826.

134. On information and belief, defendant GERALD W. STANLEY (hereinafter "Stanley"), sued herein in his professional and individual capacities, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Stanley was Chairman, President and Chief Executive Officer employed by defendant Real located at 2603 Discovery Drive, Suite 100, Orlando, Fla. 32826.

135. On information and belief, defendant DAVID BOLTON (hereinafter "Bolton"), sued herein in his professional and individual capacities, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Bolton was General Counsel employed by defendant Real located at 2603 Discovery Drive, Suite 100, Orlando, Fla. 32826.

136. On information and belief, defendant TIM CONNOLLY (hereinafter "Connolly"), sued herein in his professional and individual capacities, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Connolly was Director of Engineering and employed by defendant Real located at 2603 Discovery Drive, Suite 100, Orlando, Fla. 32826.

137. On information and belief, defendant ROSALIE BIBONA (hereinafter "Bibona"), sued herein in her individual capacities, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Bibona was and engineer employed by defendant Real located at 2603 Discovery Drive, Suite 100, Orlando, Fla. 32826.

138. On information and belief, defendant RYJO, INC. (hereinafter "Ryjo") sued herein, upon information and belief, was a domestic Florida corporation that develops latest technologies to deliver solutions to your business problems and former strategic alliance partner with the Iviewit Companies, located at 12135 Walden Woods Drive, Orlando, Fla. 32826

A handwritten signature in black ink is written over a circular fingerprint. The signature appears to be 'G. Stanley'.

139. On information and belief, defendant RYAN HUISMAN (hereinafter "Huisman"), sued herein in his professional and individual capacities, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Huisman was the founder of defendant Ryjo located at 12135 Walden Woods Drive, Orlando, Fla. 32826.

140. On information and belief, defendant INTEL CORP. (hereinafter "Intel") sued herein, upon information and belief, is a domestic Delaware corporation and the acquirer of the capital stock and/or the successor in interest to the technologies of defendant Real located at 2200 Mission College Boulevard, Santa Clara, CA 95054.

141. On information and belief, defendant LARRY PALLEY (hereinafter "Palley"), sued herein in his professional and individual capacities, who, upon information and belief, resides in the State of California. On information and belief, defendant Palley was employed by defendant Intel located at 2200 Mission College Boulevard, Santa Clara, CA 95054.

142. On information and belief, defendant SILICON GRAPHICS, INC. (hereinafter "SGI") sued herein, upon information and belief, is a domestic Delaware corporation and the past holder of an equity interest in defendant Real located at 1140 E. Arques Ave., Sunnyvale, Cal. 94085.

143. On information and belief, defendant LOCKHEED MARTIN CORPORATION (hereinafter "Lockheed") sued herein, upon information and belief, is a domestic Delaware corporation and the past holder of an equity interest in defendant Real located at 6801 Rockledge Drive, Bethesda, Md. 20817.

144. On information and belief, defendant BLAKELY SOKOLOFF TAYLOR & ZAFMAN, LLP (hereinafter "BSTZ") and, all of its Partners, Associates and Of Counsel from 1998 to present, in their professional and individual capacities, who all have gained pecuniary interests from the illegal actions of BSTZ sued herein as a domestic professional service limited liability partnership providing legal services to the public, and former IP counsel to the Iviewit Companies, located at 12400 Wilshire Blvd., Seventh Floor, Los Angeles, Cal. 90025.

145. On information and belief, defendant NORMAN ZAFMAN (hereinafter "Zafman"), sued herein in his professional and individual capacities, and as a partner of



defendant law firm BSTZ, is an attorney, who, upon information and belief, resides in the State of California. On information and belief, defendant Zafman has been a partner in the defendant law firm BSTZ located at 12400 Wilshire Blvd., Seventh Floor, Los Angeles, Cal. 90025

146. On information and belief, defendant THOMAS COESTER (hereinafter "Coester"), sued herein in his professional and individual capacities, and as a partner of defendant law firm BSTZ, is an attorney, who, upon information and belief, resides in the State of California. On information and belief, defendant Coester has been a partner in the defendant law firm BSTZ located at 12400 Wilshire Blvd., Seventh Floor, Los Angeles, Cal. 90025.

147. On information and belief, defendant FARZAD AHMINI (hereinafter "Ahmini"), sued herein in his professional and individual capacities, and as a partner of defendant law firm BSTZ, is an attorney, who, upon information and belief, resides in the State of California. On information and belief, defendant Ahmini has been a partner in the defendant law firm BSTZ located at 12400 Wilshire Blvd., Seventh Floor, Los Angeles, Cal. 90025.,

148. On information and belief, defendant GEORGE HOOVER (hereinafter "Hoover"), sued herein in his professional and individual capacities, and as a partner of defendant law firm BSTZ, is an attorney, who, upon information and belief, resides in the State of California. On information and belief, defendant Hoover has been a partner in the defendant law firm BSTZ located at 12400 Wilshire Blvd., Seventh Floor, Los Angeles, Cal. 90025.

149. On information and belief, defendant WILDMAN, HARROLD, ALLEN & DIXON LLP (hereinafter "Wildman") and, all of its Partners, Associates and Of Counsel from 1998 to present, in their professional and individual capacities, who all have gained pecuniary interests from the illegal actions of Wildman sued herein, is a domestic professional service limited liability partnership providing legal services to the public, located at 225 West Wacker Drive, Suite 3000, Chicago, IL 60606.

150. On information and belief, defendant MARTYN W. MOLYNEAUX, (hereinafter "Molyneaux"), sued herein in his professional and individual capacities, and as a partner of defendant law firm Harrison, is an attorney, who, upon information and



belief, resides in Great Britain. On information and belief, defendant Molyneaux had been a partner in the defendant law firm Wildman, now presently employed at defendant law firm Harrison, located at located at 106 Micklegate, York YO1 6JX (GB) and the Iviewit Companies' former professional representative before the European Patent Office when employed by defendant law firm Wildman retained by defendant law firm BSTZ.

151. On information and belief, defendant MICHAEL DOCKTERMAN (hereinafter "Dockterman"), sued herein in his professional and individual capacities, and as a partner of defendant law firm Wildman, is an attorney, who, upon information and belief, resides in the State of Illinois. On information and belief, defendant Dockterman has been a partner in the defendant law firm Wildman located at 225 West Wacker Drive, Suite 3000, Chicago, IL 60606.

152. On information and belief, defendant HARRISON GOODARD FOOTE (hereinafter "Harrison") and, all of its Partners, Associates and Of Counsel from 1998 to present, in their professional and individual capacities, who all have gained pecuniary interests from the illegal actions of Harrison sued herein, is a concern organized under the laws of Great Britain providing legal services to the public, located at 106 Micklegate, York YO1 6JX (GB).

153. On information and belief, defendant EUROPEAN PATENT OFFICE (hereinafter "EPO") is an intergovernmental organization that provides a uniform application procedure for individual inventors and companies seeking patent protection in up to 38 European countries, located at Postbus 5818, 2280 HV Rijswijk, The Hague, Netherlands.

154. On information and belief, defendant ALAIN POMPIDOU (hereinafter "Pompidou"), sued herein in his official and individual capacities, who, upon information and belief, resides in Munich, Germany. On information and belief, defendant Pompidou was President of defendant EPO located at Postbus 5818, 2280 HV Rijswijk, The Hague, Netherlands.

155. On information and belief, defendant WIM VAN DER EIJK (hereinafter "Van Der Eijk"), sued herein in his official and individual capacities, who, upon information and belief, resides in Munich, Germany. On information and belief,



defendant Van Der Eijk was Principal Director International Legal Affairs & Patent Law, European Patent Office, Munich located at 80298 Munich, Germany.

156. On information and belief, defendant LISE DYBDAHL (hereinafter "Dybdahl"), sued herein in her official and individual capacities, who, upon information and belief, resides in Munich, Germany. On information and belief, defendant Dybdahl was Head of the Legal Division, European Patent Office, located at 80298 Munich, Germany.

157. On information and belief, defendant YAMAKAWA INTERNATIONAL PATENT OFFICE (hereinafter "YIPO") and, all of its Partners, Associates and Of Counsel from 1998 to present, in their professional and individual capacities, who all have gained pecuniary interests from the illegal actions of YIPO sued herein is, upon information and belief, an organization formed under the laws of Japan that provides its domestic and foreign clients with legal services with regard to intellectual properties, located at Shuwa Tameike Building 4-2, Nagata-Cho 2-Chome, Chiyoda-Ku Tokyo 100-0014, Japan.

158. On information and belief, defendant MASAKI YAMAKAWA (hereinafter "Yamakawa"), sued herein in his official and individual capacities, who, upon information and belief, resides in Tokyo, Japan. On information and belief, defendant Yamakawa was President of defendant YIPO, located at Shuwa Tameike Building 4-2, Nagata-Cho 2-Chome, Chiyoda-Ku Tokyo 100-0014, Japan.

159. On information and belief, defendant CROSSBOW VENTURES, INC. (hereinafter "Crossbow") sued herein, upon information and belief, is a domestic Florida corporation and the holder of an equity interest through defendant Alpine Venture Capital Partners, L.P. in defendant Iviewit Companies, located at One North Clematis Street, Suite 510, West Palm Beach, FL 33401-5523.

160. On information and belief, defendant ALPINE VENTURE CAPITAL PARTNERS LP (hereinafter "Alpine") sued herein, upon information and belief, is a domestic Small Business Investment Company program participant and the holder of an equity interest in defendant Iviewit Companies, as further, a Delaware corporation located at One North Clematis Street, Suite 510, West Palm Beach, FL 33401.



161. On information and belief, defendant STEPHEN J. WARNER (hereinafter "Warner"), sued herein in his professional and individual capacity is a venture capitalist, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Warner has been a Managing Director of defendant Crossbow located at One North Clematis Street, Suite 510, West Palm Beach, FL 33401.

162. On information and belief, defendant RENE P. EICHENBERGER (hereinafter "Eichenberger"), sued herein in his professional and individual capacity is a venture capitalist, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Eichenberger has been a Managing Director of defendant Crossbow located at One North Clematis Street, Suite 510, West Palm Beach, FL 33401.

163. On information and belief, defendant H. HICKMAN "HANK" POWELL (hereinafter "Powell"), sued herein in his professional and individual capacity is a venture capitalist, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Powell was a Managing Director of defendant Crossbow located at One North Clematis Street, Suite 510, West Palm Beach, FL 33401.

164. On information and belief, defendant MAURICE BUCHSBAUM (hereinafter "Buchsbaum"), sued herein in his professional and individual capacity is a venture capitalist, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Buchsbaum was a Managing Director of defendant Crossbow located at One North Clematis Street, Suite 510, West Palm Beach, FL 33401.

165. On information and belief, defendant ERIC CHEN (hereinafter "Chen"), sued herein in his professional and individual capacity is a venture capitalist, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Buchsbaum was a Managing Director of defendant Crossbow located at One North Clematis Street, Suite 510, West Palm Beach, FL 33401.

166. On information and belief, defendant AVI HERSH (hereinafter "Hersh"), sued herein in his professional and individual capacity is a venture capitalist, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Hersh was a Managing Director of defendant Crossbow located at One North Clematis Street, Suite 510, West Palm Beach, FL 33401.



167. On information and belief, defendant MATTHEW SHAW (hereinafter "Shaw"), sued herein in his professional and individual capacity is a venture capitalist, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Shaw was a Managing Director of defendant Crossbow located at One North Clematis Street, Suite 510, West Palm Beach, FL 33401.

168. On information and belief, defendant BRUCE W. SHEWMAKER (hereinafter "Shewmaker"), sued herein in his professional and individual capacity is a venture capitalist, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Shewmaker was a Managing Director of defendant Crossbow located at One North Clematis Street, Suite 510, West Palm Beach, FL 33401.

169. On information and belief, defendant RAVI M. UGALE (hereinafter "Ugale"), sued herein in his professional and individual capacity is a venture capitalist, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Ugale was a Managing Director of defendant Crossbow located at One North Clematis Street, Suite 510, West Palm Beach, FL 33401.

170. On information and belief, defendant DIGITAL INTERACTIVE STREAMS, INC. (hereinafter "DiStream") sued herein, upon information and belief, is a domestic Delaware corporation located at 11265 Alumni Way # 200, Jacksonville, FL 32246-6685.

171. On information and belief, defendant ROYAL O'BRIEN (hereinafter "O'Brien"), upon information and belief resides in the State of Florida. On information and belief, defendant O'Brien has been Chief Executive Officer of DiStream located at 11265 Alumni Way # 200, Jacksonville, FL 32246-6685.

172. On information and belief, defendant HUIZENGA HOLDINGS INCORPORATED (hereinafter "Huizenga") sued herein, upon information and belief, is a domestic Florida corporation and the holder of an equity interest in defendant Iviewit Companies, located at 450 E Las Olas Blvd Ste 1500, Fort Lauderdale, Fla.

173. On information and belief, defendant TIEDEMANN INVESTMENT GROUP (hereinafter "TIG"), upon information and belief, is a domestic New York corporation and the holder of an equity interest in defendant Iviewit Companies, located at 535 Madison Avenue, New York, New York 10022.

174. On information and belief, defendant BRUCE T. PROLOW (hereinafter "Prolow"), sued herein in his professional and individual capacity is a venture capitalist, who, upon information and belief, resides in the State of New York. On information and belief, defendant Prolow was an officer in defendant TIG located at 535 Madison Avenue, New York, New York 10022.

175. On information and belief, defendant CARL TIEDEMANN (hereinafter "Tiedemann"), sued herein in his professional and individual capacity is a venture capitalist, who, upon information and belief, resides in the State of New York. On information and belief, defendant Tiedemann was an officer in defendant TIG located at 535 Madison Avenue, New York, New York 10022.

176. On information and belief, defendant ANDREW PHILIP CHESLER (hereinafter "Chesler"), sued herein in his professional and individual capacity is a venture capitalist, who, upon information and belief, resides in the State of New York. On information and belief, defendant Chesler was an officer in defendant TIG located at 535 Madison Avenue, New York, New York 10022.

177. On information and belief, defendant CRAIG L. SMITH (hereinafter "Smith"), sued herein in his professional and individual capacity is a venture capitalist, who, upon information and belief, resides in the State of New York. On information and belief, defendant Smith was an officer in defendant TIG located at 535 Madison Avenue, New York, New York 10022.

178. On information and belief, defendant HOUSTON & SHADY, P.A. (hereinafter "SH") and its successors, and, all of its Partners, Associates and Of Counsel from 1998 to present, in their professional and individual capacities, who all have gained pecuniary interests from the illegal actions of SH, and, its shareholders who acted *ultra vires*, sued herein is a domestic professional service association providing legal services to the public, and former counsel to Utley, Hersch, Reale, and Ryjo in a frivolous involuntary bankruptcy suit against the Iviewit Companies, located in Florida.

179. On information and belief, defendant BART A. HOUSTON (hereinafter "Houston"), sued herein in his professional and individual capacities, and as a partner of defendant law firm HS, is an attorney, who, upon information and belief, resides in the



State of Florida. On information and belief, defendant Houston has been a partner in the defendant law firm HS located in Florida.

180. On information and belief, defendant FURR & COHEN, P.A. (hereinafter "FC"), and, all of its Partners, Associates and Of Counsel from 1998 to present, in their professional and individual capacities, who all have gained pecuniary interests from the illegal actions of FC, and, its shareholders who acted *ultra vires* sued herein, is a domestic professional service association providing legal services to the public, and former counsel to the Iviewit Companies, located at 2255 Glades Road Suite 337W Boca Raton, FL 33431.

181. On information and belief, defendant BRADLEY S. SCHRAIBERG (hereinafter "Schraiberg"), sued herein in his professional and individual capacities, and as a partner of defendant law firm FC, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Schraiberg has been a partner in the defendant law firm FC located at 2255 Glades Road Suite 337W Boca Raton, FL 33431.

182. On information and belief, defendant MOSKOWITZ, MANDELL, SALIM & SIMOWITZ, P.A. (hereinafter "MMSS"), and, all of its Partners, Associates and Of Counsel from 1998 to present, in their professional and individual capacities, who all have gained pecuniary interests from the illegal actions of MMSS, and, its shareholders who acted *ultra vires* sued herein, is a domestic professional service association providing legal services to the public, located at 800 Corporate Drive Suite 500 Fort Lauderdale, FL 33334.

183. On information and belief, defendant WILLIAM G. SALIM (hereinafter "Salim"), sued herein in his professional and individual capacities, and as a partner of defendant law firm MMSS, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Salim has been a partner in the defendant law firm MMSS located at 800 Corporate Drive Suite 500 Fort Lauderdale, FL 33334.

184. On information and belief, defendant SACHS SAXS & KLEIN, P.A. (hereinafter "SSK"), and, all of its Partners, Associates and Of Counsel from 1998 to present, in their professional and individual capacities, who all have gained pecuniary



interests from the illegal actions of SSK, and, its shareholders who acted *ultra vires* sued herein, is a domestic professional service association providing legal services to the public, and former counsel to the Iviewit Companies.

185. On information and belief, defendant BEN ZUCKERMAN (hereinafter "Zuckerman"), sued herein in his professional and individual capacities, and as a partner of defendant law firm SSK, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Zuckerman has been a partner in the defendant law firm SSK.

186. On information and belief, defendant SPENCER M. SAX (hereinafter "Sax"), sued herein in his professional and individual capacities, and as a partner of defendant law firm SSK, is an attorney, who, upon information and belief, resides in the State of Florida. On information and belief, defendant Sax has been a partner in the defendant law firm SSK.

187. On information and belief, defendant SCHIFFRIN BARROWAY TOPAZ & KESSLER, LLP (a.k.a. Schiffrin Barroway, Topaz & Kessler LLP) and all successors (hereinafter "SB") and, all of its Partners, Associates and Of Counsel from 1998 to present, in their professional and individual capacities, who all have gained pecuniary interests from the illegal actions of SB sued herein, is a domestic professional service limited liability partnership providing legal services to the public, and former strategic alliance partner, who invested in the Iviewit Companies through a binding Letter of Understanding and former legal counsel to the Iviewit Companies, located at 280 King of Prussia Road, Radnor, PA 19087.

188. On information and belief, defendant RICHARD SCHIFFRIN (hereinafter "Schiffrin"), sued herein in his professional and individual capacities, and as a partner of defendant law firm SB, is an attorney, who, upon information and belief, resides in the State of Pennsylvania. On information and belief, defendant Schiffrin has been a partner in the defendant law firm SB located at 280 King of Prussia Road, Radnor, PA 19087.

189. On information and belief, defendant ANDREW BARROWAY (hereinafter "Barroway"), sued herein in his professional and individual capacities, and as a partner of defendant law firm SB, is an attorney, who, upon information and belief, resides in the State of Pennsylvania. On information and belief, defendant Barroway has



been a partner in the defendant law firm SB located at 280 King of Prussia Road, Radnor, PA 19087.

190. On information and belief, defendant KRISHNA NARINE (hereinafter "Narine"), sued herein in his professional and individual capacities, and as a partner of defendant law firm SB, is an attorney, who, upon information and belief, resides in the State of Pennsylvania. On information and belief, defendant Narine has been a partner in the defendant law firm SB located at 280 King of Prussia Road, Radnor, PA 19087.

191. On information and belief, defendant CHRISTOPHER & WEISBERG, P.A., (hereinafter "CW") and, all of its Partners, Associates and Of Counsel from 1998 to present, in their professional and individual capacities, who all have gained pecuniary interests from the illegal actions of CW sued herein, is a domestic professional service association providing legal services to the public, and former IP counsel to the Iviewit Companies, located at 200 East Las Olas Boulevard, Suite 2040, Fort Lauderdale, Florida 33301.

192. On information and belief, defendant ALAN M. WEISBERG (hereinafter "Weisberg"), sued herein in his professional and individual capacities, is an attorney, who, upon information and belief, and former IP counsel to the Iviewit Companies, resides in the State of Florida. On information and belief, defendant Weisberg has been a shareholder in the defendant law firm CW located at 200 East Las Olas Boulevard, Suite 2040, Fort Lauderdale, Florida 33301.

193. On information and belief, defendant ALBERTO GONZALES (hereinafter "Gonzales"), sued herein in his official and individual capacities, is an attorney, who, upon information and belief, resides in the District of Columbia. On information and belief, defendant Gonzales was employed by the United States Justice Department as Attorney General of the United States.

194. On information and belief, defendant JOHNNIE E. FRAZIER (hereinafter "Frazier"), sued herein in his official and individual capacities, is an attorney, who, upon information and belief, resides in the District of Columbia. On information and belief, defendant Frazier was employed by the United States Department of Commerce as Inspector General at the U.S. Department of Commerce.



195. On information and belief, defendant IVIEWIT, INC., upon information and belief, is a domestic Florida corporation (hereinafter "Iviewit, Inc. Florida"), located at its last known general counsel, Proskauer Rose LLP, c/o Christopher C. Wheeler 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

196. On information and belief, defendant IVIEWIT, INC., upon information and belief, is a domestic Delaware corporation (hereinafter "Iviewit, Inc. Delaware"), located at its last known general counsel, Proskauer Rose LLP, c/o Christopher C. Wheeler 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

197. On information and belief, defendant IVIEWIT HOLDINGS, INC., (f.k.a. Uview.com, Inc.) upon information and belief, is a domestic Delaware corporation (hereinafter "Iviewit Holdings Delaware"), located at its last known general counsel, Proskauer Rose LLP, c/o Christopher C. Wheeler 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

198. On information and belief, defendant IVIEWIT TECHNOLOGIES, INC., (f.k.a. Iviewit Holdings, Inc.) upon information and belief, is a domestic Delaware corporation (hereinafter "Iviewit Technologies Delaware"), located at its last known general counsel, Proskauer Rose LLP, c/o Christopher C. Wheeler 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

199. On information and belief, defendant IVIEWIT HOLDINGS, INC., upon information and belief, is a domestic Florida corporation (hereinafter "Iviewit Holdings Florida"), located at its last known general counsel, Proskauer Rose LLP, c/o Christopher C. Wheeler 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

200. On information and belief, defendant IVIEWIT.COM, INC., upon information and belief, is a domestic Florida corporation (hereinafter "Iviewit.com Florida"), located at its last known general counsel, Proskauer Rose LLP, c/o Christopher C. Wheeler 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

201. On information and belief, defendant I.C., INC., upon information and belief, is a domestic Florida corporation (hereinafter "I.C. Florida"), located at its last known general counsel, Proskauer Rose LLP, c/o Christopher C. Wheeler 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.



202. On information and belief, defendant IVIEWIT.COM, INC., upon information and belief, is a domestic Delaware corporation (hereinafter "Iviewit.com Delaware"), located at its last known general counsel, Proskauer Rose LLP, c/o Christopher C. Wheeler 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

203. On information and belief, defendant IVIEWIT.COM LLC, upon information and belief, is a domestic Delaware limited liability company (hereinafter ".com LLC Delaware"), located at its last known general counsel, Proskauer Rose LLP, c/o Christopher C. Wheeler 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

204. On information and belief, defendant IVIEWIT LLC, upon information and belief, is a domestic Delaware limited liability company (hereinafter "LLC Delaware"), located at its last known general counsel, Proskauer Rose LLP, c/o Christopher C. Wheeler 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

205. On information and belief, defendant IVIEWIT CORPORATION, upon information and belief, is a domestic Florida corporation (hereinafter "Iviewit Florida"), located at its last known general counsel, Proskauer Rose LLP, c/o Christopher C. Wheeler 2255 Glades Road, Suite 340 West, Boca Raton, Fla. 33431.

206. On information and belief, defendant IBM CORPORATION an information technology company (hereinafter "IBM"), located One New Orchard Road, Armonk, New York 10504.

OTHER INTERESTED PARTIES

207. Other interested party, Glenn Fine, is the Inspector General for the United States Department of Justice, where a complaint has been filed by Plaintiffs and is under review.

208. Other interested party, H. Marshall Jarrett, is the Chief Counsel of the Federal Bureau of Investigation, Office of Professional Responsibility, and was referred by Glenn Fine to begin investigation of Plaintiffs' missing files at the Federal Bureau of Investigation and the United States Attorney General's office concerning Iviewit Companies matters and a car bombing of Plaintiff Bernstein's minivan.

209. Other interested party, Rick Lee, is the fire investigator for Boynton Beach.

A handwritten signature in black ink is written over a circular, textured stamp. The signature is cursive and appears to be 'R. Lee'. The stamp is a circular seal with a textured, grainy appearance.

210. Other interested party, Harry I. Moatz, is the Director of the Office and Enrollment and Discipline for the USPTO, whereby a complaint has been filed by Plaintiffs and has led to a formal investigation of up to nine attorneys and law firms complained of herein including Proskauer, Rubenstein, Joao, Foley, Dick, Boehm and Becker.

211. Other interested party, Jon W. Dudas, is Under Secretary of Commerce for Intellectual Property and Director of the USPTO, after initial investigation by Moatz, Plaintiffs were directed by Moatz to file a charge of fraud upon the USPTO by those attorneys and law firms of the Federal Patent Bar; request of patent suspension was granted pending outcome of Moatz and the USPTO investigations.

212. Other interested party, Eric M. Thorsen, Small Business Administration Inspector General, as a result of Plaintiffs' ongoing complaint.

213. Other interested party, Daniel O'Rourke, is Assistant to Small Business Administration Inspector General, as a result of Plaintiffs' ongoing complaint.

214. Other interested party, David Gouvaia, is the Duty Agent, Treasury Inspector General for Tax Administration, as a result of Plaintiffs' ongoing complaint.

215. Other interested party, George Pataki, is the former Governor of the State of New York, as a result of Plaintiffs' ongoing complaint.

216. Other interested party, Eliot Spitzer, is the governor of the State of New York, as a result of Plaintiffs' ongoing complaint.

217. Other interested party, Andrew Coumo, is the Attorney General of the State of New York, as a result of Plaintiffs' ongoing complaint.

218. Other interested party, Robert Morgenthau, is the District Attorney for New York County, New York, as a result of Plaintiffs' ongoing complaint.

219. Other interested party, Hillary R. Clinton, is a United States Senator from New York, as a result of Plaintiffs' ongoing complaint.

220. Other interested party, Chris P. Mercer, is the President of the Institute of Professional Representatives before the European Patent Office, as a result of Plaintiffs' ongoing complaint whereby evidence of document tampering has surfaced with responses to formal office actions.

A handwritten signature in black ink is written over a circular stamp. The signature is stylized and appears to be 'A. J. ...'. The stamp is a circular seal with some illegible text around the perimeter.

221. Other interested party, Monte Friedkin ("Friedkin"), is a south Florida businessman with information pertinent to the history of several of the defendants as it relates to IP of his former company Diamond Turf Equipment, Inc. ("DTE").

222. Other interested party, Caroline Prochotska Rogers, Esq. ("Rogers") is an Illinois attorney who has information regarding many of the events described herein.

223. Other interested party, Goldman Sachs & Co. ("GS") is an investment banking firm, a managing director of which sat on the board of the Iviewit Companies and introduced the Iviewit Companies to a broad array of potential licensees under NDA's never enforced.

224. Other interested party, Jeffrey Friedstein ("Friedstein") is a Vice President Client Services of GS, an Iviewit Companies shareholder and a co-inventor of the remote control video patent of the Iviewit Companies.

225. Other interested party, Donald Kane ("Kane"), was a Managing Director of GS, an Iviewit Companies shareholder and a board director of the Iviewit Companies and introduced the Iviewit Companies to a broad array of potential licensees under NDA's never enforced.

226. Other interested party, Goldstein Lewin & Co. (hereinafter "GL") is a domestic professional service limited liability company providing accounting services to the public, located at 1900 NW Corporate Blvd., Suite 300 East, Boca Raton, Florida 33431.

227. Other interested party, Donald J. Goldstein (hereinafter "Goldstein"), On information and belief, defendant Goldstein was a certified public accountant employed by GL located at 1900 NW Corporate Blvd., Suite 300 East, Boca Raton, Florida 33431

228. Other interested party, Gerald R. Lewin (hereinafter "Lewin"), On information and belief, defendant Lewin was a certified public accountant employed by GL located at 1900 NW Corporate Blvd., Suite 300 East, Boca Raton, Florida 33431.

229. Other interested party, Erika Lewin, (hereinafter "E. Lewin") On information and belief, defendant E. Lewin was a certified public accountant employed by defendant GL located at 1900 NW Corporate Blvd., Suite 300 East, Boca Raton, Florida 33431 and by the Iviewit Companies.

A circular fingerprint is visible on the left side of the page, with a handwritten signature in black ink overlaid on it.

230. Other interested party, JOSEPH WIGLEY (hereinafter "Wigley"), was upon information and belief, a citizen of the United States, residing in the State of Florida. On information and belief, defendant Wigley was employed by the 1st DDC as an investigator.

FACTUAL ALLEGATIONS

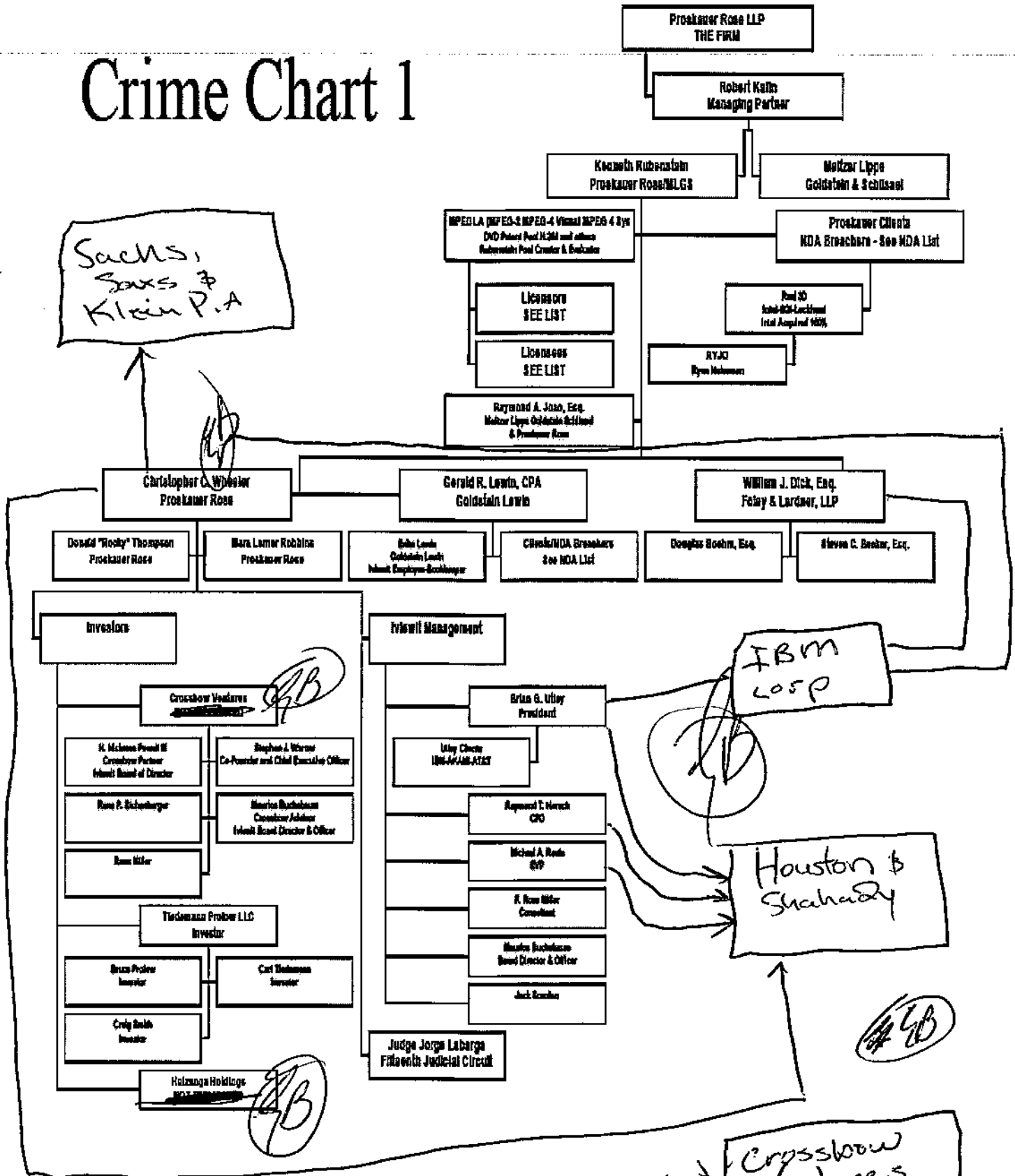
CRIME ORGANIZATIONAL CHART - MAIN CONSPIRATORIAL ENTERPRISE

231. Plaintiffs repeat and reallege each and every allegation contained in paragraph "1" through "10" as though fully set forth herein.

232. That the following organizational charts were done in early 2005 and may fail to contain certain defendants described herein but serve to show the initial conspirators and crimes then alleged to have been committed.

A handwritten signature in black ink is written over a circular, textured stamp. The signature is stylized and appears to be the initials 'JW'.

Crime Chart 1



Sachs, Saxe & Klein P.A.

IBM Corp

Houston & Shakhady

Crossbow Ventures

DisStream

[Handwritten signature]

50
Friday, May 09, 2008 @ 2:04:17 PM
Many equal = separate conspiracy

Crime Chart 2

PROSKAUER ROSE LLP
THE FIRM
Wheeler, Rubenstein, Kohn, Gold,
Thompson, Triggs, Krane, Robbins

KENNETH RUBENSTEIN
Proskauer Rose/ELGS
Patent Pools Counsel
Inland Counsel

MELTZER LIPPE GOLDSTEIN SCHLISSEL
Joao, Martinez, L. Meltzer

MPEGLA MPEG-2 MPEG-4 Visual MPEG 4 3D
DVD Patent Pool H.264 and other
Rubenstein Pool Creator & Evaluator

PROSKAUER CLIENTS
NDA Breachers - See NDA List

LICENSEES
SEE LIST

REAL 3D (Intel-3M-Laserteck)
Stanley (CEO) - Pinsky (Gen.)
and Acquired Real 3D entity

RYJO
Holzman and Johnson

Wheeler
Proskauer Rose

GOLDSTEIN LEWIN & CO.
Gerald R. Lewin, CPA
Erika Lawlis, CPA

FOLEY AND LARDNER
Dick, Boehm, Becker, Grossman

BSTZ
Zelman, Cosseter, Ahmadi

Investors

Asset Management

Client NDA Breachers
See NDA List

Crossbow Ventures
~~400-444-0000~~
STEPHEN J. WARKER - CEO

Tiedemann Proton LLC
Investor
Proton & Tiedemann

Kutzenga Holdings
~~400-444-0000~~
WAYNE KUTZENGA JR.

WACHOVIA SECURITIES
NOT IMPLICATED
JOHN DEERING

Brian G. Utley
President

Utley Chern
AKAM-AT&T

Richard T. Herold
CFO

Brian Lewis
Bookkeeper

Michael A. Ross
SVP

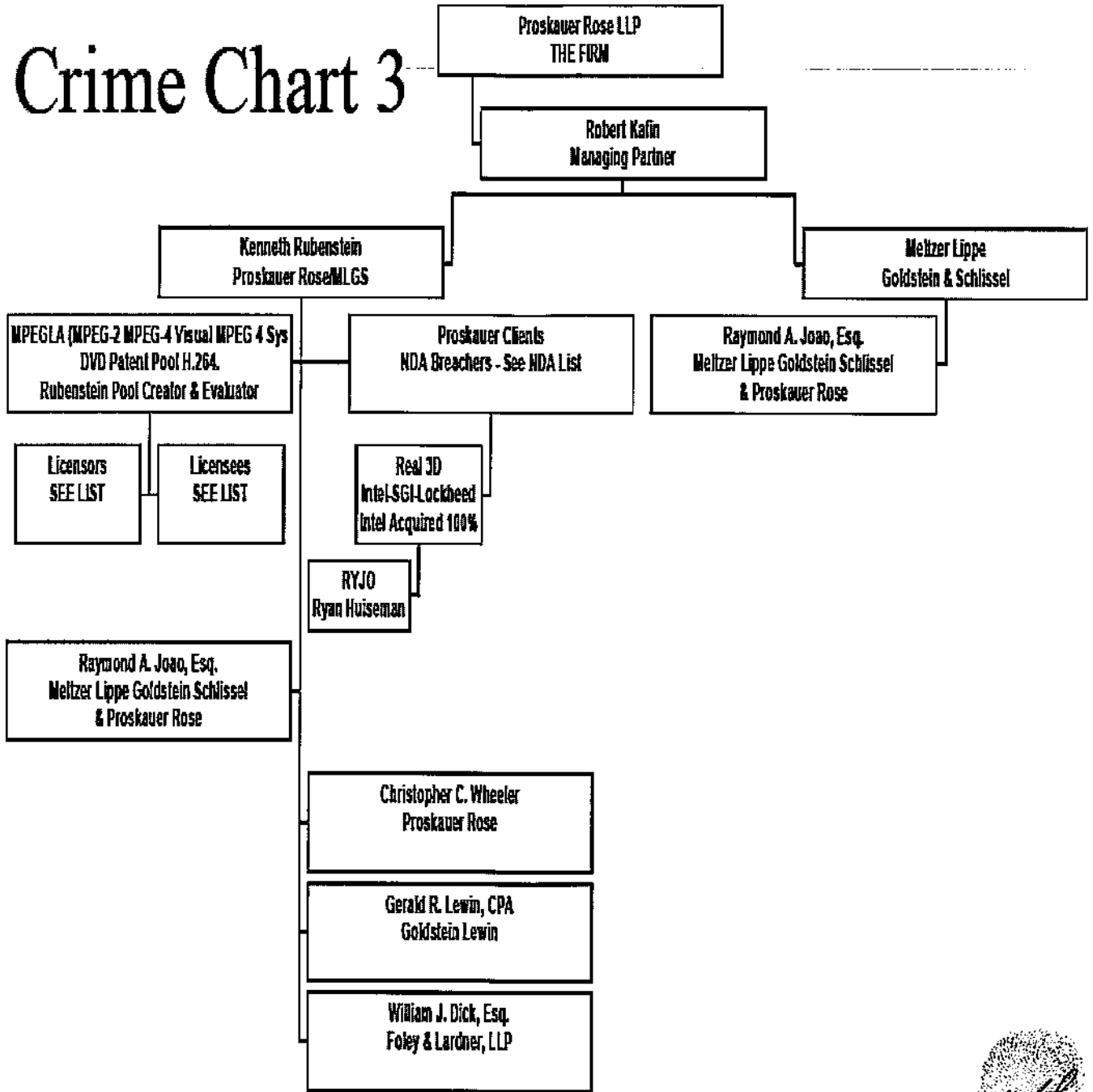
Schmitt & Barroway
Schmitt, Barroway
Narino

Judge Jorge Labarga
Fitzgerald Judicial Circuit

1/3/2005

JB

Crime Chart 3

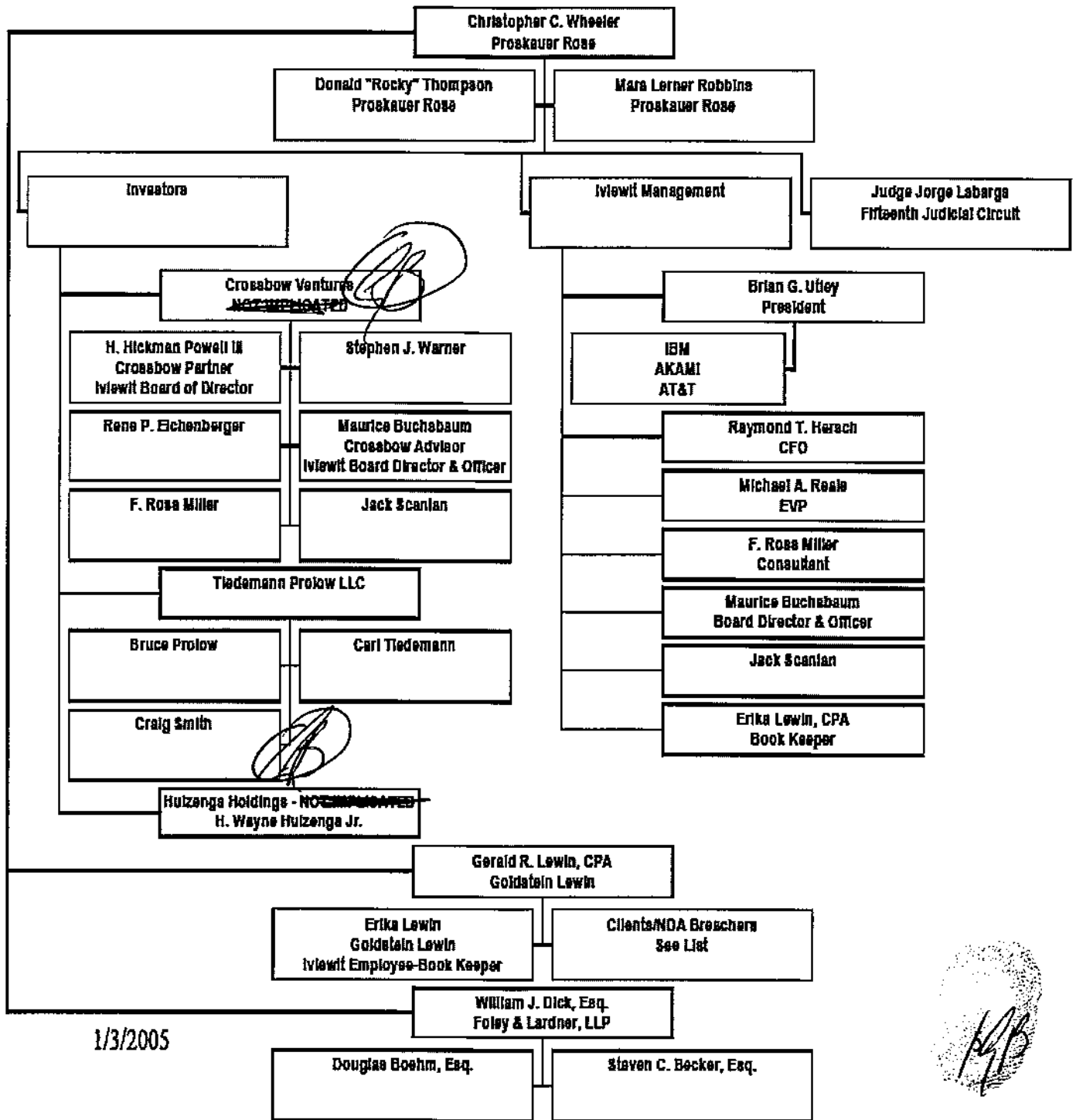


1/3/2005

Handwritten initials: AFB

Handwritten signature

Crime Chart 4

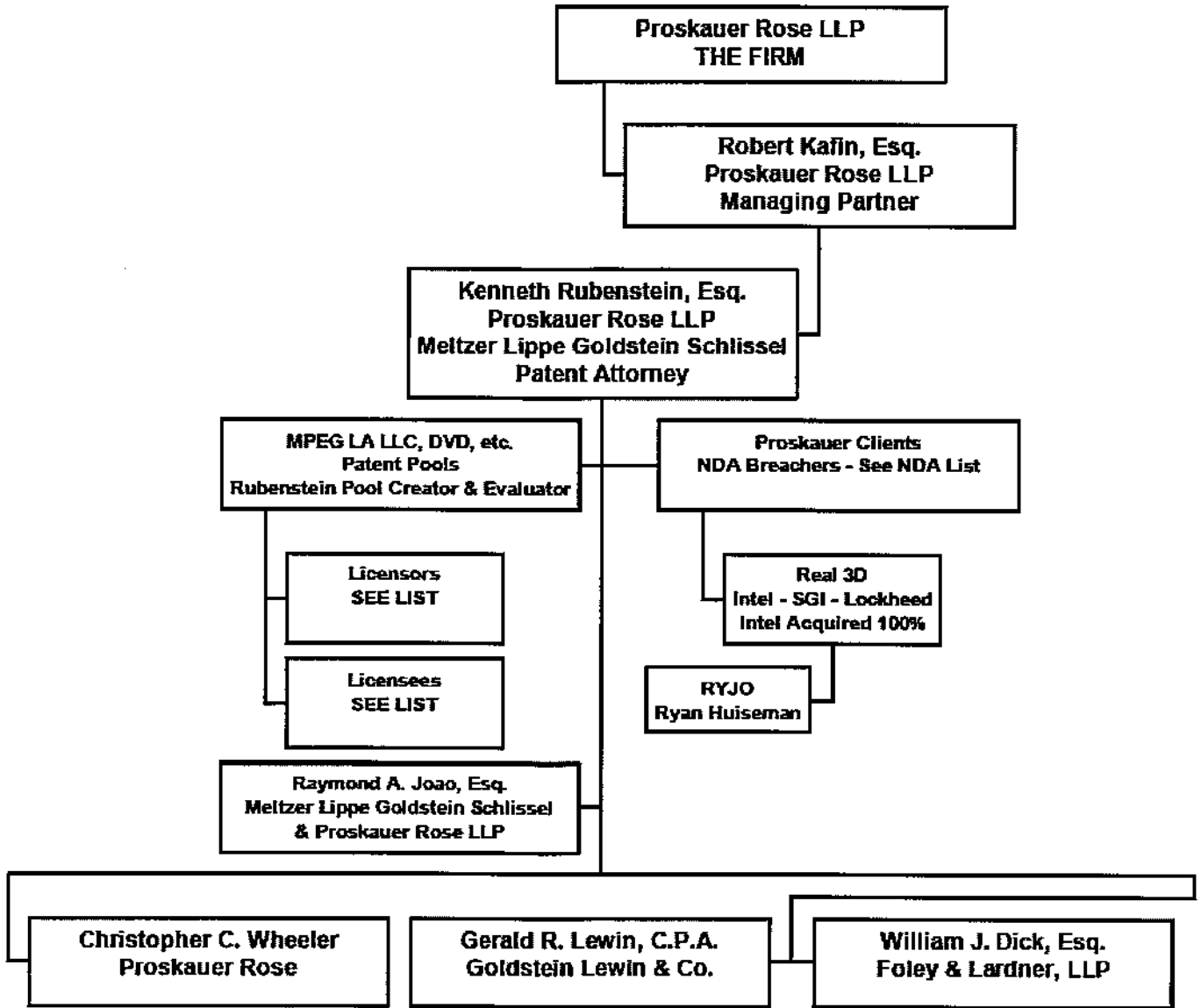


1/3/2005

[Handwritten initials]

[Handwritten signature]

Proskauer Rose LLP - Kenneth Rubenstein



Proskauer Rose LLP - Kenneth Rubenstein

Alleged Activities

- Patent & Copyright Misappropriations
- Directs Frauds: United States Patent and Trademark ("USPTO"); European Patent Office ("EPO"); Japan Patent Office ("JPO"); U.S. Postal Fraud; Wire Fraud; Wachovia Securities Fraud; Iviewit Shareholder Fraud; Iviewit Investor Fraud (See Shareholder Table), Contributory Antitrust Violations
- Leads RICO Violations
- Tortious Interference with Business Relationships
- Conflicts of Interest
- Perjured Deposition
- False and Misleading Information to Florida State Court and N.Y. Bar Association
- Infringement
- Breach of Fiduciary Responsibility Advisory Board Director Iviewit
- Breach of Attorney Client Privileges

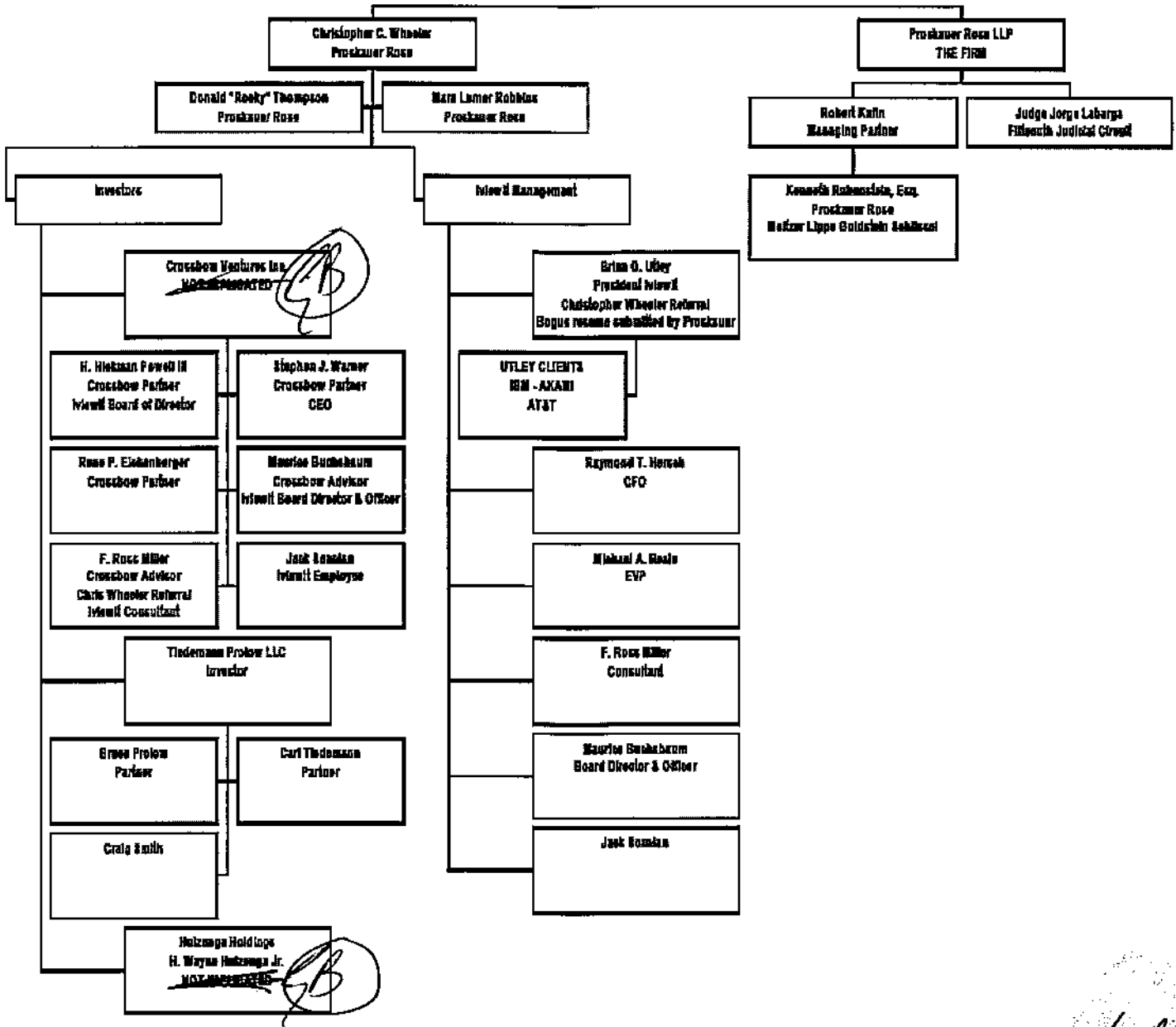
Pending Actions by Iviewit

- FBI Written Statement/Interview
- Boca Police Written Statement/Interview
- New York Bar Complaint
- New Jersey Bar – soon to filed
- Written Statement to Department of Justice, Antitrust Division
- Written Statement to NY County District Attorney
- Written Statement to NY State Attorney General
- Written Statement to Office of Enrollment & Discipline – USPTO
- Written Statement to EPO and JPO

10
RB



Christopher C. Wheeler - Proskauer Rose LLP



1/3/2005

vs CB

[Handwritten signature]

Proskauer Rose LLP - Christopher C. Wheeler

Alleged Activities

- Patent & Copyright Misappropriations
- Contributory Frauds: USPTO; EPO; JPO, U.S. Postal Fraud; Wire Fraud; Wachovia Securities Fraud; Iviewit Shareholder Fraud; (See Shareholder Table)
- Contributory Antitrust Violations
- Facilitates RICO Violations
- Tortious Interference with Business Relationships
- Conflicts of Interest
- Perjured Deposition
- False and Misleading Information to Florida State Court and The Florida Bar Association
- Infringement
- Misappropriation and Conversion of Funds
- Breach of Fiduciary Responsibility Director Advisory Board Iviewit
- Breach of Attorney Client Privileges
1/3/2005

Pending Actions by Iviewit

- FBI Written Statement/Interview
- Boca Police Written Statement/Interview
- The Florida Bar Association Complaint
- Written Statement to Department of Justice, Antitrust Division
- Written Statement to Office of Enrollment & Discipline – USPTO
- Written Statement to EPO and JPO

Goldstein Lewin & Co. - Gerald R. Lewin, C.P.A.

Alleged Activities

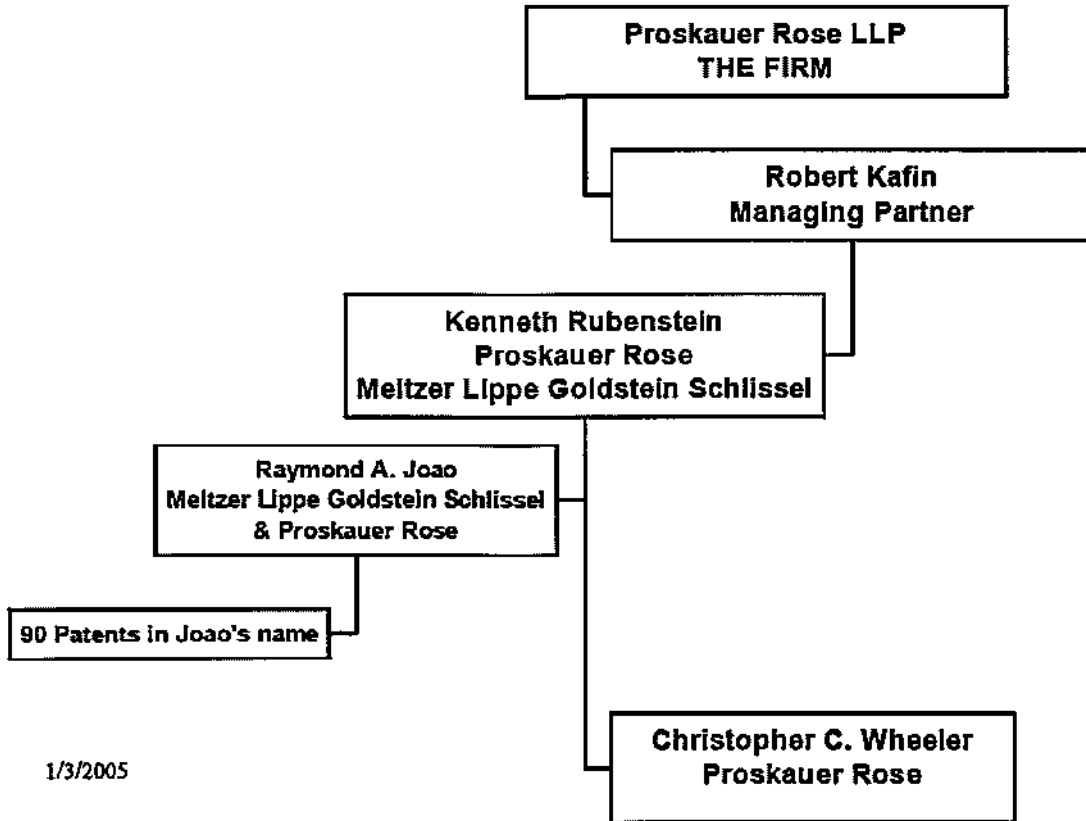
- Patent & Copyright Misappropriations
- Contributory Frauds: USPTO; EPO; JPO; Wachovia Securities Fraud; Iviewit Shareholder Fraud; (See Shareholder Table)
- Contributory Antitrust Violations
- Facilitates RICO Violations
- Tortuous Interference with Business Relationships
- Conflicts of Interest
- Perjured Deposition
- False and Misleading Information to Florida Civil Court
- Misappropriation and Conversion of Funds
- Breach of Fiduciary Duties as Officer and Board Director Iviewit

1/3/2005

Pending Actions by Iviewit

- FBI Written Statement/Interview
- Boca Police Written Statement/Interview
- AICPA Complaint
- Written Statement to Department of Justice, Antitrust Division

Meltzer Lippe Goldstein, Wolfe & Schlissel - Raymond A. Joao



1/3/2005

Meltzer Lippe Goldstein, Wolfe & Schlissel LLP
Raymond A. Joao

Alleged Activities

- Patent & Copyright Misappropriations
 - Multiple Infringing Patents as Inventor
 - Invention Theft - Remote Video
- Direct Frauds: USPTO; EPO; JPO; U.S. Postal; and Wire Fraud; Wachovia Securities Fraud; Ivievit Shareholder Fraud; Ivievit Investor Fraud (See Shareholder Table)
- Contributory Antitrust Violations
- Actions Kick-Start RICO Violations
- Tortuous Interference with Business Relationships
- Conflicts of Interest
- Infringement
- False & Misleading Information to New York Bar Association

1/3/2005

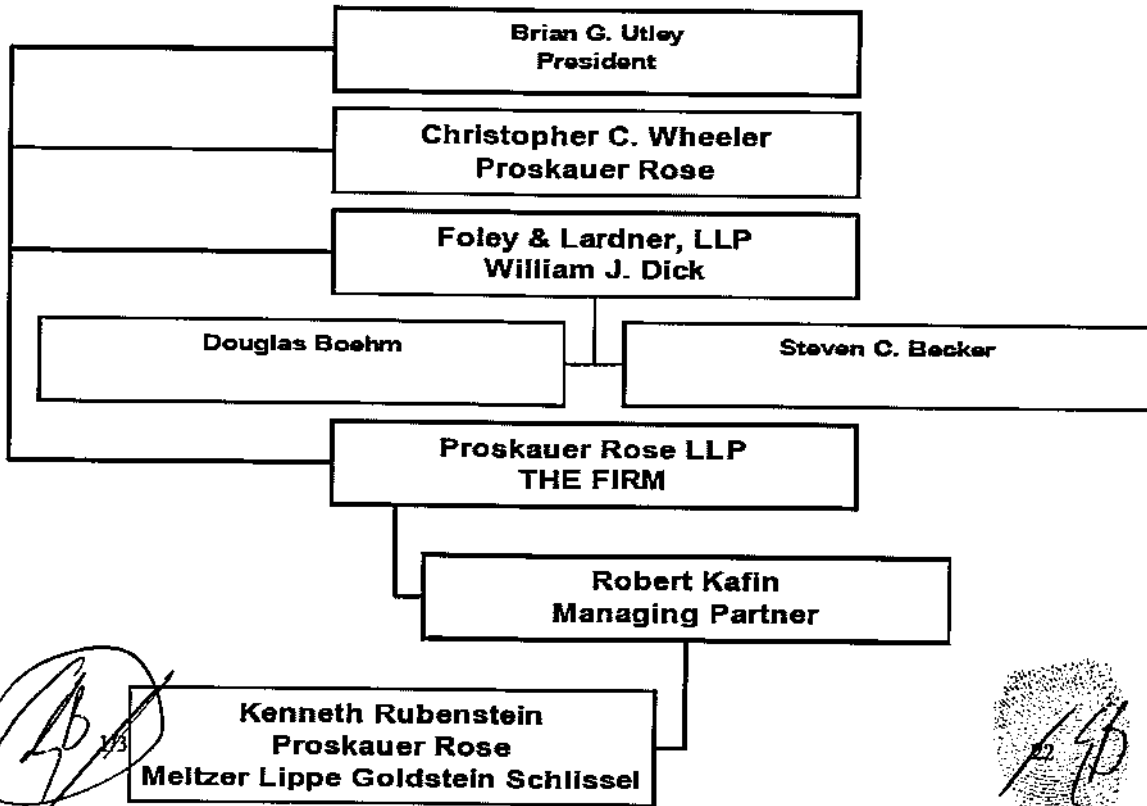
Pending Actions by Ivievit

- FBI Written Statement/Interview
- Boca Police Written Statement/Interview
- New York Bar Complaint
- Connecticut Bar - soon to filed
- Written Statement to Department of Justice, Antitrust Division
- Written Statement to NY County District Attorney
- Written Statement to NY State Attorney General
- Written Statement to Office of Enrollment & Discipline - USPTO
- Written Statement to EPO and JPO

AGB



Foley and Lardner, LLP



Foley and Lardner, LLP - William J. Dick

Alleged Activities

- Patent & Copyright Misappropriations
- Direct Frauds: USPTO; EPO; JPO; U.S. Postal, Wire Fraud; Wachovia Securities Fraud; Iviewit Shareholder Fraud; Iviewit Investor Fraud (See Shareholder Table)
- Contributory Antitrust Violations
- Continues/Redirects RICO Violations
- Breach of Fiduciary Responsibility Advisory Board Director

1/3/2005

Pending Actions by Iviewit

- FBI Written Statement/Interview
- Boca Police Written Statement/Interview
- Virginia Bar Complaint
- Written Statement to Department of Justice, Antitrust Division
- Written Statement to Office of Enrollment & Discipline - USPTO
- Written Statement to EPO and JPO



Foley and Lardner, LLP - Steven C. Becker

Alleged Activities

- Patent Misappropriations
- Direct Frauds: USPTO; EPO; JPO; U.S. Postal, Wire Fraud
- Contributory Antitrust Violations
- Continues/Redirects RICO Violations

1/3/2005

Pending Actions by Iviewit

- FBI Written Statement/Interview
- Boca Police Written Statement/Interview
- Wisconsin Bar Complaint ~ Soon to file
- Written Statement to Department of Justice, Antitrust Division
- Written Statement to Office of Enrollment & Discipline - USPTO
- Written Statement to EPO and JPO



Foley and Lardner, LLP - Douglas Boehm

Alleged Activities

- Patent Misappropriations
- Direct Frauds: USPTO; EPO; JPO; U.S. Postal, Wire Fraud
- Contributory Antitrust Violations
- Continues/Redirects RICO Violations

1/3/2005

Pending Actions by Iviewit

- FBI Written Statement/Interview
- Boca Police Written Statement/Interview
- Illinois Bar Complaint – Soon to file
- Written Statement to Department of Justice, Antitrust Division
- Written Statement to Office of Enrollment & Discipline – USPTO
- Written Statement to EPO and JPO



Tiedemann Prolow, LLC and Affiliates

Alleged Activities

- Patent Misappropriations
- Continues/Redirects RICO Violations
- Direct Frauds: U.S. Postal and Wire Fraud
- Misappropriation and Conversion of Funds
- Breach of Fiduciary Duties as Board Director Iviewit

1/3/2005

Pending Actions by Iviewit

- FBI Written Statement/Interview
- Boca Police Written Statement/Interview

PGD

[Handwritten Signature]

Iviewit - Brian G. Utley, Former President & COO

Alleged Crimes

- Patent Theft
 - Patents in sole name - no assignment
- Fraud United States Patent & Trademark Office - European Patent Office & Japan Patent Office
- Anti-Trust
- RICO - Conspiracy
- Torturous Interference with Business Contracts
- Conflicts of Interest
- Investor Fraud
- Perjured Deposition
- False & Misleading Information to Civil Court
- Theft of Proprietary Equipment
- Theft of @\$655,000
- Mail & Wire Fraud
- Falsified Resume
- Sexual Misconduct - Minor
1/3/2005

Current Actions

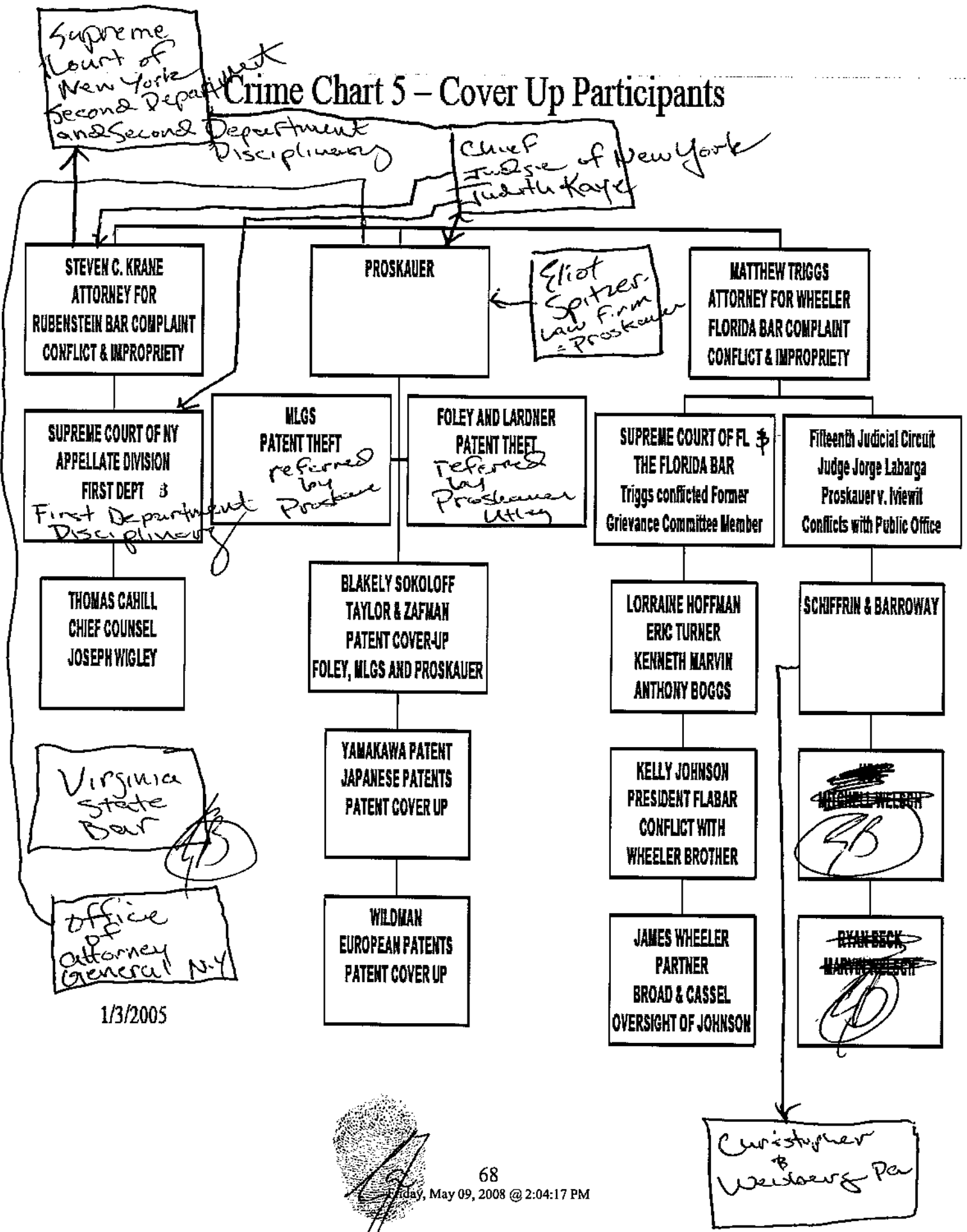
- FBI Investigation
- Boca Police Investigation
- Anti-Trust Filing
- NY State Attorney General
- Office of Enrollment & Discipline - US Patent & Trademark Office
- Office of Enrollment & Discipline - Europe & Japan



**CRIME ORGANIZATIONAL CHART - COVER UPS FOR THE MAIN
CONSPIRATORIAL ENTERPRISE**



Crime Chart 5 - Cover Up Participants



PREFACE

233. That on information and belief, IP attorneys and others defined herein have violated state, federal, international laws and gross violations of attorney ethics with the intent of and successfully stealing the client technologies learned under attorney/client confidential and privileged information.

234. That on information and belief, IP attorneys and others alleged herein then created IP pooling schemes and other IP schemes defined herein to monopolize on the inventions of their client and act to create a barrier to entry for the true inventors by tying and bundling the inventions into elaborate licensing schemes and other products with other culpable parties.

235. That on information and belief, this is not the first time certain defendants have conspired to deprive others of their IP.

236. Once the Iviewit Companies discovered the IP crimes, the Iviewit Companies were no longer able to raise capital as the fate of the IP is too uncertain from that time to present due to the actions of the IP lawyers and others named herein who aided and abetted the defendant lawyers. Consequently, the Iviewit Companies lost the ability to conduct business entirely.

237. To protect their illegally gotten gains the defendants embarked on a conspiracy that unfolded to block due process once complaints were filed by the Iviewit Companies and Plaintiffs against the defendants when the crimes were discovered. How the blocking was effectuated and how public offices were violated, claims further supported in the related *Anderson, et al. v. the State of New York, et al*, (U.S. District Court, S.D.N.Y.) (October 26, 2007) hereinafter ("*Anderson*"). This criminal organization infiltrated the legal system to protect the defendants who are members of the legal community and some of the largest law firms in the world with enormous political clout.

238. That on information and belief, this blocking conspiracy, the "cover up" conspiracy, entails not only crimes against the Plaintiffs but directly against various agencies of the United States and foreign nations.

239. These defendants benefited themselves by using Plaintiffs' royalties against them to fund a massive criminal enterprise which has infiltrated government

agencies to cover up these crimes and tortuous intentional and contractual violations of Plaintiffs' rights.

240. On or about 1997, Iviewit Companies founder, Plaintiff Bernstein and other inventors created inventions pertaining to what industry experts have heretofore described as profound shifts from traditional techniques in video and imaging until then overlooked in the annals of digital video and imaging technologies.

241. These technologies described herein have played a pivotal part in changing the Internet from a text based medium to a medium filled with magnificent images and video, thought prior to be impossible on the limited bandwidth of the Internet.

242. The video technology opened new markets therefore in both low bandwidth video as is found on cell phones and the Internet to the other end of the spectrum to high end video such as HDDVD, etc. changing even the way television was created, transmitted and viewed, a change from to the new Iviewit scaling processes, allowing cable companies to increase channel throughput by 75%+! The imaging inventions are used on almost every digital camera and present screen display device and other devices that utilize the feature of "digital zoom." The imaging technology provided a way to zoom almost infinitely on a low resolution file with clarity, solving for pixilation that was inherent in the prior technology.

243. That on information and belief, if the inventions become the subject of a court ordered injunction, while investigations into these matters are ongoing, imagine it could preclude the use of the technologies while the Court resolves these matters, similar to the recent case almost brought in the RIM/Blackberry matter. Although dwarfed in comparison, that injunction would have shut Blackberry down to users had the parties not settled the matters, by way of tremendous pressure from that court, the court system being on of the biggest users of that technology and the Iviewit Companies technologies likewise.

244. That Plaintiffs state on information and belief, the markets for the inventions are highly concentrated and the illegal activities of the defendants have substantially increased concentration. So much so, to remove the product from the market would have catastrophic effects on markets dependent on the Inventions. A short description of the saturation caused by defendants is necessary to understand how



absorbed into the marketplace inventors' inventions have been proliferated. The following applications would have to pay proper royalties to the proper inventors or cease and desist using such applications for the following:

A. Digital Zoom - Applications such as digital cameras, DVD's, televisions and other screen zoom technologies would be limited to low resolution zoom, making certain applications such as digital zoom on a digital camera severely limited. The impact on the digital camera market or forced recall of such cameras would be historically significant.

B. Scaled Video - Applications such as video over low bandwidth communications networks such as the Internet and video cell phones would cease to exist. Applications such as HDDVD and other high bandwidth communications would take a serious loss in quality or not be achievable at all.

C. Cable companies would have to remove such technologies and this would decrease the amount of content that could be throughput by a remarkable 75+% and would decrease programming channels and features respectively.

D. Video Players - Windows Media, Real Player, Quicktime and other companies would be forced to remove such technologies from their products, rendering these product markets crippled.

E. Websites - All websites using video created by inventors' inventions would have to cease and desist display of such video and return to small postage stamp sized video at low frame rates and disharmonious, rendering it almost useless. This was compression technology such as MPEG technology before the inventors' inventions resolved these previously termed "Holy Grail" hurdles.

F. Hosting and Serving Companies - Would suffer from loss of video streaming revenues, currently the largest revenue driver for these companies.

G. Telecommunications - Video cell phones would cease to exist at low bandwidth. Digital zoom and pan images would be severely limited in resolution.

H. Chips - Almost all chips today use the inventors' mathematical scaling formulas and recall would be devastating to these markets.



CERTAIN DEFENDANTS FOUND TO HAVE CONSPIRED TO STEAL IP PRIOR TO ATTEMPTING SAME ON PLAINTIFFS, BEGINNING POSSIBLY AT THE IBM CORP.

245. That on information and belief, several of the key defendants in the present criminal cluster have a prior history together of attempted IP theft establishing that the criminal organization described herein appears to have a history of priors. Based on statements made by Monte Friedkin of Florida ("Friedkin"), to Plaintiffs former counsel, Caroline Prochotska Rogers, Esquire ("Rogers"), Friedkin reveals a similar attempted theft of IP and fraud committed upon him by several of the same original Iviewit Companies conspirators described herein. The attempted theft against Friedkin was attempted immediately prior to certain of the defendants learning of the Iviewit Companies inventions and being retained and hired by the Iviewit Companies and Plaintiff Bernstein. An attempt to remove valuable hydro mechanical IP from Friedkin's company, Diamond Turf Equipment, Inc. ("DTE") through similar false oaths to the USPTO for IP applications, again constituting fraud not only upon Friedkin but the federal offense of filing false patent oaths, committed by those entrusted and hired by Friedkin to protect his properties!

246. That on information and belief, the Friedkin illustration demonstrates that key members of the original conspiratorial ring against the Iviewit Companies, consisting of Wheeler⁶ of Proskauer⁷, Dick of Foley, and Utlej former President of the Iviewit

⁶ Arrested in Del Ray Beach, Florida for Driving Under the Influence with Injury, Case No. FLO 500 400, a felony DUI requiring a warrant for his arrest. Quoting from the Police Report "Additionally, the defendants wife, Deanna Wheeler, was following her husband and told me that her husband had taken off from the red light at 1000 South Congress Ave. at a high rate of speed for unknown reasons and had been drinking. Moments later, he struck the vehicle ahead of him. She then told me that her husband shouldn't have been driving and expressed concerns for the victim still trapped in his car."

⁷ It will become important for this Court to note here that, on information and belief, Congressional records show that Joseph Proskauer, a founding partner of Proskauer and Supreme Court Justice at the First Department was involved as a stooge for JP Morgan, in the 1934 coup to overthrow FDR and have the United States join forces with Nazi Germany. The coup, know as the "Business Plot" was exposed and foiled by Smedley Darlington Butler, one of the most decorated war veterans of all time, a hero to this great nation whom the treasonous group tried to recruit to turn the US military against the People and suppress any rebellion that might follow with military force. Congressional hearings were held into the matters and much of the plot was confirmed as stated in Wikipedia "In 1934, Butler came forward and reported to the U.S. Congress that a group of wealthy pro-Fascist industrialists had been plotting to overthrow the government of President Franklin D. Roosevelt in a military coup. Even though the congressional investigating committee corroborated most of the specifics of his testimony, no further action was taken." The coup was thwarted, brought into the light by the McCormack-Dickstein House Committee, but the treasonous traitors' evaded prosecution. That the actual conspiratorial ring may begin here and has been operating through secret cults, including but not limited to, Yale's Skull and Bones, to plant members in

Companies, who was placed by Proskauer with a materially false resume, was **not** formed solely to deprive Plaintiffs of royalties deriving from its technologies, but was an ongoing criminal enterprise, perhaps hailing back to a criminal cartel that started at the IBM Corporation⁸ ("IBM").

247. That on information and belief, involving IBM? That upon information and belief, this same cast of characters worked together at IBM where Dick was IBM's far eastern IP counsel in Boca Raton, FL ("Boca"), Utley was GM of IBM Boca, Wheeler handled real-estate transactions through Proskauer for IBM Boca and upon information and belief, J. Kaye was also an IBM employee in the legal affairs department, the time and place of where and when, and whether she had known Dick or Utley fails to appear in biographical information of J. Kaye whom provides a variety of resume backgrounds some listing IBM and others not.

248. That on information and belief, the Friedkin affair was wholly concealed as these conspirators were brought into Iviewit Companies to aid the inventors and shareholders of the Iviewit Companies secure their IP. The real purpose was nefarious; in that it was to steal the IP from the Iviewit Companies and Plaintiffs. Wheeler never made mention of his involvement with Utley in the setting up of the company where the IP of Friedkin was attempted to be absconded with, until his deposition in a civil billing case. Upon referring Utley to the Iviewit Companies, the Friedkin information was in fact falsified by Wheeler and Utley in submitting a fraudulent resume to shareholders that with scienter covers up, and in fact lies about the incidence at Friedkin's.

249. That on information and belief, DTE was immediately closed as Utley was fired with cause for his attempted theft, costing a several million dollar loss to Friedkin.

prominent government posts to again plan a takeover of the United States government. It should also be noted that, on information and belief and directly from their client list on their website, Proskauer represents both Yale and Yale Law School. Joseph Meyer Proskauer was involved in the coup through the American Liberty League of which he was Advisory Council and on its Executive Committee, he was also an executive of the American Jewish Committee which, during the 1930s, opposed efforts by the American Jewish Congress to promote a widespread public boycott of German products. A Jew who aids and abets Nazi efforts is termed "Judenräte" <http://en.wikipedia.org/wiki/Judenrat>, a term applied to the Jews who welcomed concentration camp victims to the showers and ovens, promising in Hebrew warm water and cookies, in exchange for Nazi favors, at the expense of the soul.

⁸ IBM has recently been linked to Nazi atrocities in Edwin Black's book "IBM and the Holocaust: The Strategic Alliance Between Nazi Germany and America's Most Powerful Corporation". Per the IBM website "In 2007, IBM received 3,125 U.S. patents from the USPTO. This is the fifteenth consecutive year that IBM has received more US patents than any other company in the world." Also http://en.wikipedia.org/wiki/History_of_IBM#IBM.27s_role_in_WWII_and_the_Holocaust

250. Wheeler and Utley referring to Iviewit Companies their good friend Dick from IBM, who at the time was with Foley, again their dirty little secret was not disclosed to the Iviewit Companies shareholders, board or management. Dick's involvement in filing the IP of DTE for Utley to his home, outside of DTE, into the Utley company formed by Wheeler, all again was not disclosed with intent to conceal this information which would have caused Iviewit Companies to not hire or retain any of them.

251. That on information and belief, this establishes that this ring has worked together in the past and exhibits a conspiratorial pattern showing intent to swindle the Iviewit Companies and Plaintiffs of their IP rights right from the start, almost identical to the crime effectuated against DTE. The prior crime at DTE and Wheeler, Utley and Dick's part in that crime were confirmed in statements made by Utley and Wheeler under sworn depositions and Dick in a sworn response to the Virginia Bar complaint filed against him.

PROSKAUER & MLG THE FIRST ON THE SCENE OF THE INVENTIONS

252. On or about 1998 through 2001, Plaintiff Bernstein and Iviewit Companies retained Proskauer to review and procure IP for a number of inventions pertaining to digital video and imaging.

253. That on information and belief, the Plaintiffs and the Iviewit Companies since have fallen into trouble from a host of local, state, federal and international criminal activities, all emanating from the theft of the IP by Proskauer and its agents, including but not limited to, the estate of Stephen Kaye, Jaffe, Kafin, Rubenstein, Wheeler, Gortz, Pruzaski, Thompson, Coleman, George, Pincus, Reed, Gold, Saperstein, Healy, Kapp, Storette, Wolf, Zammas, Baumgarten, Cooper, O'Rourke, Weinstein, Hart, Grossman, Capraro, Shalek, Mashberg, Smith and other unknown Proskauer partners, who were to procure for Iviewit Companies the IP and set up companies and who instead committed numerous crimes to steal such. All roads to the criminal conspiracy, no matter how tangled they get emanate from Proskauer as the initial source of the conspiracy.

254. On or about 1998, Plaintiff Bernstein, through his personal accountant, G. Lewin was referred to Proskauer attorney Gortz, Lewin's good friend, who then brought in his partner Wheeler. Gortz an estate planner and Wheeler a real estate attorney. Wheeler then stated he would check with his main New York office to see if they had IP



counsel and came back several weeks later misrepresenting as partners of Proskauer, Rubenstein and Joao, claiming they were on board to protect and secure the technologies discovered by Plaintiff Bernstein, Zakirul Shirajee, Jude Rosario, Jeffrey Friedstein, James F. Armstrong and others.

255. After review and opinion by Rubenstein, Proskauer took on the role of securing IP and bringing other firms to aid in that process, including but not limited to, patent, trademark, trade-secret and copyright work for the inventors with the intent of forming a company to include various shareholders and investors, including Proskauer to conduct business.

256. Rubenstein was acting as both lead retained IP counsel and later sat on the Board of Directors whereby he was also reviewing the technologies to determine if Proskauer would be a shareholder of 2.5% in Iviewit, Inc., the original company.

257. That on information and belief, Wheeler stated Proskauer had never taken equity before and claimed that only after Rubenstein's opinion could they have a partners meeting to vote if they could take an equity interest in the original company. Proskauer after receiving favorable opinion from Rubenstein then purchased the founding shares in the company they then formed.

258. That upon information and belief, Rubenstein was hired by Proskauer after Wheeler had taken certain of the inventions to him and after Rubenstein and Joao had disclosures with inventors of certain of the inventions, acting as Proskauer partners at that time. Both Rubenstein and Joao were actually at another firm at the time and were misrepresented to give the impression that Proskauer had a long standing IP department in New York which just happened to have what Wheeler deemed the guru of digital imaging and IP law, Rubenstein.

259. That upon information and belief, Rubenstein was and remains gatekeeper and counsel to MPEGLA LLC, one of, if not the largest user of the inventions. It was later learned that neither Rubenstein nor Joao were actually with Proskauer at the time they were initially represented as partners of the firm, after claims to seed investors by Wheeler that Rubenstein was with Proskauer which induced many of the seed investors to invest. Wheeler had misrepresented Rubenstein and Joao who were factually found at the time to be with MLG instead.



260. That on information and belief, after confronting Wheeler with the information discovered by certain investors that Rubenstein was with another firm, Wheeler then claimed that Proskauer was in the midst of acquiring the MLG IP department, including Joao and Rubenstein.

MPEGLA, LLC.

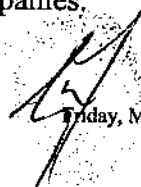
261. With the acquisition of Rubenstein, Proskauer then obtained as client the control of MPEGLA as Rubenstein was senior counsel for MPEGLA. Overnight, after transferring for MLG, Rubenstein was made the lead partner of the newly formed Proskauer IP department. Joao on the other hand was left at MLG despite claims he was transferring to Proskauer when he finished closing up the work for Rubenstein and himself at MLG. This action then forced Iviewit Companies to retain now Proskauer and additionally MLG, including but not limited to, Joao, Meltzer and Martinez. Proskauer told Iviewit Companies that Proskauer through partner Rubenstein would be in control of the IP with Joao assisting him at MLG until Joao could transfer to Proskauer.

262. That on information and belief, MPEGLA LLC now has bundled the Iviewit Companies technologies to their pool license in combination with an endless number of hardware, software, DVD, multimedia and chip technologies and Iviewit Companies has not received a dollar of royalty from the companies using them and where Proskauer inures direct benefit from these IP pools.

263. That on information and belief, Proskauer acting as retained lead IP counsel then brought into the Iviewit Companies, IP counsel all under the direction of Rubenstein in New York including patent counsel, trademark counsel, copyright counsel, trade-secret counsel to begin handling IP matters for the companies.

264. That on information and belief, Wheeler brought in and headed Proskauer's corporate counsel, immigration counsel, real-state counsel, securities counsel and other counsel for Iviewit Companies, all to further protect the inventions and form and fund the corporate vehicle to operate under.

265. That on information and belief, MPEGLA LLC stands as one of the main business store fronts for the criminal enterprise to convert the technologies through a monopolistic and anticompetitive IP pool controlled by the accused lawyers to monetize stolen IP from Iviewit Companies.



266. That on information and belief, the pools chief counsel and one of the originators, is Rubenstein, who is currently under investigation by the United States Patent & Trademark for fraud upon the USPTO and under state, federal and international investigation for his part in the alleged theft of intellectual properties and other crimes.

267. That on information and belief, Proskauer, a former real estate firm since the 1800's, developed a sudden appetite for IP work and so formed an IP department immediately after meeting the inventors and learning of their inventions.

268. That on information and belief, Proskauer then instead of filing timely and correct IP for the inventors, rushed about and acquired Rubenstein for control of MPEGLA, as part of a complex scheme to steal the IP from their retained client and convert them and control the market for the technologies.

269. That on information and belief, Rubenstein, acting as Iviewit Companies IP counsel, learned of the technology from the Inventors and then applied it to a bundled MPEG license for MPEGLA, the pool he formed. Not only did Rubenstein bundle and tie the product to products in the pool, Proskauer attempted to steal the IP with others involved for possible later inclusion into the pool to share royalties.

270. That on information and belief, Rubenstein brought in IP counsel MLG Joao who, after meeting the inventors, made application in his own name for ninety patents according to his own account.

271. The Proskauer IP department headed by Rubenstein was responsible for all of the following with Iviewit Companies;

- A. the oversight of the IP filings by his former partner Joao, his former firm MLG and its agents, including but not limited to, Meltzer and Martinez, and, Foley, including but not limited to its agents, Boehm, Becker, Dick, Norbitz, Sekel, Boer, Grossman and Clark.
- B. for the filing of numerous trademarks, copyright protections, trade-secrets and patent assignments,
- C. securing of investment from investors based on Proskauer IP opinions, directly opining on the technologies for investors, law firms and investment banks
- D. issuing IP opinion letters through partners such as Wheeler to investors,



- E. acting as an Iviewit Companies Board of Director and an Iviewit Companies stockholder,
- F. securing non-competes and non-disclosure agreements,
- G. structuring licensing deals with companies,
- H. setting up corporate formations to monetize the royalties, and,
- I. getting the IP into the pools for monetization to the investors.

272. That on information and belief, in a complex corporate and IP shell scheme, described further herein, Proskauer setup unauthorized companies created to steal the core inventions.

273. That on information and belief, Proskauer setup the illegitimate companies using companies formed to be identical or closely resembling the Iviewit Companies in various jurisdictions.

274. That on information and belief, with two sets of companies, Proskauer filed erroneous IP for the legitimate companies and the true inventions to the illegal companies, achieved through false oaths and applications for IP to the USPTO in other inventors' names.

275. By way of example, the inventors Plaintiff Bernstein, Rosario, Shirajee and Friedstein signed the IP applications, they were switched with meaningless and incorrect patents filled with math errors, incorrect inventors, missing the key aspects of the inventions, wrong assignees and owners and certain to fail at the USPTO for any or all of these reasons, some inventions replaced with bogus applications thus losing possible rights to the original invention.

INTEL CORP., REAL 3D, INC., LOCKHEED MARTIN, SILICON GRAPHICS AND RYJO

276. That on information and belief, Proskauer brought in officers to run the company and investment partners including the first large seed capital partner Wayne Huizenga and Wayne Huizenga Jr. all in an attempt to derail Iviewit Companies and perfect the IP thefts.

277. That on information and belief, Proskauer brought in top technology teams to evaluate and opine on the efficacies and efficiencies of the technologies, including Real (a consortium at the time composed of Intel, Silicon Graphics Inc. and Lockheed



Martin, later wholly acquired by Intel) and their clients under NDA's, licensing contracts and other agreements.

278. That Real was used to evaluate the technologies and formed a strategic alliance under NDA and then when later acquired by Intel, began to proliferate the technologies illegally in various combinations of other hardware and software applications of their products, thereby circumventing Iviewit Companies and its contractual agreements. Similar to MPEGLA, it is believed that Intel sought to monopolize the inventions through tying and bundling it into various products to maintain a competitive advantage to the disadvantage of the Iviewit Companies.

279. That on information and belief, Real and its agents, including but not limited to, Horn, Stanley, Bolton, Connolly, Bibona and Intel's agent Palley, all acted in conspiratorial activities to further the crimes of IP theft and contract violations alleged herein.

280. That on information and belief, Proskauer then attended almost every meeting of the Iviewit Companies, selling the technologies in sales meetings, opining to investors on the "novel" legal aspects of the technologies and was all the while supposedly acting to get the IP filed and approved with the stated intent to the Iviewit Companies shareholders that they were to get the IP placed into the MPEGLA IP pools and bundled into various products of Real and the other owners of Real.

281. That on information and belief, Proskauer's newly created IP division then formed newly created IP pools, to further proliferate the stolen technologies through bundling and tying the inventions to other products in the pool through complex licensing arrangements, eluding payment of royalties to the Iviewit Companies.

282. The IP crimes have led to the Commissioner of the USPTO suspending the IP of Iviewit Companies, while charges of fraud upon the USPTO are under investigation.

283. That on information and belief, attorneys under investigation by the USPTO and the USPTO OED are the former IP attorneys for the Iviewit Companies named herein. Charges filed of fraud on the USPTO by inventors and investor Crossbow, were directed by Moatz after discovering evidence of fraud by the attorneys, including IP

A handwritten signature in black ink is written over a circular, textured stamp. The signature is stylized and appears to be the initials 'JF'. The stamp is partially obscured by the signature.

dockets with materially false and misleading information procured by the various law firms retained for the IP work.

284. These same fraudulent IP dockets were tendered to the federally backed SBA, securities firms (including Goldman Sachs, Gruntal & Co., Wachovia Securities and all the Iviewit Companies shareholders) to secure the millions of investment by the Iviewit Companies.

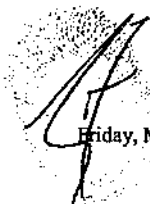
285. That on information and belief, these fraudulent IP documents used to secure investment capital set off another wave of crimes committed violating hosts of securities laws and crimes against the federally backed SBA and Iviewit Companies investors.

286. That on information and belief, all that needed to be accomplished to complete the crime was to remove the threat of the true Inventors getting their Inventions patented and take over the original filings by rewriting them out the backdoor. Once rid of the companies and inventors, the perpetrators needed only to then place the stolen IP into the pools to generate the lion's share of the revenue split for the IP holders that are members of the pools.

287. That on information and belief, Utley, when originally caught with evidence and documents showing his part in the scheme, flew out to California to threaten Plaintiff Bernstein that if he did not shut up about what was discovered (patents for things like "Zoom and Pan on a Digital Camera" found in Utley's name and not assigned to the company) that he and law firms would destroy him, his family and his companies.

288. That on information and belief, every effort has been made by the accused to destroy the Iviewit Companies and destroy the life of the primary inventor, all to get the core IP. The main inventor Plaintiff Bernstein's car was blown up, in a scene that looks like a car bombing out of Iraq. Plaintiff Bernstein's wife and children were hours away from picking the car up from an auto body shop where had this occurred with them in the car, only hours later, and these matters would have taken a horrible turn.

289. The fire investigator determined that arson was the cause of the car bombing, as accelerants were found.



290. That on information and belief, through the proliferation of the technologies, these pools have already become the dominant force in the market of defendants IP, with Proskauer & Rubenstein controlling the IP approval for the pools and profiting from the success of the pools, while blocking the Iviewit Companies from market. The pools have infringed upon the Inventors' patent pending technologies by blocking submission of the inventors' patent pending applications to the pools.

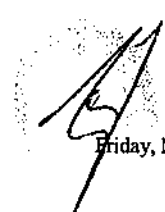
291. That on information and belief, the agents to effectuate these crimes for the enterprise were planted in the company in accounting, management or legal positions and this maintained control over all facets of the schemes processes so that no shareholders would catch on.

292. That on information and belief, once these prior steps were achieved, in order to share revenue from the pools with the other IP holders in the pools, one would need to have essential IP. This need for essential IP may answer the question as to why these attorneys attempted to get the actual dated IP of the Iviewit Companies through the corporate and IP shell scheme and writing the IP into other illegitimate inventors' names.

293. That on information and belief, Mashberg and Smith have been added to this complaint before this Court for their acting as counsel to Proskauer in violation of conflict laws, where both have vested interest in the outcome of these matters and where Proskauer has been sued and thus should hire outside counsel for representation. That Mashberg and Smith have been reported to the 1st DDC for investigation into their filings and actions in violation of ethics laws. That the NYAG has been notified of their complaints and where Plaintiffs await an answer from the 1st DDC through NYAG's office.

HUIZENGA HOLDINGS INCORPORATED

294. That in or about the summer of 1999, Huizenga under the direction of W. Huizenga, Jr., and through referral by Goldstein, Wheeler and Proskauer, provided the seed funding of approximately Five Hundred Thousand Dollars (\$500,000) in the Iviewit Companies, wherein some time later, the defendants, including but not limited to, W. Huizenga, W. Huizenga, Jr., Wheeler, Proskauer, Utley and Cris Brandon (Huizenga's legal counsel), acted in ways that were not for the economic benefit to the shareholders of



the Iviewit Companies, and constitutes yet another instance of patent sabotage, theft of IP, and violations of state and federal law claims cited herein.

TIEDEMANN INVESTMENT GROUP

295. That in or about March 2001, TIG through defendants, including but not limited to, Prolow, Tiedemann, Chesler, Smith, and through the doctrine of respondeat superior, TIG itself provided an investment note to the Iviewit Companies in the approximate amount of Three Hundred and Forty Five Thousand Dollars (\$345,000), when shortly thereafter, former employee affidavits state that they witnessed a large briefcase full of cash in the executive offices of the Iviewit Companies which may have been a combination of funds of Tiedemann and other investors, and whispers that the funds may have come from the new investor TIG, where Plaintiffs maintain that such cash monies were absconded with and converted to the monies of a to-be-formed distance learning company, run by Utley and Reale, counseled by Wheeler, and a related party to TIG that constitutes yet another instance of patent sabotage, theft of IP, robbery, and violations of state and federal law claims cited herein.

NDA & CONTRACTS

296. That on information and belief, the technologies were so broad and truly changed everything to do with digital imaging and video, as to cause a massive influx of interested parties to sign Non-Disclosure Agreements ("NDA") and other business contracts to learn how the processes were done and in many instances begin applying them to their products, many of these NDA clients were referred in by Proskauer and were Proskauer clients or client referrals.

297. Wheeler and Proskauer controlled the signing and maintaining of the NDA's and other business contract documents and in many instances had them signed by their clients, unbeknownst at the time Proskauer represented both sides to these transactions, in violation to ethics, perhaps because of their dual representation this may be why they have failed to enforce the violated NDA's.

298. In certain instances of violators of business contracts and NDA's whereby infringement was alleged against certain of Proskauer's clients bound by NDA, Proskauer was to investigate and prosecute if necessary, yet even after learning that such clients of



theirs were using the technologies they failed to take any steps to protect the Iviewit Companies.

THE FIRST SIGNS OF IP FRAUD & CRIMES

299. That on information and belief, Plaintiffs claim that Joao, almost immediately after being introduced and then retained by Plaintiff Bernstein and the Iviewit Companies began a series of actions that caused immediate suspicion of both his actions on behalf of the inventors and the Iviewit Companies in the IP filings he was making, or worse, was not making.

300. That on information and belief, shortly after discovering problems with Joao's filings and possible non filings, including that he may have been filing inventions for himself as the inventor for ideas learned through the inventors' disclosures, inventions he was to be patenting for the inventors and Iviewit Companies, Proskauer was notified and claimed they were investigating the actions of their referred and controlled counsel.

301. That on information and belief, with days before the first provisional patent filing needing to be filed as a pending application, Joao came to the Iviewit Companies offices and met with inventors' Plaintiff Bernstein and Shirajee to finalize the applications and after having the inventors sign the applications, he immediately ran next door to Proskauer's office and in that time it was found that he had used a computer in the Iviewit Companies offices to make changes to the application, not approved by the inventors, after the inventors had signed for them.

302. That on information and belief, Joao had sealed the application in an overnight packing but the inventors wanted it opened and what they found was that the application had been materially changed and they forced Joao to rewrite the application and correct a myriad of problems, once they received that, they sealed the document and Plaintiff Bernstein, Jennifer Kluge and E. Lewin took the package to the US Post Office and sent it to the USPTO.

303. Joao was then terminated for his malfeasance and misfeasance.

304. Proskauer was then charged with investigating the actions of Joao since he was referred by them and failed to do so causing damages to the Iviewit Companies and inventors.

A handwritten signature in black ink is written over a circular, textured stamp. The signature appears to be 'J. Bernstein'.

305. That on information and belief, later after learning Joao had delayed original filings, had not filed all the IP he was supposed to and perhaps changed much of IP filings fraudulently, Proskauer claimed they were bringing in replacement counsel to fix the errors of Joao, file the missing IP, correct the inventors and investigate Joao's possible stealing of IP through falsified patent oaths to the USPTO and to the EPO, via Patent Cooperation Treaty filings instigated at the USPTO.

306. That on information and belief, Plaintiffs later learned that Joao had 90+ patents in his own name, which Plaintiffs found in newsprint, a claim he never told anyone while retained with the Iviewit Companies, that many of these patents encompass the technologies he learned from and stole from Iviewit Companies.

FOLEY AND LARDNER

307. Joao was then terminated for cause as counsel and upon termination, through both Wheeler and Utley they recommended their "good friend" Dick from Foley, whom brought in defendants Boehm and Becker also of Foley.

308. Foley was then retained to first investigate and correct what appeared at the time to be deficient work of Joao, later learned to be almost wholly fraudulent work.

309. That on information and belief, Foley and Proskauer were to be contacting the appropriate authorities regarding the possible crimes committed by Joao and finally to file to protect the IP worldwide wholly replacing Joao and MLG's work.

310. That on information and belief, all of this was explained by Wheeler to be under the oversight of Rubenstein, who was directing the overall Iviewit Companies IP of the Iviewit Companies for patents, copyrights, trademarks and trade secrets and whereby everyone was assured that everything could be fixed and no damages had occurred.

311. That on information and belief, Plaintiffs later learned that Foley attorneys acted to further the conspiracy, continuing in Joao's criminal footprint, with new false filing of patents through falsified patent applications and oaths with the USPTO, a federal offense and a direct crime against the United States too.

312. That on information and belief, through the Patent Cooperation Treaty ("PCT"), similar patent fraud for filings in foreign nations violated international trade treaties with those patent offices, again these foreign filings done with fraudulent



inventors, owners and assignees, inapposite of what the attorneys claimed to be doing and presenting to investors and the inventors.

313. That on information and belief, evidence will show that Foley upon reviewing the Joao filings found a multitude of problems that they claimed to Iviewit Companies investors and inventors that they were fixing, yet instead of protecting the inventors and shareholders by fixing the IP Foley instead conspired with Proskauer and others to continue the IP crimes by, including but not limited to;

- A. further writing the IP into a series of illegitimate fraudulent Iviewit Companies set up by Proskauer with similarly and identically named companies to the legitimate Iviewit Companies,
- B. filing fraudulent applications for IP written with Utley's name as the sole inventor, for inventions as profound as "Zoom and Pan on a Digital Camera" where Utley had no involvement with such inventions, reminiscent to the DTE affair where these unknown filings were also being directed secretly to Utley's home address with no assignments to the Iviewit Companies,
- C. in other instances, where Utley never invented anything with the Iviewit Companies inventors, Utley is secretly added on to other inventors' inventions, replacing original inventors with Utley on those applications and creating a second set of almost identical patents, one with Utley as inventor and one without,
- D. sabotaging the filings in substance through incorrect claims, including using factually incorrect math,
- E. failing to properly assign the properties to the rightful owners and assignees, and,
- F. failing to correct the inventors to the true and correct inventors that Joao had initially failed to properly file for and further falsifying them.



314. That on information and belief, Foley was working in conspiracy with Proskauer and both were attempting to cover Joao's tracks and prevent his exposure and convince the Iviewit Companies shareholders, management and the inventors that the IP was being corrected and filed properly, no worries.

315. That on information and belief, the work Foley did with the inventors that was signed for by the inventors was later found to be completely changed in transit to the USPTO and foreign IP offices from what the Iviewit Companies were told was being filed.

316. Proskauer prepared, billed for, reviewed and disseminated a Wachovia Private Placement ("PPM") for the Iviewit Companies.

317. That on information and belief, this PPM was distributed to investors, including the SBA with materially false information submitted for the due diligence.

318. That on information and belief, Foley admitted in taped conversations that the assignments they claimed to have been executed by the inventors to Iviewit Holdings, Inc., for the statements relied on for the Wachovia PPM and by other investors, were never actually filed.

319. That on information and belief, Norbitz and Sekel have been added to this complaint before this Court for their acting as counsel to Foley in violation of conflict laws, where both have vested interest in the outcome of these matters and where Foley has been sued and thus should hire outside counsel for representation. That Norbitz and Sekel have been reported to the 1st DDC for investigation into their filings and actions in violation of ethics laws. That the NYAG has been notified of their complaints and where Plaintiffs await an answer from the 1st DDC through the NYAG's office.

320. That Plaintiffs remain confused as to how NYAG's office can investigate those they represent, especially where Plaintiffs have requested that reinvestigation of earlier complaints against certain of the defendants NYAG now represents, that were submitted to NYAG's office prior to this action but were declined to be investigated or wholly ignored, now be reopened based on the shocking revelations of *Anderson*. Based on statements contained in *Anderson* regarding public office corruptions those prior complaints will apparently require reinvestigation by the NYAG offices. For his failure to respond to the earlier complaints, former NYAG Eliot Spitzer and NYAG have also



been included herein as defendants making the need for them to get counsel in these matters and making it more confusing for their continued representation of any other defendants than themselves. The Court's prior ruling to partially decline the request for NYAG to recuse for possible conflict in representing the defendants was made prior to Plaintiffs filing of the request for reinvestigation based on *Anderson* and inclusion of NYAG and Spitzer as defendants, where these actions now presumably cause conflict.

ARTHUR ANDERSEN ("AA"), AUDIT INSTIGATED BY CROSSBOW VENTURES ON BEHALF OF THEIR LOANS AND THE SBA LOANS THEY SECURED, THAT EXPOSES EVEN MORE CRIMES BEING COMMITTED IN THE IVIEWIT COMPANIES CORPORATE MATTERS

321. That on information and belief, on or about 2000, an audit of the financial records of the Iviewit Companies by Arthur Andersen LLP⁹ was begun whereby while conducting such audit for the legitimate Iviewit Companies' largest investor, Crossbow through Alpine (a side car fund of Crossbow's that used SBA funds in addition to their venture funds), AA found possible illegitimate Iviewit Companies that were similarly and identically named and other misleading corporate information and records, including missing stock for several entities.

322. That on information and belief, these accounting and business discrepancies in the corporate records caused AA to request further audit information from, including but not limited to, Proskauer, Goldstein, Lewin and E. Lewin, CPA, Hersch and others.

323. That on information and belief, E. Lewin was an Iviewit Companies W2 employee for internal accounting at the Iviewit Companies while also working for the firm Goldstein.

⁹ "On June 15, 2002, Andersen was convicted of obstruction of justice for shredding documents related to its audit of Enron, resulting in the Enron scandal. Nancy Temple (Andersen Legal Dept.) and David Duncan (Lead Partner for the Enron account) were cited as the responsible managers in this scandal as they had given the order to shred relevant documents. Since the U.S. Securities and Exchange Commission does not allow convicted felons to audit public companies, the firm agreed to surrender its licenses and its right to practice before the SEC on August 31, 2002, effectively ending the company's operations. The Andersen indictment also put a spotlight on its faulty audits of other companies, most notably Sunbeam and WorldCom. The subsequent bankruptcy of WorldCom, which quickly surpassed Enron as the biggest bankruptcy in history, led to a domino effect of accounting and like corporate scandals that continue to tarnish American business practices." Source Wikipedia http://en.wikipedia.org/wiki/Arthur_Andersen

324. That on information and belief, Goldstein, E. Lewin, Proskauer, Foley, Hersch and others prepared and disseminated false and misleading financial information to auditors from AA regarding the IP and corporate structure in attempts to mislead investigation into their corruptions.

THE FOLEY LARDNER FRAUDULENT IP APPLICATIONS

325. In a bizarre instance, Utley was caught holding two sets of IP portfolios created by Foley by Plaintiff Bernstein and James Armstrong, where the legitimate Iviewit Companies had only been aware of one prior.

326. In these two volumes Iviewit Companies found a set of IP where owners, assignees and inventors all appeared fraudulently misstated when compared to the IP dockets and other IP documentation given to Iviewit Companies investors and the inventors.

327. That on information and belief, this second set of IP books was never shown or submitted with investment documents to the legitimate Iviewit Companies board, management, inventors and shareholders, including the SBA.

328. That on information and belief, in response to this finding of two sets of IP, further damning and bizarre evidence came to light in that the claims, including mathematical claims made by Foley in the IP in one of the Utley sets was mathematically incorrect.

329. That on information and belief, after having the IP reviewed by several other firms it was found that the claims were wrong materially, wholly missing the inventions, and, there were owners, assignments and inventors that were wrong.

330. Taped meetings were held immediately after finding the fraudulent IP to confront Foley, Proskauer and Utley with the evidence found after analyzing the newly unearthed IP filings.

331. That on information and belief, these fraudulent misstatements in the filings were then supposedly to be corrected by Foley and Proskauer as stated repeatedly over three days of meetings, yet many of the key changes were never made.

332. That on information and belief, the meetings were attended by, including but not limited to, Boehm, Becker, Wheeler, Wheeler on behalf of Rubenstein, Plaintiff Bernstein, Armstrong (an initial inventor, investor and senior manager), S. Bernstein as



former Chairman of the Board and defendant Buchsbaum as an officer of Iviewit Companies and also as an agent of Crossbow.

333. That on information and belief, the problems in the IP and the second set of IP were discovered only days before filings were due filings of critical importance and where the inventors' had never seen copies of the IP filings found in violation of patent bar attorney rules.

334. That on information and belief, this uncertainty with the IP has caused the Iviewit Companies to cease the ability to raise further capital on good faith, as the fate of the IP is too uncertain from that time to present due to the actions of the IP lawyers named herein and others who aided and abetted. That the devastating result of the findings of fraud and whispers of what auditors had appeared to have found led to a snowball effect of catastrophic effect on all business dealings with the Iviewit Companies.

335. That on information and belief, the IP problems and assignments were thought by the legitimate Iviewit Companies board, management, investors, and inventors, to be corrected by Foley before filing but it was later learned that they were filed fraudulently without critical changes anyway when compared to the filed applications.

336. That on information and belief, as of this date the problems in the IP have not been corrected and the IP in certain instances has been suspended pending investigation and where others may have been permanently lost.

THE DEATH THREAT ON PLAINTIFF BERNSTEIN FAMILY

337. Shortly after learning of the second set of IP, Utley then came to the Iviewit Companies California offices unannounced and threatened inventor Plaintiff Bernstein that if further investigation or probing into the matters occurred and if he were not made CEO, with full signing authorities, Plaintiff Bernstein should watch his back upon returning to his family in Florida, as Proskauer and Foley would be watching and waiting, directly threatening the lives of Plaintiff Bernstein and his family.

338. Plaintiff Bernstein in response called his wife, had her pack their kids and belongings and flees Florida, leaving their home, to move into a hotel for the next several



months in California and Nevada with their children, in affect attempting extortion on Plaintiff Bernstein through threat.

339. This decision to move and leave all of their personal possessions and home behind, came after Plaintiff Bernstein immediately called several of the Board of Director members, shareholders and others, and it was determined it was safest for Plaintiff Bernstein and his family not to return to Florida until the matters were presented to investigators.

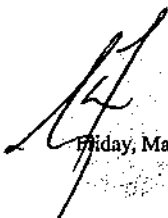
340. That on information and belief, the reason for these precautions was although Utley did not know this at the time, Plaintiff Bernstein had already begun notifying Iviewit Companies shareholders, certain Board of Director members, certain of the management team, investors including Crossbow and Huizenga, the federal patent authorities and others of what had been discovered.

341. That on information and belief, Plaintiff Bernstein had been in California setting up a satellite office, as a licensing and operating deal had been signed for Iviewit Companies with AOL LLC ("AOL") and Warner Bros. Entertainment Inc. ("WB") whereby the Iviewit Companies IP processes were being used for video production for AOL and WB websites.

342. Iviewit Companies had taken offices directly above AOL and WB's video encoding operation and had taken over the encoding processes for AOL and WB at such time.

343. Sony and up to four other leading studios were preparing to use the Iviewit Companies processes to consummate a digital download and streaming of movies of five of the major studios using the Iviewit Companies IP.

344. License deals and other business deals were being drafted by now Irell & Manella ("Irell") and then signed for such use of the IP, as Plaintiff Bernstein, S. Bernstein, Kane, Buchsbaum, Powell, members of the AOL and WB team and others decided a new team of professionals and management would be instantly found to consummate and manage these and other deals, take over the legal, accounting and management vacancies that would arise with these actions attempting to protect the Iviewit Companies from total loss.



THE DISENGAGING OF IVIEWIT COMPANIES PROFESSIONALS AND MANAGEMENT

345. That on information and belief, many of those involved in the IP and corporate problems, including but limited to defendants Proskauer, Foley, Wheeler, Rubenstein, Dick, Boehm, Becker, Utley, Reale were then terminated for cause and new counsel, accountants and management was then secured.

346. That on information and belief, it was determined by the acting Board of Directors of the Iviewit Companies, that The Florida operations were to be closed and the corporate headquarters moved to California after terminating all those known at the time to be involved.

347. That upon termination it was found that several of the members of the management of the Iviewit Companies were destroying documents as witnessed by employees in attempts to destroy evidence against them.

348. Plaintiff Bernstein then contacted friends and Iviewit Companies shareholders at his former employer, Rock It Cargo, USA Inc. to immediately descend upon the Boca offices and remove every stitch of corporate records not maintained by the accountants and attorneys, computers and all the office materials to ship them to Los Angeles to salvage and prevent further destruction.

349. When the items were delivered to California, Plaintiff Bernstein and others began to review the remains and put together much of the evidence submitted to investigators over the next several years and to be presented before this Court.

STOLEN IP & STOLEN FUNDS – BOCA RATON POLICE DEPARTMENT

350. That on information and belief, evidence was surfacing on or about this point to show further criminal activities that had taken place. Inventor Plaintiff Bernstein was called by Buchsbaum and other Iviewit Companies Florida employees, with allegations that in preparing to move the offices, Utley and Reale were attempting to bribe employees with a briefcase of cash to steal proprietary information and join them in a new venture using the Iviewit Companies processes.

351. That on information and belief, according to a witness statement, Reale claimed a briefcase contained stolen cash from Iviewit Companies investors which may



have also contained SBA funds and further attempted to have such employees aid and abet in stealing proprietary equipment and IP processes using the money as incentive.

352. That on information and belief, employees were told by Reale and Utley that the Iviewit Companies were being closed because there was no money to pay them and they were being fired. Further asking the employees if they wanted to leave and join Utley and Reale in a new venture with investor Tiedemann (referred by Proskauer) and they needed help to steal the processes and some equipment. They then took machines they were told was operating the processes without authorization and transported such across state lines. This crime also in violation of employment agreements and fiduciary responsibilities.

353. That on information and belief, Anthony Frenden an Iviewit Companies employee, in a written statement, stated that Utley and Reale had attempted to bribe him with a briefcase of cash to this effect and this was also witnessed and confirmed by other employees, which then led to filed charges with Boca PD for the stolen equipment and embezzlement.

354. That on information and belief, the stolen equipment was later returned to the company through police intervention and formal charges were unbeknownst to the Iviewit Companies, waived by Kasser, without company authority or consent and inapposite of what Kasser was supposed to do which was to seek prosecution. That the stolen goods were transferred across state lines to a Tiedemann owned company.

355. That later upon learning that Kasser had dropped charges instead of pressing them, the Iviewit Companies asked Boca PD to re-open the charges in the embezzlement case and press new charges for the IP thefts and stolen investor funds, including possibly those of the SBA, formal written statements were submitted for investigation and Flechaus assured Iviewit Companies that investigations were now under way. Later it was learned that Flechaus had failed to investigate and in fact reported that other agencies were joined in the investigations whom upon contacting by the Iviewit Companies had never heard of the case or had no records of such.

356. That on information and belief, the charges are currently NOT under investigation by the Boca PD and the matters have been escalated to Honorable Andrew J. Scott, III, Chief of Police and internal affairs, for possible internal corruption.

A circular fingerprint is visible, with a handwritten signature or initials overlaid on it.

ENRON CREDITORS RECOVERY CORPORATION (FORMERLY ENRON CORPORATION) & BLOCKBUSTER INC.

357. That on information and belief, one of the unauthorized technology transfers that were being attempted at that time was to a brand new Internet company, Enron Broadband to monetize the stolen technologies through an Internet movie delivery scheme, virtually impossible without the Iviewit Companies technologies.

358. That on information and belief, Enron booked enormous revenue through their division Enron Broadband without a single movie to distribute and at the time no technology to distribute them with, as they were in discussions with the Iviewit Companies but no deal was yet made to allow for such accounting practices.

359. That on information and belief, Utley was found preparing an Enron/Blockbuster deal without authorization.

360. That on information and belief, Huizenga may have been the connection between Enron and Blockbuster, as Wayne Huizenga was the founder of Blockbuster and further discovery is necessary to explore this aspect of the allegation.

361. That on information and belief, Enron was now caught with revenue that was never realized due to suddenly losing the technologies they promised shareholders would deliver such VHS quality movies over the Internet and as the audit and investigations of the Iviewit Companies began to dig deeper, the Enron/Blockbuster deal collapsed over night causing massive losses to Enron investors.

362. That on information and belief, Enron's broadband division may be found to be one of the major reasons for Enron's bankruptcy.

363. That this Court should notify Enron's federal investigators of the possible connections to the Iviewit Companies and invite them into this action for further discovery, where Plaintiffs have already tried to protect the Enron shareholders by contacting Enron investigators and failed to be heard by those authorities.

LEARNING OF ILLEGAL LEGAL ACTIONS - THE PROSKAUER CIVIL BILLING LAWSUIT & INVOLUNTARY BANKRUPTCY

364. That on information and belief, it was stated by Warner Bros. ("WB") employee David Colter ("Colter"), a senior engineer, that AOL & WB IP counsel had found during due diligence that the IP displayed to their IP counsel for investment did not match up with IP on file at the USPTO and that the Iviewit Companies may have more

serious problems. That this led to a continued decline in business relations with AOL and WB and was the cause of the loss of a large pending investment.

365. That on information and belief, Colter also stated that AOL and WB due diligence appeared to show that there was an involuntary bankruptcy action against an Iviewit Companies company that had not been disclosed to them, this also interfered with raising capital from them, actions no one in the companies was aware of prior.

366. That on information and belief, Colter also stated that AOL and WB due diligence appeared to show that there was a lawsuit where Iviewit Companies companies were being sued for several hundred thousand dollars that had not been disclosed to them, this also interfered with raising capital from them actions no one in the companies was aware of prior.

367. That on information and belief, it was found that Proskauer established all of the following Iviewit Companies and where other John Doe companies may still exist and where many of these were unauthorized and unknown to exist by the Iviewit Companies prior to reviewing documentation discovered from the Boca Raton office after termination of many of the employees involved in the crimes:

1. IVIEWIT, INC., A FLORIDA CORPORATION,
2. IVIEWIT, INC., A DELAWARE CORPORATION,
3. IVIEWIT HOLDINGS, INC., A DELAWARE CORPORATION (F.K.A. UVIEW.COM, INC.)
4. UVIEW.COM, INC., A DELAWARE CORPORATION
5. IVIEWIT TECHNOLOGIES, INC., A DELAWARE CORPORATION (F.K.A. IVIEWIT HOLDINGS, INC.),
6. IVIEWIT HOLDINGS, INC., A FLORIDA CORPORATION,
7. IVIEWIT.COM, INC., A FLORIDA CORPORATION,
8. I.C., INC., A FLORIDA CORPORATION,
9. IVIEWIT.COM, INC., A DELAWARE CORPORATION,
10. IVIEWIT.COM LLC, A DELAWARE LIMITED LIABILITY COMPANY,
11. IVIEWIT LLC, A DELAWARE LIMITED LIABILITY COMPANY,
12. IVIEWIT CORPORATION, A FLORIDA CORPORATION,



368. Plaintiff Bernstein contacted a childhood friend, Rogers, to investigate as much of the possible crimes as was possible at that time, to confirm what was going on in the myriad of very scary events unfolding with regard to the IP crimes and claims of corporate crimes.

THE FRAUDULENT FEDERAL BANKRUPTCY FILED

369. That on information and belief, Roger's found there existed a federal involuntary bankruptcy action at the U.S. Bankruptcy Court Southern District of Florida Case No. 01-33407-BKC-SHF ("IB"), filed on or about July 26, 2001, incorporated by reference in its entirety herein, filed by Proskauer referred management and Proskauer referred strategic alliance partners, including but not limited to, Intel, acting through Real (Real at the time, a consortium of Intel 10%, Silicon Graphics Inc. 20% and Lockheed Martin Corp. 70%, later wholly acquired by Intel).

370. That on information and belief, after signing a strategic alliance agreement and while structuring a licensing deal with Real, Real was wholly acquired by Intel, along with the Iviewit Companies technologies, in violation of Real's agreements with an Iviewit Companies company.

371. That on information and belief, Intel and Real acted also through their subcontractor, defendant RYJO Inc. in the fraudulent federal bankruptcy filing, intended to abscond with certain of the Iviewit Companies IP. RYJO Inc. was also found to have earlier attempted to abscond with certain of the Iviewit Companies inventions through an unauthorized technology transfer prepared by Proskauer, Utley and Reale, where they had presumed that RYJO had no NDA so he could copy Iviewit Companies technologies as his own and that Iviewit Companies would have to license back their own product. That Plaintiff Bernstein then produced a signed NDA for RYJO that they had thought did not exist as they had destroyed their copies but Plaintiff Bernstein had an extra copy in his office.

372. That on information and belief, Proskauer's management referrals defendants Utley, Hersch and Reale were part of the fraudulent federal bankruptcy proceeding designed to abscond with the Iviewit Companies IP, along with other John Doe defendants to be named upon further discovery.



373. That on information and belief, none of the parties of the IB had contracts with the claimed debtors of the IB, Iviewit Holdings Inc., Iviewit.com Inc. and Iviewit.com LLC, the Florida Iviewit companies they sued.

374. That on information and belief, Utley's employment contract was with Iviewit.com, LLC, a Delaware, not Florida limited liability entity and any obligations would have been with the Delaware Iviewit Companies company.

375. That on information and belief, Hersch's employment was with Iviewit Holdings, Inc., a Florida corporation.

376. That on information and belief, Reale's employment contract was with iviewit.com, Inc. Further, Reale had terminated his employment voluntarily prior to the IB filing and had never entered into another employment contract with the companies upon his part time return, thus he had no contract with any company to sue under.

THE PROSKAUER CIVIL BILLING LAWSUIT

377. That on information and belief, Rogers found a billing suit instigated by Proskauer in *Proskauer Rose LLP v. Iviewit.com, Inc. et al.*, Case No. CA 01-04671 AB10 ("Proskauer Civil Billing Lawsuit") (Circuit Court of the 15th Judicial Circuit in and for Palm Beach County, Florida), incorporated by reference in its entirety herein, defendant Labarga was one of the presiding justices.

378. That on information and belief, Proskauer had a retainer, the authenticity which remains in question, with only one Iviewit Companies company, Iviewit LLC of which was not a party to the Proskauer Civil Billing Lawsuit making the lawsuit frivolous from the start.

379. That on information and belief, Roger's, after finding that the two illegal legal actions were actually existent, directed Plaintiff Bernstein and the Iviewit Companies to retain new counsel and prior unauthorized counsel in the IB and Proskauer Civil Billing Lawsuit matters were terminated.

380. That on information and belief, unauthorized counsel for the Proskauer Civil Billing Case, defendants SSK, which was originally retained by unknown parties,

¹⁰ Plaintiffs cannot confirm or deny that Labarga was the original Judge handling the case or that the case docket number provided was the original filing number, further discovery will be required to pursue this convoluted matter.



was terminated and the Iviewit Companies retained Steven Selz, Esq. ("Selz") to represent the Iviewit companies being sued in the Proskauer Civil Billing Lawsuit and to file a Motion to Amend Answer and Counter Complaint for Damages ("Counter Complaint").

THE LABARGA CIRCUS COURT & THE SB BREACH OF THEIR LOU/RETAINER

381. That on information and belief, rights were almost instantly denied against the Iviewit Companies by Labarga in the Proskauer instituted and prior unknown Proskauer Civil Billing Lawsuit, to new counsel Selz's motions, the Counter Complaint denied instantly by Labarga who was presiding on the case, claiming that former counsel who represented the Iviewit Companies without authority had basically waived the right to countersue and further that he was not going to allow the IP matters and crimes alleged committed in the Counter Complaint as he was limiting the case to billing matters only and the circus court began.

382. That on information and belief, Labarga also refused to dismiss the case based on the fact that Proskauer had no retainers or any other contracts with the companies they sued, their contracts were with a different Iviewit Companies company.

383. That on information and belief, at the time of the Iviewit Companies finding the Proskauer Civil Billing Lawsuit, it was not known that there were illegitimate companies and that those companies were directly involved in illegal legal action of the Proskauer Civil Billing Lawsuit, not the legitimate companies where Proskauer had its retainer and that these corporate matters were part of the larger IP and corporate scheme used in order to effectuate the IP thefts.

384. That on information and belief, Selz took depositions¹¹ of Rubenstein, Wheeler and Utley, hereby incorporated by reference in there entirety herein, whereby both lawyers from Proskauer fled deposition and refused to return to further deposition

¹¹ Depositions for Plaintiff Bernstein, Lewin, Rubenstein, Wheeler, Simon Bernstein and Utley are available in the case file of the Proskauer Civil Billing Lawsuit for this Courts review and incorporated by reference herein and should be secured by this Court to prevent any file thinning similar to what Anderson claims occurred at the First Department. Plaintiffs request that as this Court receives such files of any court records and copy Plaintiffs to review and determine if file tampering has occurred, as *Anderson* poses a very real threat of wide sweeping document destruction and tampering. The Iviewit Companies complained that files were being destroyed illegally to federal and state authorities.

after the first day. Rubenstein had also fled his deposition refusing to answer questions pertinent to the case, inapposite Florida law.

385. That deposition was also taken of Plaintiff Bernstein by Proskauer and whereby that deposition is incorporated by reference in its entirety herein.

386. That on information and belief, Wheeler and Rubenstein were ordered later by Labarga to return to finish their deposition, despite their pinning that they would not, owing to the fact that at the first deposition evidence surfaced contradicting their deposition statements and previous written statements made to the court and state bar associations and disciplinary committees, which constituted obvious perjury and other crimes.

387. That on information and belief, the Iviewit Companies companies sued thus readied for trial armed with devastating evidence of perjured written statements, perjured depositions and perjured statements to state investigatory authorities, all crimes in the state of Florida.

388. That on information and belief, the Iviewit Companies had also retained a new law firm, whom also was an equity investor, in addition to Selz, defendants SB and its agents, including but not limited to, Schiffrin, Barroway and Narine..

389. That on information and belief, SB signed a binding Letter of Understanding ("LOU"), incorporated by reference herein, and, which also can be found at the Iviewit Companies website www.iviewit.tv on the homepage, whereby the Uniform Resource Locator ("url") www.iviewit.tv is hereby incorporated by reference in its entirety herein.

390. That the SB LOU can be found at the direct url <http://www.iviewit.tv/CompanyDocs/2003%2007%2016%20Signed%20Letter%20of%200Understaning%20Iviewit%20&%20SB.pdf> which also acted as a legal retainer to represent the Iviewit Companies in the upcoming Proskauer Civil Billing Lawsuit trial and a variety of collateral suits to follow against certain of the defendants, as well as, an investment document. That SB later breached such contract in presumed coordinated conspiratorial activity with Proskauer with scienter.

391. That on information and belief, after thorough review and investigation of the allegations, evidence and witness statements SB entered into the binding LOU.



392. That on information and belief, a denial of due process and procedure occurred on the way to the Proskauer Civil Billing Lawsuit trial, where the supposedly powerful Proskauer was to enforce their bogus billing case against bogus companies that they had no retainer agreements with¹² and where evidence of criminal misconduct in the Proskauer Civil Billing Case was to be presented.

393. That on information and belief, on the first day of the scheduled trial, Plaintiff Bernstein and Selz showed up at the courtroom to find the lights out and nobody home, the trial had been cancelled by defendant Labarga the prior evening without notice to the Iviewit Companies or their counsel Selz or SB, another crime according to FBI investigators to deny due process rights of Plaintiffs through illegal legal actions and violations of judicial and attorney conduct codes, as well as other criminal acts.

394. That on information and belief, it then became apparent that Labarga was not only part of the conspiracy but in the words of the Supreme Court Justice, Sandra Day O'Connor, in relation to the Florida Supreme Court election recount in the Bush v. Gore presidential election that Labarga was central too, that he was "off on a trip of his own...",¹³ perhaps referring to the Iviewit Companies matters which were consuming him at the same time.

395. That on information and belief, at the rescheduling hearing an even more bizarre court room fiasco unfolded. First, at the suggestion of new counsel SB, co-counsel Selz filed a motion to remove himself from the case based on the fact that SB had committed to take over as lead counsel when they signed their binding LOU to represent the Iviewit Companies.

396. That on information and belief, SB requested the removal of Selz and Labarga then granted Selz's motion which claimed SB was taking over as counsel for the trial.

397. That on information and belief, Labarga, immediately after dismissing Selz then heard a motion filed the same day as the Selz motion to withdraw, a surprise

¹² After investigations are concluded into the corporate malfeasances, the companies sued may even be proven to be companies formed without authorization from the Board of Directors or management and which contained the converted and stolen IP and for which the shareholders of the illegitimate companies are unknown but most likely Proskauer.

¹³ Supreme Conflict ~ The Inside Story of the Struggle for Control of the United States Supreme Court Jan Crawford Greenberg, Penguin.



motion, submitted without notice to the Iviewit Companies that SB had simultaneously, alongside Selz filed to remove themselves as counsel, stating Selz was going to be counsel.

398. That on information and belief, to make things surreal, Labarga granted the SB motion to withdraw as counsel, despite having copies of their signed and binding LOU and legal retainer to represent the Iviewit Companies in the matters before him and knowing he had just let go of counsel Selz where SB was to take over, in violation of his judicial canons.

399. That on information and belief, this led to a complete denial of due process and procedure through illegal legal trickery to prevent the Iviewit Companies from going to trial or even rescheduling one to present the damning evidence at and usurping the rights' of the Iviewit Companies and Plaintiffs to counsel.

400. That on information and belief, Labarga appeared happy in telling Plaintiff Bernstein that he dismissed counsel, whereby he then summoned Plaintiff Bernstein to the stand to represent the Iviewit Companies, despite Plaintiff Bernstein claiming that he was not an attorney and had conflicts in acting in that capacity.

401. Labarga thus rendered the Iviewit Companies without counsel on the proverbial "eve of the trial".

402. That on information and belief, Labarga then gave the Iviewit Companies a few days to retain new counsel in a complex case already ready for trial and which the Iviewit Companies had spent their remaining monies to get too.

403. That on information and belief, SB never performed fully on their binding LOU and legal retainer and failed to put in their required investment funds, sending over approximately \$7,000 dollars total, including a partial salary of \$1,000.00 for Plaintiff Bernstein and leaving the Iviewit Companies devastated financially with scienter in gross violation of their binding agreement.

404. That on information and belief, the Iviewit Companies had turned away all other interested investors at the time in favor of the SB deal and SB then violated the LOU which also acted as a legal retainer agreement, in violation of law (breach of contract, etc.) and their ethics rules.



405. That on information and belief, these steps by SB were intentional and attempted to destroy what was left of the legitimate Iviewit Companies and Plaintiff Bernstein financially and making it virtually impossible to sue SB, Proskauer or anyone else. A well planned conspiracy to deny Plaintiffs and the Iviewit Companies their civil legal rights through denying due process through coordinated conspiratorial efforts to remove the right to fair and impartial counsel.

406. That on information and belief, Plaintiff Bernstein's family was forced to immediately thereafter apply for food stamps and other relief to feed their kids, devastated by the series of events intended to derail due process and procedure and force the Bernstein's into further destitute.

407. That on information and belief, with days to find replacement counsel in a case that would take months, if not a year, for a new legal team to investigate, digest and present the information accumulated by former counsel for trial, this series of events denied due process and procedure.

408. That on information and belief, Labarga had granted additional time to Selz when he took the case from formerly illegally retained counsel Sax Sachs & Klein, yet he was unwilling to budge this time on an extension to get replacement counsel despite his bizarre rulings to usurp Plaintiffs' rights to counsel.

409. That on information and belief, Plaintiff Bernstein could not even represent the Iviewit Companies as demanded by Labarga initially upon relieving retained counsel, as there was a law against Pro Se representation of corporations and Labarga later denied a formal request for Plaintiffs to act in Pro Se capacity considering the circumstances his rulings created.

410. That on information and belief, on or about this time in the Proskauer Civil Billing Case, Plaintiffs filed a motion to have Labarga recuse himself from the case for this bizarre denial of due process and procedure and violations of the judicial canons, of which he ruled on the motion to have himself removed, in his own favor, and so stayed on. This ruling apparently in violation of his judicial canons.

411. That on information and belief, to further tip over the scales of justice against the Iviewit Companies, former counsel SB and Selz refused to timely release the



case files so that Plaintiffs could even attempt to secure new counsel or prepare for an appeal.

412. That on information and belief, after weeks of attempting to contact Selz and SB to try and gain counsel to prepare for trial, at the advice of Rogers, Plaintiff Bernstein went to Selz's office where he was hiding from Plaintiff Bernstein and after heated conversation where Selz tried to preclude Plaintiff Bernstein from the records and further conference called SB in PA who through Narine stated that Selz should stand fast and hold all the documents, claiming that SB owned the files, Plaintiff Bernstein persisted to remove the files.

413. That on information and belief, Plaintiff Bernstein ignored the threats of Selz and SB regarding the files and removed approximately 15 banker boxes of trial materials.

414. That on information and belief, this document fiasco came too late to secure counsel or file a timely appeal and Labarga instead of understanding what was unfolding and the need for more time to secure counsel, ruled a default judgment against the Iviewit Companies for failure to retain replacement counsel. Justice not served.

415. That on information and belief, Labarga had evidence that Rubenstein of Proskauer had perjured himself in deposition and in sworn written statements to that court whereby Rubenstein claimed in deposition testimony and written statements to Labarga that he never heard of Plaintiff Bernstein or the Iviewit Companies, in fact, claiming he was the target of harassment and would not be deposed.

416. That on information and belief, Labarga ordered Rubenstein to his initial deposition and in the deposition in diametric opposition to his initial deposition statements, where he first denies knowing the Iviewit Companies and Plaintiff Bernstein, Rubenstein amidst a flurry of evidence confronting him contradicting his initial statements in deposition, then breaks down and admits such knowledge of both the companies and Plaintiff Bernstein.

417. That on information and belief, Rubenstein then flees the deposition refusing to answer further questions, again inapposite of law as so noted in the deposition transcripts. Why it is essential that Rubenstein feign that he had no knowledge of the Iviewit Companies, the inventors or the technologies, is due to the fact that for

Rubenstein to possess such knowledge of the Iviewit Companies IP, exposes the glaring conflict of his MPEGLA LLC role as senior counsel and gatekeeper of the IP pools (determining which submitted IP to include in the pool) and Rubenstein and Proskauer simultaneously acting as the Iviewit Companies IP counsel.

418. That on information and belief, this dual representation in conflict creates enormous violations of attorney ethics codes and failed to protect the inventors from the obvious conflict, whereby from this ethical violation they successfully converted the Iviewit Companies inventions, bundling and tying them in the anticompetitive licensing scheme sold by MPEGLA LLC which Proskauer acts as counsel for.

419. That on information and belief, what scared Rubenstein causing him to flee his deposition, at his firms instigated Proskauer Civil Billing Lawsuit, was that the evidence presented at deposition and to Labarga showed that;

- A. Rubenstein opined on the technologies for WB and others,
- B. there were billing statements with Rubenstein's name all over them submitted by Proskauer at their billing case and others showing Rubenstein acting as counsel in the Iviewit Companies files billing statements which appeared to materially differ from those Proskauer presented to that court and this may further constitute legal billing fraud,
- C. there were letters from Wheeler showing entire IP files were sent to Rubenstein for review,
- D. there were business plans and the Wachovia PPM showing Rubenstein named as lead "retained" IP counsel and as a Board of Director member (of note is that the Wachovia Private placement was billed for, reviewed and disseminated by Proskauer),
- E. there were letters from senior technologists at WB showing that Rubenstein had opined on the IP,
- F. there were letters from Wheeler sent to numerous investors stating Proskauer and Rubenstein were acting as IP counsel and where Rubenstein is the head of the Proskauer IP department formed immediately after learning of the Iviewit Companies inventions



G. there were letters stating that Proskauer opined after reviewing the technologies favorably, and,

H. there were technology evaluations conducted by Real whereby Wheeler sent letters to investors again claiming the technology had been reviewed by their IP counsel and technologists, and was "novel".

All clearly showing Rubenstein's former statements to Labarga, and the 1st DDC were lies, contradicted in his deposition and making for multitudes of wholly perjurious statements to authorities under oath.

420. That on information and belief, this perjurious evidence was presented to Labarga prior to his default judgment ruling, making the ruling a highly suspect action by Labarga and a gross violation of his Judicial Canons to report the perjury and other possible crimes of falsified information to authorities to the proper authorities.

421. That on information and belief, the most nefarious action of Labarga was his failure to report the perjurious statements to the proper authorities and more heinous his failure to report to the proper authorities that qualified counsel Selz had filed a Counter Complaint that had evidenced that there was a major fraud on the USPTO, the Copyright Office, foreign IP offices and hosts of other crimes committed by the attorney's representing themselves before him¹⁴ in the Proskauer Civil Billing Lawsuit, where the judicial canons mandate him to report such, especially where the charges were filed by qualified counsel after months of review of the pertinent materials.

422. That on information and belief, prior to Labarga's granting the default judgment, Labarga was forced to rule that Rubenstein and Wheeler were to return to complete their depositions they walked out of refusing to answer more questions and they were both ordered to return to answer the questions they refused at the first. That the depositions never were continued as the trial was thrown before they could be.

423. That on information and belief, the only way out for Rubenstein, Wheeler, Dick, Foley, Uteley and Proskauer at the time was to have the case fixed and wholly deny due process and prevent the Iviewit Companies from gaining access to the courts. That

¹⁴ TFB Complaints were filed against Proskauer Partner Matthew Triggs for a host of violations of the conflict rules and for violation of his TFB public office position but the TFB refused to formally docket the complaints in the



Labarga's actions reflect that his actions were also part of the coordinated conspiracy against the Iviewit Companies.

424. That this Court should siege the records of the Labarga court proceedings, as incorporated by reference herein, which again should provide ample evidence to substantiate the Plaintiffs' claims herein, of course, if file thinning has not occurred as suggested in *Anderson* which may be happening in other venues such as the court. That the Plaintiffs based on *Anderson's* claims request that the Court consider seizing for safety immediately, all legal documents and investigatory documents by all departments referenced herein to protect from further document destructions in efforts to cover up wrongdoings.

CHRISTOPHER & WEISBERG, P.A.,

425. That on or about May 2003, CW gained access, by acting as counsel to the Iviewit Companies, to the proprietary patent files of the Iviewit Companies with the purpose of repairing wrong inventors, wrong assignments, and wrong subject matter in the disclosure embodiment and other IP services. CW failed to act in accordance with their legal obligations, and therefore, is liable for the damages that were suffered by the Iviewit Companies and Plaintiffs that resulted from the conspiratorial acts of patent sabotage, theft of IP, and other state and federal law claims cited herein.

THE CONSPIRACY THAT ALMOST WAS - THE ALMOST PERFECTED IP AND CORPORATE SHELL CRIMES

426. That on information and belief, information herein should suffice this Court for understanding why the case before Labarga and the U.S. Bankruptcy Court were advanced in secrecy and once discovered were attempted to be instantly buried. The bankruptcy case was immediately dropped upon the legitimate Iviewit Companies discovery of the case and replacing former unauthorized counsel retained by unknown parties with counsel retained by Rogers on behalf of the Iviewit Companies.

427. That on information and belief, both the fraudulent US Bankruptcy action and the fraudulent Proskauer Civil Billing Lawsuit were designed, when combined, to steal core technologies from the inventors and thus were legal actions used for illegal purposes in violation of law.



428. That on information and belief, the Iviewit Companies that were filed on in the fraudulent federal bankruptcy and the Proskauer Civil Billing Lawsuit contained core technologies that were not supposed to be in those companies constituting further fraud.

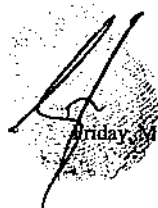
429. That on information and belief, Plaintiffs shall argue that as the Arthur Anderson audit began questioning the dual corporations and missing stock documents, Proskauer instantly attempted to dispose of their sham entities with the stolen technology before the legitimate Iviewit Companies shareholders knew the better and seize the illegally converted stolen technology by inserting themselves as the largest creditor of the illegitimate Iviewit Companies through the sham Proskauer Civil Billing Case with the illegally set up illegitimate Iviewit Companies that harbored the stolen technologies.

430. That on information and belief, the sham bankruptcy would have completed the scam and was necessary to gain the assets (the stolen IP) buried in the illegal companies.

431. That on information and belief, Proskauer had their referred management and referred strategic alliance partners file the fraudulent federal bankruptcy filing with the intent of their friends in that action becoming the other largest benefactors of the sham companies in addition to them being the largest creditor from their illegal billing lawsuit, and "a batta bing", it would have been all over in hocus pocus "New York minute", with Proskauer and their friends having gained control of the stolen assets in the bogus companies, effectively walking the backbone, enabling IP out the back door and reaping the spoils of their soon to be ill-fated bungled crimes.

432. That on information and belief, it is presumed and will take further discovery to confirm but it appears that all Proskauer would have had to then do to complete the scam was get rid of the legitimate Iviewit Companies and force them out of business and intending that their scam would go unnoticed in the confusion, no one ever knowing the sham companies and other IP had ever existed, especially where Proskauer and Lewin controlled all the corporate records.

433. That on information and belief, one final element that may have then been considered after this was to get rid of the inventors, slowly and methodically, so that no



one would be able to make claims against the stolen IP, including perhaps murdering them, as the car bombing attempt on Plaintiff Bernstein and his family may indicate.

434. That on information and belief, the reason it was critical for Proskauer to steal the original inventions was that they needed the inventions and their original filing dates, to gain future royalties from the IP once they were converted and put in the IP pools Proskauer now controls and other ways of monetizing them.

435. That on information and belief, IP pools are designed as a revenue share amongst inventors of the pool that make up a standard and that the revenue share is not for attorneys who have invented nothing.

436. That on information and belief, these crimes were not committed for only the attorney fees they were generating from the proliferation of the technologies through the pools but for a piece of the whole pie which would require control of the original inventions with the original dates.

437. That on information and belief, owning the stolen technologies would have yielded royalties, in the IP pool revenue share whereby Proskauer et al. would get a piece commensurate with other inventors who make up the pool IP, despite the fact that they invented nothing, unless of course you consider inventing the largest bungled fraud on the USPTO an invention. Historically IP pools have been broken up by the Justice Department as anticompetitive.

438. That on information and belief, the Joao and Utley IP illegally written to their names may be yet another vehicle to share the royalties of the pools, whereby even if they were worthless; with Rubenstein opining and controlling pool inclusion it mattered not what the Joao and Utley IP really claimed, unless challenged in the future.

439. That on information and belief, fortunately for Plaintiffs, employees at WB stumbled onto the fraudulent illegal legal actions and the fraudulent IP filings, yet all the while through the Proskauer Civil Billing Lawsuit and the fraudulent federal bankruptcy, new counsel Selz and SB appeared to have no idea that the illegitimate Ivievit Companies they were defending were not the legitimate Ivievit Companies. No one appeared to know that the illegally set up shell companies were the ones now being represented after replacing counsel that appears to have fallen from the sky prior.

440. That on information and belief, Selz, SB and Labarga were all further reported for their actions to a variety of investigators including the Judicial Qualifications Commission (to be re-opened upon submission of the new evidence in the *Anderson* suit and other information relating to the illegitimate companies that were represented), TFB, VSB and the Pennsylvania Bar, all investigations which will have to be re-instigated especially in light of *Anderson's* claims and other new evidence that has surfaced. That this court should also consider obtaining the records of these bar actions to prevent any destruction.

441. That on information and belief, it is interesting to note that *Anderson's* assertions will cause a domino effect in the investigatory house of cards, to allow for cause all prior investigations that in any way relied on information from the 1st DDC to be reinvestigated. There are a multitude of derailed investigations that were relied upon in part by information gained from the 1st DDC reviews that will now have to be reinstated.

442. That on information and belief, Plaintiffs further state that the beginnings of a conspiracy were exposed with first the Joao investigations into his part in stealing the IP and other crimes, AA's initial exposure of the corporate crimes and missing stocks, the two sets of IP done by Foley with different inventors, Foley filing IP for Utley as a sole inventor and now the illegal legal actions but it has taken years for Iviewit Companies to piece together the thousands of pieces of evidence and where new crimes are still being discovered and further complaints will be filed unless all matters are resolved here before this Court.

HOUSTON & SHAHADY, P.A.,

443. That in or about Spring 2001, and through commissioning by Wheeler and Proskauer, defendant B. Houston and, through the doctrine of respondeat superior, SH itself, abused process and filed a frivolous and fraudulent involuntary bankruptcy suit on behalf of Utley, Reale, Hersch, Huisman, and Ryjo that constituted another instance of state and federal law claims cited herein that resulted from patent sabotage, theft of IP, robbery, and other state and federal law claims cited herein.



FURR & COHEN, P.A.,

444. That in or about Spring 2001, and through commissioning by Wheeler and Proskauer, defendant Schraiberg and, through the doctrine of respondeat superior, FC itself, conspired with Wheeler, Proskauer, B. Houston, SH, Utley, Reale, Hersch, Huisman, and Ryjo to yield to those plaintiffs claims by abused process and the filing of a frivolous and fraudulent involuntary bankruptcy suit on behalf of Utley, Reale, Hersch, Huisman, and Ryjo that constituted another instance of state and federal law claims cited herein that resulted from patent sabotage, theft of IP, robbery, and other state and federal law claims cited herein.

SACHS SAXS & KLEIN, P.A.,

445. That in or about Spring 2001, and through commissioning by Wheeler and Proskauer, defendants Zuckerman, Saxe and, through the doctrine of respondeat superior, SSK itself, conspired with Wheeler and Proskauer, to file an answer to the billing dispute complaint of Proskauer that was filed fraudulently that constituted another instance of state and federal law claims cited herein that resulted from patent sabotage, theft of IP, robbery, and other state and federal law claims cited herein.

BSTZ UNCOVERING FURTHER FRAUD

446. That on information and belief, including but not limited to, Powell, Kane, S. Bernstein, Buchsbaum, Epstein, Crossbow and Hersch began to undertake a course of actions to replace counsel, secure records, transfer personnel, relinquish employees, close down offices to begin sorting out what exactly had been stumbled upon.

447. That on information and belief, Crossbow was fully cognizant of what was transpiring and with Kane, worked to rid the company of Utley, Proskauer and others and try and hold together the company under the duress and protect the IP or so it appeared at the time.

448. That Crossbow convinced the Board that not knowing what was going on it would be safest for all the shareholders to allow them to secure the IP with more loans to attempt to prevent possible legal actions or otherwise dubious actions to cause loss.

449. That on information and belief, the company problems were revealed and disclosed to AOL, WB and Sony representatives and it was determined that such crimes

being investigated would not effect ongoing deals, as Crossbow represented at the time to these clients that they stood behind the Iviewit Companies and were continuing funding despite the unfolding problems, yet this was not the case as the deals slowly dissolved on the emerging information of the crimes and uncertainty of the IP.

450. That on information and belief, Crossbow had Powell assess the situation and Powell worked with inventor Plaintiff Bernstein and hired new legal counsel to evaluate the prior IP work and file charges if necessary.

451. That on information and belief, Plaintiff Bernstein had an approximately fifteen year business relationship with members of Irell and Manella ("Irell") and it was determined they would replace Foley and Proskauer for IP work and licensing after meeting with Crossbow and Crossbow retaining them on behalf of Iviewit Companies.

452. That on information and belief, further licensing and other business deals continued for a short time by Irell who was retained to complete them but upon learning from counsel Irell secured that there large scale IP problems it was determined that it would be impossible to license the technology without certainty of who owned it.

453. That on information and belief, upon reviewing certain evidence presented to them regarding the problems with the IP they were licensing, Irell referred BSTZ and its agents, including but not limited to, Coester, Ahmini and Hoover to investigate the filings and correct the problems found in the filings, if possible.

454. That on information and belief, Crossbow, acting as an ally at the time, continued funding through the transition to new management and professionals and retained for Iviewit Companies both Irell and then BSTZ to investigate the work of Foley, Proskauer and MLG and so began the unearthing of a mass of crimes as will be listed in approximation further herein but whereby the number of crimes in violation of state, federal, international and attorney ethics approaches a thousand.

455. That on information and belief, Crossbow's Powell came to California to meet with WB and Sony and evaluate the emerging relationships and assure them that they were unaware of the problems and would support Iviewit Companies. Powell met with representatives of WB regarding a proposed funding and licensing deal formulated upon a multi-layered implementation of the Iviewit Companies technologies for five studios digital libraries.

456. AOL and WB had already begun to use the Iviewit Companies processes under NDA and an encoding/licensing deal structured by Irell and that a similar deal was being prepared for Sony and others. That the result of the crimes committed herein damaged and derailed these licensing arrangements and the ability to execute them causing massive damage to the Iviewit Companies.

457. That on information and belief, Crossbow through Powell assured AOL, WB and Sony that Crossbow was not aware of these problems either and would work to rectify the legal actions if they were found to be true. This was further reason that Crossbow stated they wanted to securitize the loans with the IP, to protect all the shareholders.

458. That on information and belief, Powell assured WB and Sony that Utley was being terminated, the offices were moving to Los Angeles and they would continue funding of Iviewit Companies as promised and agreed to.

459. That on information and belief, David Colter, a senior technologist for WB and Douglas Chey, a former senior WB senior technologist who transferred to Sony Digital as senior technologist after learning of the Iviewit Companies inventions, were present at meetings with Powell in California and disclosed the site www.moviefly.com later changed to www.movielink.com that was being created using the Iviewit Companies processes for a studio download of their content.

460. That on information and belief, both advised Powell they were using the processes on their websites and in other forms of video and image transmissions and were planning on using Iviewit Companies services while licensing the technologies.

461. That on information and belief, Colter explained to Powell he and other leading technologists at AOL, WB and other studios wanted to make sure Utley was fired and that no further deal would be possible with any of the major studios with Utley involved, after it was found that Utley was lying and his other dubious actions.

462. That on information and belief, Crossbow then began a series of discussions with limited Board of Director members, including but not limited to, mainly Kane (formerly of Goldman Sachs signed under NDA and acting as an initial banking firm for the Iviewit Companies), Buchsbaum and Powell, regarding how to protect the IP

A handwritten signature in black ink is written over a circular, textured stamp. The signature is stylized and appears to be the initials 'AF'.

and the shareholders and what exactly to do to investigate all of the matters fully and report the actions to the proper authorities.

463. That on information and belief, Crossbow and the Iviewit Companies later find after hiring counsel BSTZ to audit the work of Foley, Proskauer, MLG and Joao, to the amazement of Iviewit Companies shareholders Utlely had indeed been patenting core technologies into his name with Foley's IP team, spearheaded and over sighted by Dick at Foley. BSTZ then prepared an IP docket showing two patents found whereby the inventor was solely Utlely and other inconsistencies in the IP dockets with what was audited on file at the patent offices, inapposite of the Foley and Proskauer IP dockets constituting a further series of crimes against Iviewit Companies and the United States.

464. That on information and belief, Utlely was found listed as sole inventor on two patent applications with no assignments and this fact is completely contradicted by Utlely's direct deposition testimony whereby he states no digital camera patent applications, or any other IP applications were filed in his sole name.

465. That on information and belief, Utlely stated in his deposition in the civil billing case that if there was any IP in his name it was assigned to the Iviewit Companies, a materially false statement later confirmed by the USPTO.

466. That on information and belief, the audit work performed by BSTZ led to BSTZ being retained to fix such errors and report such fraud and other crimes to the proper tribunals worldwide.

467. That on information and belief, Iviewit Companies and Crossbow were otherwise led to believe BSTZ was undertaking such tasks to fix the inventions and notify authorities.

468. That on information and belief, BSTZ was later found to have further conspired with the former "defendants" to further the IP crimes by aiding and abetting through covering up the past crimes, while continuing the crimes and wholly failing to notify anyone of the crimes they discovered resulting in further damage to the Iviewit Companies.

469. That on information and belief, BSTZ began to procure false and misleading Iviewit Companies IP dockets to the Iviewit Companies that again were used for the solicitation of investor funds which again unbeknownst to the Iviewit Companies

were again incorrect, thus constituting further fraud and legal malpractice, in the long tradition of Iviewit Companies legal counsel of malpractice and other crimes.

470. That on information and belief, conversations with the USPTO led to evidence showing BSTZ's IP portfolios were almost entirely false when compared to what was actually on file with the USPTO.

471. That on information and belief, BSTZ further misdirects the Iviewit Companies to think Utley is being removed from the IP in the US and foreign filings and the true and proper inventors are being named, in fact BSTZ has the inventors sign documents to execute such changes to correct the inventions.

472. That on information and belief, after review with the USPTO, the EPO and JPO it was found that the changes BSTZ were making were never made.

473. That on information and belief, it was later learned that even after discovering Utley had committed fraud and was long fired with cause, BSTZ filed **additional** IP applications listing Utley as an inventor and falsifying the IP dockets to cover it up to Iviewit Companies shareholders, investors and potential investors.

474. That on information and belief IP attorney complaints were then filed with Moatz of the USPTO OED against BSTZ's attorneys for their part in the conspiracy, adding them to the list of law firms and attorneys Moatz had already begun formal investigations on.

475. That on information and belief, the complaints filed with Moatz also involved IP and client file document destruction by BSTZ, further violations of their ethics and perhaps other crimes.

476. That on information and belief, BSTZ upon being uncovered as a possible conspirator then destroyed, through loss, the IP files, including original IP documentation transferred to them from Foley, MLG and Proskauer, including original IP materials and filings. Such loss by BSTZ comes after they are requested to contact Moatz at OED and transfer the IP files.

477. That on information and belief, BSTZ was charged with notifying the USPTO of the frauds on the USPTO and through foreign IP agents they retained they were to notify the EPO and European investigators and this was never done constituting further ethical violations and possible other crimes.



478. That on information and belief, upon speaking with foreign IP counsel defendant Molyneaux, brought in by BSTZ as EPO counsel, and through his firms Wildman and Harrison, it was determined that to correct the errors across the pond, the EPO would have to be notified of the fraud and that he was going to aid Plaintiffs by doing so in response to a formal office action and other notices to other international authorities. Iviewit Companies had thought Molyneaux had taken this course since being retained, as he was privy to the information that fraud had occurred by all prior IP counsel upon BSTZ being retained, constituting further attorney malpractice and possible other crimes, including conspiracy.

479. That on information and belief, corrective action was to have been taken by Molyneaux to change owners and inventors prior to answering EPO actions that were coming due in Europe and this was never done.

480. That on information and belief, BSTZ was requested to make such filing of fraud to the EPO and European investigators through Molyneaux, including a written statement by Plaintiffs referencing Moatz's OED actions and the Commissioner of Patents suspensions pending investigation of fraud on the United States and the Iviewit Companies and where per Molyneaux, shortly before filing, BSTZ had failed to transmit the documents to him or WILDMAN containing the allegations and asking the EPO to take actions to protect the IP and institute investigations furthering the conspiracy.

481. That on information and belief, upon contacting WILDMAN directly, Plaintiffs gave Molyneaux a copy of what BSTZ had failed to send notifying the EPO of the alleged IP crimes for filing with the EPO and it was presumed that he had transmitted the entire document, later it was learned that the document may have been altered in transit constituting further mail and wire fraud and furthering the conspiracy.

482. That on information and belief, Molyneaux volunteered to submit such fraud notification with the Iviewit Companies with the office answer, based on unfolding situation with BSTZ where it was being learned of their involvement in the conspiracy with the other defendants, where BSTZ was not responding to repeated requests to file an answer with a statement of fraud and the deadline for a filing only a few days away.

483. That on information and belief, it is later found that the office action filed with the EPO, sent to Plaintiffs by Institute of Professional Representatives before the



European Patent Office ("IPR") as part of their investigation of the attorneys involved that are licensed with the EPO based on formal complaints filed by Plaintiffs, was materially changed in transit to EPO and the document was wholly fraudulent and missing much of what was filed. This has led to further requests of the IPR to contact other investigators to examine all documents on file and call European investigators to file charges of fraud.

484. That on information and belief, upon filing of the statement of fraud upon the EPO and fraud upon the Iviewit Companies, Plaintiffs made repeated requests to the EPO for suspension of all applications pending investigation into the IP fraud in the US and at foreign offices and these were refused stating Iviewit Companies needed replacement counsel to effectuate any changes with the EPO despite repeated complaints stating that attorneys were causing the problems and thus Iviewit Companies could not rely upon attorneys further without fear of continued conspiracy. As the filings were due almost instantly this was near impossible to retain new counsel. Further, the EPO released Molyneaux as counsel with pending applications needing instant filings; inapposite the rules regulating the EPO and this further aided the conspiracy.

485. That Molyneaux on requesting to be released as counsel filed a statement for release that was materially fraudulent in that it failed to state the true cause of his request for termination or notify the EPO of the emerging crimes he was aware of, further constituting violations of attorney ethics and other crimes in continuing the conspiracy.

486. That upon being noticed by Molyneaux that WILDMAN had filed Iviewit Companies response to the office action, BSTZ realized Molyneaux had let the cat out of the bag and began a series of steps to attempt to cover up for their deceits including document destruction, in violation of ethics laws at the USPTO and state of California and possible other crimes.

487. That on information and belief, attorneys from BSTZ then instantly went overseas on business that precluded their returning calls from Plaintiffs regarding the EPO series of events. That the nature of this trip(s) by members of BSTZ will be better explored through the discovery phase but is believed to have been to further protect the conspiracy from being revealed.

488. That on information and belief, BSTZ then lost all of Iviewit Companies IP files, spawning five years, three prior law firms, original art dating the inventions, and all records that had been transferred to them from Proskauer, MLG and Foley.

489. That on information and belief, this loss of files was done deliberately to cover up and attempt to destroy records of the Iviewit Companies crucial to securing the IP.

490. That on information and belief, BSTZ claimed to have transferred the files to Plaintiffs, acting with no authority or any record confirming the documents receipt by the Iviewit Companies and what documents were enclosed or received.

491. That upon submitting the IP dockets of Foley, Proskauer, MLG and now BSTZ to Moatz, at the USPTO OED, it was discovered much of the information told to the Iviewit Companies by Foley, Proskauer, MLG and BSTZ, was materially false.

492. That on information and belief, the work BSTZ stated they were performing, in fact was never done. This leads one to believe somehow BSTZ became part of the cover up through some form of bribery which caused them to act in such coordinated conspiratorial manner.

493. That on information and belief, Plaintiffs, in discussions with the USPTO on or about February 1, 2004, finds IP information different from every IP docket delivered to the Iviewit Companies by every retained IP counsel, as to inventors, assignments, and, in particular, two IP applications in the name of Utley with no assignment to the Iviewit Companies and not invented by the Iviewit Companies inventors constituting a mass of conspiratorial crimes.

494. That on information and belief, according to the USPTO, the Iviewit Companies presently hold no rights, titles, or interest in certain of the IP applications filed by IP counsel on behalf of Iviewit Companies constituting a further mass of conspiratorial crimes.

495. That on information and belief the IP issues caused the Iviewit Companies, in conjunction with its largest investor, Crossbow, at the direction of Moatz, to file complaints with the USPTO Commissioner of Patents, alleging charges of Fraud upon the USPTO and additionally the Iviewit Companies.

496. That on information and belief, the Commissioner of Patents after review of the initial information supplied suspended certain of the Iviewit Companies U.S. patent applications, while investigations are proceeding into the attorney criminal activity alleged.

497. That on information and belief, the JPO provides new evidence of filings in Utley's name but BSTZ attempts to state they were filed in August of 2000 before they were involved which later becomes learned to be false.

498. That on information and belief, the JPO filing information states they were filed by BSTZ, on or about, January of 2002, long after Utley was terminated in early 2001 and after BSTZ was supposed to be removing Utley from IP not continuing applications with his name on them further constituting attorney malpractice and other crimes.

499. That on information and belief, the JPO information directly contradicts the BSTZ portfolio information.

500. That on information and belief, the JPO evidence was submitted to Moatz and is currently under investigation as the original IP filings appear to have begun in the US by US attorneys.

501. That on information and belief, when one looks at the JPO filings, one sees submitted with the application a document with a blacked out date stamp to the USPTO as part of the filing.

502. That on information and belief, the JPO rejected and requested such blacked out document from BSTZ and requesting additional information to support the filing.

503. That on information and belief, such document with blanked out date was sent to Moatz for investigation and clarification, since the document was filed in the United States originally; imagine a filed patent confirmation document with the date intentionally blacked out. Further it was found on another document submitted to the USPTO by Joao that on the document there were fax dates on the document with the dates 3/10/1900 and 3/10/2020 and that the document appeared to have falsified signatures on the application constituting further crimes.

A handwritten signature in black ink is written over a circular stamp. The stamp contains a date and time stamp.

504. That on information and belief, such document is being investigated by the USPTO and the obvious blacking out of the document and erroneous dates suggests further fraud on the USPTO and JPO.

505. That on information and belief, the JPO has been advised of the fraud but the JPO claimed that no such crime as fraud exists in Japan and that they were looking further into how to deal with the fraud.

ROGERS HIRES GREENBERG TRAUIG TO CONDUCT AN IP AUDIT

506. That on information and belief, Rogers hired Greenberg Traurig PA to audit the Iviewit Companies IP, power of attorney was granted by the inventor Plaintiff Bernstein and the result of the audit was that further fraudulent errors were discovered in the IP and contradicted in the IP dockets prepared by former counsel BSTZ, Proskauer, Foley and MLG. Where it is unknown at this time what Greenberg did once aware of the possible crimes against the United States and foreign patent offices, if they noticed authorities or concealed the information furthering the conspiracy.

507. That on information and belief, BSTZ was aware from the moment they were retained of many of the fraudulent errors and was at the time supposed to be correcting the errors. BSTZ had taken Plaintiff Bernstein, Rosario, Shirajee and Friedstein's signatures for power of attorney and falsely conveyed such powers were being used to make the changes on both the USPTO and foreign applications but instead used such powers to advance the conspiracy.

508. That on information and belief, once it was fully understood what BSTZ had done, and not done, charges were filed with OED at the USPTO, notice was given to federal, state and international authorities of BSTZ's involvement and soon to be filed charges are forthcoming with the state bar association of California for BSTZ's involvement in the conspiracy.

509. That on information and belief, BSTZ for their involvement and furtherance of the crimes, was included in the filings of fraud upon the USPTO, filed with the USPTO that have led to suspension of Iviewit Companies IP.

510. That on information and belief, BSTZ for their involvement and furtherance of the crimes, was included in the filings of fraud upon the USPTO, filed with the USPTO OED in formal attorney complaints still being investigated supposedly.



USPTO OED INVESTIGATES AND MOVES TO SUSPEND IP BASED ON FINDING FRAUD IN PRIOR COUNSELS IP DOCKETS

511. That on information and belief, on another front, after the Proskauer Civil Billing Lawsuit and the fraudulent federal bankruptcy ended, and upon presenting further evidence to Moatz, it was learned that IP had been assigned to corporations that were contrary to what the attorney IP dockets and documents from MLG, Proskauer, Foley and BSTZ had indicated.

512. That on information and belief, Moatz noted that the IP dockets had been transmitted to, including but not limited to, the legitimate Iviewit Companies shareholders, investors (including the SBA), the USPTO, the state bar authorities investigating several of the accused attorneys, leading Moatz to immediately form a specialized USPTO team to handle the Iviewit Companies IP filings and get them prepared (answering any outstanding office actions, filing for change of inventors based on fraud, paying all fees, etc.) for suspension and began formal USPTO OED investigations of all those involved who were licensed with the USPTO OED named herein.

513. That on information and belief, Moatz instantly directed Plaintiffs to remove all prior counsel to the pending applications and not speak to any other USPTO staff but the newly appointed Moatz team. Moatz then directed Plaintiffs to file with the Commissioner of Patents a request for IP suspensions based on allegations of fraud directly on the USPTO¹⁵ (as the filing of false oaths and other frauds were crimes directly against the USPTO) and not merely the legitimate Iviewit Companies and inventors.

514. That on information and belief, Moatz later began working with Luchessi of the FBI regarding the fraud on the United States, foreign patent offices and other IP crimes.

515. That on information and belief, to add strong credibility to the fraud claims to the Commissioner of Patents, the allegations were similarly signed by the Chairman and CEO of Crossbow, Stephen J. Warner ("Warner") who had spent

¹⁵ These charges alone should cause this Court to enjoin investigators to this case but more importantly prosecutors who can represent the United States in the crimes against the United States and many US and foreign government agencies, of which Pro Se indigent Plaintiffs or possible future Pro Bono counsel can represent. It is the duty of this Court to make sure the People of the United States are protected from crimes against the United States and foreign nations, not Plaintiffs.



enormous time reviewing the evidence, a 20 year veteran investment banker from Merrill Lynch Capital Ventures Inc.

516. That on information and belief, the Commissioner of Patents then suspended certain of the Iviewit Companies IP and where those suspensions have remained in effect outside the legal limit defined in the Patent Act and may lead to legal precedent being established in order to secure the inventor rights guaranteed under the Constitution.

517. That on information and belief, the USPTO in fact, refused to release information regarding Utley's patents to Iviewit Companies because neither Iviewit Companies, nor the inventors, are found listed on certain of the patents in any capacities, in contradiction to attorney IP dockets from Joao, Foley, MLG, BSTZ and Proskauer.

518. That on information and belief, Dick in his response to a VSB bar complaint submits an IP docket which shows patent applications Foley supposedly filed for the Iviewit Companies but when sent to Moatz at the USPTO, he states that the information on the IP dockets is almost wholly incorrect and Moatz states that the USPTO cannot release information on certain of the filings, as the Iviewit Companies and the inventors were not listed anywhere on them, contrary to the IP dockets prepared by counsel after counsel. Moatz then states that to release the information of those patents Iviewit Companies would need an act of congress, Moatz further strongly suggests to Plaintiff Bernstein that he should seek new counsel as these matters were far to complicated in law for him to handle, yet another reason this Court should grant instant Pro Bono counsel.

519. That on information and belief, what Plaintiffs had discovered and will take further discovery, hopefully by this Courts granting Pro Bono counsel in tandem with federal, state and international investigators of the RICO and other criminal allegations contained herein, was the existence of two sets of IP applications in what appears an IP shell game created as an artifice to defraud. Combined with the two sets of identically and/or closely named corporations created in the corporate shell game, these two scams combined then created an illusion as to which IP applications had been assigned to which companies and individuals and which unauthorized companies



contained the fraudulently filed IP, a "bait and switch" scheme, leaving the legitimate Iviewit Companies with IP certain to fail.

USPTO OED - FORMAL INVESTIGATIONS OF ATTORNEYS

520. That on information and belief, Moatz now investigates all of the following licensed representatives before the USPTO OED, including but not limited to; MLG, Joao, Foley, Dick, Boehm, Becker, Proskauer, Rubenstein and his department IP professionals involved, BSTZ, Zafman, Christopher and Weisberg for their part in fraud on the USPTO and Iviewit Companies for the ethical violations of the federal patent bar he is in charge of.


521. That on information and belief, the Commissioner of Patents now investigates all of the following licensed representatives before the USPTO OED, including but not limited to; MLG, Joao, Foley, Dick, Boehm, Becker, Proskauer, Rubenstein and his department IP professionals involved, BSTZ, Zafman, Christopher and Weisberg for their part in fraud on the USPTO and Iviewit Companies for the ethical violations of the Patent Act and USPTO.

**SECOND CONSPIRACY BY IVIEWIT COMPANIES INVESTMENT BANKER
CROSSBOW VENTURES AND DISTREAM**

522. That on information and belief, a theory will be advanced herein, that Crossbow and its agents, including but not limited to, Chen, Hersch, Ugale, Buchsbaum, Warner, Eichenberger, Shaw and Powell, once finding out about the scams that had taken place by the attorneys and accountants began another attempt to gain control of the IP and rid the shareholders of their ownership to steal the grail technologies through gross violations of securities laws, violations of their security agreements and other crimes.

523. That on information and belief, this conspiracy again is inapposite the interests of Iviewit Companies shareholders and the true and proper inventors and was committed through a series of very diabolical transactions to try and sell the companies, which they did not have controlling interest in and rewrite the patents into others names.

524. Where investor Crossbow was referred by Proskauer and at first appeared to be in the dark about the crimes going on and in fact siding with the Iviewit Companies



once information was uncovered through the audit of AA that they started but now turned on the Iviewit Companies in an attempt to abscond with the IP for their self gain.

525. That on information and belief, the crimes committed in this instance may constitute a second conspiratorial ring trying to usurp the first conspiratorial group of their rights through extorting them or finally joining the original conspiracy, further discovery will aid in determining exactly what happened. The second conspiratorial ring has come under scrutiny for their actions in attempt to steal the IP from the rightful owners, the Iviewit Companies shareholders and inventors, which is at the heart of their scheme.

526. That on information and belief, what makes the second conspiracy possible is that those involved in the second attempt, became aware of the first conspiratorial ring and possessed evidence the Iviewit Companies shareholders (including themselves and the federally backed Small Business Administration who they had secured investment funds from) had been scammed, as evidenced in their signing the charges filed with the USPTO. The second conspiratorial ring led now by Crossbow had intimate knowledge of the crimes as is evidenced by the co-signing of the document accusing the law firms of fraud upon the USPTO filed with the Commissioner of Patents. This document led to the ongoing investigations at the USPTO and the IP being suspended.

527. That on information and belief, instead of going to the authorities and revealing their knowledge, including the possible theft of SBA funds, until forced by the fear of being included in the charges being filed with the USPTO which is why Warner signed the USPTO fraud charges, Crossbow had begun a series of steps unbeknownst to Plaintiffs or any Iviewit Companies shareholders to take control of the IP for themselves and further perpetuate fraud and other crimes to achieve their goals.

528. That on information and belief, the second conspiratorial ring, had taken monies from the federally backed SBA, and on information and belief, failed to disclose to the SBA through proper accounting and disclosure, the true nature of the events surrounding the writing off of their loans. In effect, they attempted to abscond with SBA monies, as well as the monies invested by the Iviewit Companies shareholders and further have the pie all for their own gains.

A handwritten signature in black ink is written over a circular stamp. The stamp contains a fingerprint or similar identification mark.

529. That on information and belief, because of the second conspiratorial rings direct ties to the first group, referred by members of Proskauer, what may appear separate and distinct conspiracies, may be in fact be a good guy/bad guy facet of the first ring.

530. That on information and belief, Crossbow, having gained valuable inside information from their investments in the Iviewit Companies, participation on the Board of Directors and management placed inside the Iviewit Companies, then used such information to the detriment of the Iviewit Companies shareholders in violation of their obligations as investors to the Iviewit Companies.

531. That on information and belief, Crossbow attempted to derail the Iviewit Companies through a series of actions intended to cause damage to the business and at the same time saddle the company with secured debt, immediately after learning of the crimes committed by former counsel and accountants.

532. That on information and belief, Crossbow, working with Board of Director Kane, sold to the Board a plan to secure the IP with loans of one million five hundred thousand dollars (\$1,500,000.00). Such securitization of the investment was intended to protect the Iviewit Companies shareholders in the event actions were taken against the company by all of those terminated and being investigated, including but not limited to, Utley, Reale, Hersch, Proskauer, Foley and MLG. That has this money been invested fully that Crossbow may have had controlling interests but that Crossbow failed to pay the full the amount.

533. That on information and belief, Crossbow, after finding out from WB, Sony and others that the Iviewit Companies technologies were to be used for a major five studio digital download project, and both companies were exploring hardware/software licenses with the Iviewit Companies, they then began a series of illegal actions, to knock out the Iviewit Companies shareholders and finish off the companies through a series of more illegal actions including: fraud on the SBA, fraudulent sale of the company, fraudulent IP assignments to DiStream, fraudulent oaths of IP applications to the USPTO for new IP through DiStream and possibly foreign patent offices whereby a key executive of DiStream, Royal O'Brien was found writing almost identical IP to the Iviewit Companies IP into his name on behalf of DiStream.



534. That on information and belief, Crossbow made press releases that they had sold an Iviewit Companies company to DiStream and then when called on to explain their actions and complaints threatened and then filed with the Securities and Exchange Commission ("SEC"), were then forced to retract their statement of selling the Iviewit Companies company to the press who published such retraction.

535. That on information and belief, conversations with Warner after leaving Crossbow as CEO, reveals Crossbow may have been duped by Proskauer and Wheeler and invested in an Iviewit Companies entity that did not hold the IP rights to the correct set of IP. Warner reveals to Plaintiff Bernstein the Crossbow dollars invested in the Iviewit Companies were composed of federally backed SBA loans and if fraud was committed upon Crossbow, it was committed upon the SBA.

536. That on information and belief, Plaintiffs then notified the inspector general and others at the SBA of the crimes committed. The SBA Inspector General Office has begun an audit into where the SBA funds in the Iviewit Companies went, along with their rights in the IP, as the numbers provided by Warner for the SBA loans secured would make them the largest single owner of the Iviewit Companies and its assets in the event of liquidation.

537. That on information and belief, on the one hand Crossbow claims they wrote off their investment and the SBA loans, while on the other hand they are off selling their loans to DiStream and taking assignments on the IP. It appears they attempted to get rid of the SBA loans yet transfer the IP assets to another company they are also owners of, DiStream, in an attempt to get rid of the Iviewit Companies shareholders and SBA, allowing them total control of the IP through DiStream.

538. That on information and belief, since becoming aware of the attempts to steal the IP, Crossbow had no fear of being caught in their attempt by prior counsel or professionals, in fear that the original conspiracy would be revealed, possibly extorting Proskauer et al. or joining them in the overall conspiracy which further discovery will aid in determining.

539. That on information and belief, this attempt by Crossbow to steal the inventions from the proper owners seems strung together by, including but not limited to, Matt Shaw and Renee Eichenberger, who failed to address Iviewit Companies



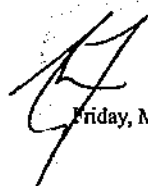
shareholders to address questions of how they sold a company they did not own or have controlling interest in, how the West Palm Beach Post had claimed that they sold an Iviewit Companies company and then later such press was retracted and reprinted as an error.

540. That on information and belief, Crossbow failed to notify (even a whisper) to the Iviewit Companies shareholders they had sold an Iviewit Companies entity and taken the IP to the new company to begin attempting to rewrite the IP in the owner of DiStream's name, and thus perpetrated another fraud on the Iviewit Companies shareholders, including the federally backed SBA and the USPTO.

541. That on information and belief, Plaintiff Lamont sent a letter on behalf of the Iviewit Companies to Warner titled *Re: 10% Senior Secured Notes Dated, On or About: May 14, 2001; June 8, 2001; July 9, 2001; and, September 17, 2001 (collectively "Notes")* where the letter states, "on or about December 31, 2002, Alpine Venture Capital Partners, L.P. transferred or otherwise assigned the Notes to a third party. Moreover, this letter is to advise you that the Notes are unregistered, restricted securities as defined by the Securities Act of 1933 ("Act"), generally, and Regulation D of the Act, specifically.

Moreover, unless benefiting from an exemption afforded by Rule 144, prior to any sale, offer for sale, pledge, or hypothecation of said Notes, Iviewit Holdings, Inc.: (I) must have the benefit of an effective registration statement; or, (II) must have an opinion of counsel from Alpine Venture Capital Partners, L.P. reasonably satisfactory to the company that such effective registration statement is not required for any sale, offer for sale, pledge, or hypothecation of said Notes. Furthermore, it appears that you did not qualify for the exemption offered by Rule 144, and, therefore, Iviewit Holdings, Inc. does not recognize the transfer of the Notes...as a result of the lack of communication with respect to this invalid transfer, and for the benefit of shareholders of Iviewit Holdings, Inc. as a class, the company has filed a complaint with the Enforcement Division of the Securities and Exchange Commission.

542. That on information and belief, based on the above securities violations and complaint filed, Iviewit Companies have not heard from the Enforcement Division of the Securities and Exchange Commission as to the outcome of the complaint filed.



THE COVER-UP CONSPIRACIES

543. The Supreme Court said in an 1882 decision, *United States v. Lee*, 106 U.S. 196, 220, 1 S.Ct. 240, 261, 27 L.Ed. 171, that:

“No man in this country is so high that he is above the law. No officer of the law may set that law at defiance with impunity. All the officers of the government, from the highest to the lowest, are creatures of the law, and are bound to obey.

It is the only supreme power in our system of government, and every man who by accepting office participates in its functions is only the more strongly bound to submit to that supremacy, and to observe the limitations which it imposes upon the exercise of the authority which it gives.”

THE FLORIDA COVER UP CONSPIRACIES TFB AND THE FSC

544. That on information and belief, Plaintiffs filed a complaint with TFB that alleges that Wheeler and Proskauer were involved in all facets of the above series of events and therefore violated professional ethics on numerous violations of the Lawyers Code of Professional Conduct as regulated by TFB.

545. That TFB on information and belief, and all of its agents involved, including Bartmon, Hoffman, Turner, Marvin, Boggs and Beer, all acted in conspiracy to deny due process rights to complaints filed by Iviewit Companies and Plaintiffs as described herein.

546. That on information and belief, the complaint can be found at the url; <http://iviewit.tv/CompanyDocs/2003%2002%2026%20Wheeler%20Bar%20Action.pdf> and is hereby incorporated by reference herein.

547. That on information and belief, the lack of an adequate review, or any investigation, at TFB by Bar Counsel Lorraine Christine Hoffman, Esq. (“Hoffman”), in July 2003, is evidenced wherein she dismissed the Wheeler Complaint as a result of the ongoing Proskauer Civil Billing Lawsuit by and between Plaintiffs and Proskauer in violation of the Rules Regulating the TFB.



548. That on information and belief, the Hoffman's response can be found at the url;
<http://iviewit.tv/CompanyDocs/2003%2007%2001%20Florida%20Bar%20hoffman%20Response%20Wheeler%20Complaint.pdf> and is herein incorporated by reference. Where it is interesting to note Hoffman's claim that no investigation was done and the complaint was dismissed on her review.

549. That on information and belief, the civil case was a billing dispute case, limited specifically by Labarga to billing issues only and Hoffman's decision was a result of her desire to see what findings that court would make in her termed "sufficiently similar" allegations. Hoffman however knew at such time that the case was wholly dissimilar as the Proskauer Civil Billing Lawsuit was merely a billing dispute case that contained a denied motion to amend and counterclaim with the other claims of crimes not even allowed in by Labarga and limited to a billing case.

550. That on information and belief, with the broader IP theft and crimes against the United States contained in the Counter Complaint and refused to be heard in the Proskauer Civil Billing Lawsuit, Hoffman acted inapposite of TFB rules as the complaint filed with TFB contained the broader IP crimes Wheeler and Proskauer had coordinated. Since the allegations were not being heard by the civil court against Wheeler, TFB had no basis to establish that the complaints were similar in virtually anyway and thus delay investigation or even put it on hold until the conclusion of the Proskauer Civil Billing Lawsuit. This action by Hoffman allowed the conspiracy to be further perpetrated by going uninvestigated or reported by officials in possession of the evidence of crimes.

551. That on information and belief, it is also believed that the Rules Regulating TFB prohibit delaying cases without a board of TFB approval which Hoffman failed to follow.

552. That on information and belief, Hoffman's actions created a catch 22 to deny due process and procedure of the broader and more serious crimes inapposite of the Rules Regulating TFB; this is initially what caused Plaintiffs to elevate Hoffman's decision. Further, Hoffman has obligations that based on evidence of attorney misconduct, especially where the claims were concerning attorney crimes against the



United States and foreign nations was claimed and where evidence was submitted to her to support such, to report those actions to authorities which she failed to do.

553. That on information and belief, once apprised that the Proskauer Civil Billing Lawsuit had ended due to a default by Plaintiffs to retain replacement counsel and Plaintiffs' requested reinstatement of the Wheeler complaint, Hoffman, seemingly did an about face and claimed that the Wheeler Complaint was a civil dispute outside of the jurisdiction of TFB. That this action appears in furtherance of the conspiracy and may indicate that Hoffman was bribed or otherwise induced to make such rulings inapposite of the rules.

554. That on information and belief, despite the multiplicity of professional misconducts alleged and evidenced, including participating in a scheme in the misappropriation and conversion of Iviewit Companies funds including funds of the SBA, crimes against the United States government and foreign nations, conflicts of interests and other ethical misconduct regulated by TFB, Hoffman appeared to be aiding and abetting the activities of the accused Proskauer and lawyer Wheeler.

555. That the Wheeler bar complaint response, tendered by Triggs, later to be learned tendered acting in conflict and violations of his public office, can be found at the url;

<http://iviewit.tv/CompanyDocs/2003%2004%2007%20-%20Wheeler%20Proskauer%20Response%20to%20Bar%20Complaint.pdf>

556. That on information and belief, the Plaintiffs rebuttal to the Wheeler response tendered by Triggs in conflict and violation of public office can be found at the url (patience with this 40.69 Megabyte Adobe pdf file);
<http://iviewit.tv/CompanyDocs/2003%2004%2003%20Bernstein%20response%20Florida%20Bar%20Wheeler%20BOOKMARKED.pdf> and is hereby incorporated by reference herein.

557. That on information and belief, Hoffman was notified by Plaintiffs that no civil case was pending that contained any of the charges in the complaint, being that the TFB complaint and other attorney disciplinary actions were the first step in several states in attempting to bring these matters to justice, as the crimes were almost entirely committed and directed by lawyers and law firms.



558. That on information and belief, elevating the Wheeler and Proskauer bar complaints for review of Hoffman's decisions, Eric Montel Turner ("Turner"), Chief Branch Discipline Counsel, was brought in. With no investigation into the complaint, Turner dismisses the Wheeler and Proskauer complaints and further makes an incorrect determination and endorsement on behalf of Proskauer and Wheeler in his response, whereby he claimed that Proskauer did NO patent work for Plaintiffs, despite the volumes of evidence to the contrary contained in Plaintiffs rebuttal and initial complaint. Turner also states that there was an "investigation", to give the appearance that the matters had been investigated when Hoffman's decision was to NOT investigate based on review and no other "investigation" was done of Wheeler. This slight differentiation in words is significant and where the Turner letters form part of a quasi defense for Wheeler. The complaint was dismissed on review by Hoffman and no investigation was ever conducted, no witnesses contacted, no evidence tested but Turner's letter attempts to impart such on TFB stationary.

559. That the Turner response can be found at the url;
<http://iviewit.tv/CompanyDocs/2004%2001%2020%20Florida%20Bar%20Response.pdf>
and is hereby incorporated by reference herein.

560. That on information and belief, this opinion and endorsement violated The Rules Regulating TFB where it appears that without formal investigation TFB cannot make determinations in favor of either party, nor make endorsements of either side or their positions without full investigation. That these actions of Turner are in violation of TFB rules and acted to further suppress the complaints and in furtherance of the conspiracy. That this action may indicate that Turner was bribed or otherwise induced to make such rulings and the endorsing a position of party, inapposite of the rules.

561. That on information and belief, for his endorsement inapposite the rules, a TFB complaint was filed against Turner and TFB chose to investigate the matter of the endorsement as a violation of the Rules Regulating TFB and Turners TFB bar rules regulating professional conduct but converted the complaint to an internal employee matter versus a formal bar complaint. That these actions are also in violation of TFB rules and acted to further suppress the complaints and in furtherance of the conspiracy.



562. That on information and belief, no formal docketing of the Turner TFB bar complaint took place, inapposite procedural rules, again denying Plaintiffs due process and procedure and appear to aid and abet the conspiracy.

563. That on information and belief, Turner had given the conspirators a document to run around the country with to other investigators stating Proskauer had done ~~NO~~ patent work based on his review with no formal investigation, although having a falsified document on TFB letterhead imparting that Wheeler was vindicated after investigation. That this document seemed to refute the claims of the Iviewit Companies and damaged investigations nationwide, as it appeared an endorsement of Proskauer's position, despite the evidence in multitude that supported that Proskauer was IP and patent counsel for Iviewit Companies.

564. That on information and belief, Turner's letter was tendered on TFB stationary and allowed Proskauer and Wheeler touting their victory that they did NO patent work. At that time it was not known that Wheeler and Proskauer had been represented by Triggs, a Proskauer partner who was violating his TFB public office rules by representing his partners without TFB approval and thus made this TFB victory a short lived victory and began a long nightmare to cover up the conflicts that were unearthed.

565. That on information and belief, after receiving the Turner "dismissal" without investigation letter, Plaintiffs contacted Turner to find out how to elevate the Wheeler and Proskauer TFB complaints and his decision and endorsement to the next highest review level, whereby Turner stated that he was the final review for TFB and therefore the case was permanently closed and he was moving to destroy the file and evidence.

566. That on information and belief, when questioned further, Turner stated that Plaintiffs should call the general number of TFB in Tallahassee and hung up. Upon contacting the Tallahassee office, Plaintiffs spoke with Kenneth L. Marvin ("Marvin"), Director Of Lawyer Regulation, who stated that Turner was factually incorrect and that the matter could be reviewed by the Chairperson of the 15(c) Grievance Committee ("Chair"). Marvin then directed Plaintiffs to have Turner follow procedure and move the case for review to the Chair.



567. That on information and belief, at the request of Plaintiffs, Turner presumably turns the Wheeler and Proskauer complaints to the next higher level of review at TFB, the Chairperson of the 15(c) Grievance Committee.

568. That on information and belief, despite Plaintiffs' requests, Turner refuses the accommodation of the proof of delivery to the Chairperson, the name and contact information for the Chairperson, and any other information about the Chairperson.

569. That on information and belief, despite Turner's assurance that the Chairperson will respond to the complaints in due course directly to Plaintiffs, that Turner then pens a letter in his own hand conveying a message, seemingly and unintelligibly from the Chairperson, that merely regurgitated on behalf of the Chair, Turner's prior determination that Wheeler's firm, Proskauer Rose LLP ("Proskauer") had done NO patent work and the case was dismissed again on review. Another determination made as endorsement of Wheeler and Proskauer's position, again in violation of the Rules Regulating TFB, without any formal investigation, whereby TFB was precluded from endorsing either party in any way without an investigation, per Rules Regulating TFB. This letter also served to establish false defense for Proskauer as it again was penned under the authority of TFB and would indicate to anyone reading it that the determination was based on a formal procedural investigation which was not done. This letter further aids the conspiracy and may indicate further bribery of public officers or infiltration by Proskauer agents of public offices to derail Iviewit Companies complaints.

570. That on information and belief, the Turner and the Chairperson's statement is patently wrong regarding Proskauer not doing patent work and from this statement in blatant disregard to their own rules; liability may arise to TFB and their actors.

571. That on information and belief, TFB's decision and opinion was then used by other attorneys in their defenses, citing Wheeler's purported innocence in the matters and Proskauer's lack of culpability due to supposedly not doing patent work affecting those decisions.

572. That on information and belief, TFB refused to retract their statements or to correct such false statements made in violation of their rules to other regulators, even

A handwritten signature in black ink is written over a circular stamp. The signature is stylized and appears to be the initials 'LJ'. The stamp is a circular seal with some illegible text around the perimeter.

after notice that they were being cited by another defendant, William J. Dick, to the Virginia State Bar in defense of his actions, as if TFB officials had created a legal defense for the defendants to further aid the conspiracy.

573. That on information and belief, Triggs a partner of the law firm Proskauer, acted as attorney on behalf of Wheeler, his partner at Proskauer in TFB complaint No. 2003-51, 109 (15C), herein incorporated in entirety by reference, in February 2003.

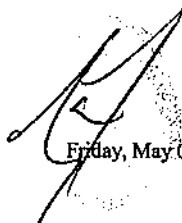
574. That on information and belief, in Trigg's authored letter of March 21, 2003 to TFB to act as counsel for his firm Proskauer and Wheeler, Triggs knowingly, willfully, and with intent violated The Rules Regulating TFB which precluded him from representation of any party after being a Committee Member of TFB for a period of one year after service.

575. That on information and belief, this action by Triggs, Proskauer and Wheeler was with an effort to create bias in the review of the Proskauer and Wheeler bar complaints. Where Triggs was too recently a member of the Grievance Committee, causing a violation of his public office position, in violation of the Rules Regulating TFB, as he acted as counsel in a bar matter within a one year blackout period which precluded him from representing anyone, especially his partner and firm.

576. That on information and belief, Triggs also had a vested interest in the case personally and professionally that would have conflicted and precluded him from representing his partners and his firm in the bar complaints.

577. That on information and belief, Triggs was also acting as lead Proskauer counsel in the concurrent Proskauer Civil Billing Lawsuit before Labarga, also in violation of attorney ethics regulated by TFB and the Rules Regulating the TFB.

578. That on information and belief, Triggs knowing and willful representation in violation of the Rules Regulating TFB on behalf of Wheeler, as it relates to his too recent Grievance Committee membership, and representing his partner within such period of exclusion, imputes a conflict of interest and an appearance of impropriety in the response of Wheeler that should have negated that response in entirety and forced all determinations of TFB to be retracted and redacted, yet TFB stood fast and took no actions to enforce the rules, precluding due process and procedure yet again.



579. That on information and belief, the representation of Wheeler by Triggs, since the Wheeler Complaints filing on or about February 2003, whereby Triggs, an individual so well known to the Grievance Committee and other branches of TFB, the tentacles of which reach to places little known to Plaintiffs, hails as one of the most imprudent abuses of power and public office, one of the most conflicted examples of influence pedaling, and another ill-advised instance of Trigg's, Wheeler's, and Proskauer's desperate attempts and continuous spinning of their wheel of fortune, their leaps of faith, and their bands of hope that the specific, factual allegations of the incomprehensible professional misconducts and crimes cited in the Wheeler and Proskauer bar complaints would go unheard and further not be investigated through such flagrant violation of ethics rules and law.

580. That on information and belief, based upon information supplied by Kenneth Marvin of TFB, and further confirmed in the Rules Regulating TFB, former Grievance Committee members are barred, for a period of one (1) year without full disclosure and board approval prior to acting as counsel. It is clear from the Rules Regulating TFB as stated below that Triggs clearly was in conflict:

3-7.11 General Rule of Procedure (i) Disqualification as Trier and Attorney for Respondent Due to Conflict. (3) Attorneys Precluded From Representing Parties Other Than TFB (E) A member of a grievance committee shall not represent any party except TFB while a member of a grievance committee and shall not thereafter represent such party for a period of 1 year without the express consent of the board" showing that Triggs violated his office position in representing Wheeler.

581. That on information and belief, Triggs also acted as lead counsel for the simultaneous litigation in the Proskauer Civil Billing Lawsuit in concurrence with his TFB official term and the handling of the Wheeler and Proskauer bar complaints as lead counsel. This conflict would allow Triggs access to the Wheeler and Proskauer bar complaint files and to information provided by Plaintiffs to TFB through his acting as counsel for Wheeler and Proskauer, then giving him the ability to use this information for his representation of his firm and partners in the Proskauer Civil Billing Lawsuit and vice versa, again inapposite TFB rules.



582. That on information and belief, a complaint was filed at TFB against Triggs for a mass of conflicts and violations of his TFB Rules of Professional Conduct and violations of the Rules Regulating TFB regarding his public office position and TFB failed to even formally docket or enter them into the system for review, blocking both due process rights guaranteed in the Constitution and the Florida Constitution and the right of citizens to file against government officials for violations of office.

583. That on information and belief, evidence was provided showing new information that Wheeler had committed perjury to TFB when compared to his statements under deposition in the Proskauer Civil Billing Lawsuit versus his prior written answer to the bar complaint and that even after Wheeler admits such in response, TFB ignored the perjurious statements and further aided the conspiracy from being revealed.

584. That on information and belief, Wheeler later admitted such perjury to TFB but tried to diffuse the importance in his response to the claims of false and misleading statements to TFB, hiding his admission of perjurious statement in a footnote.

585. That on information and belief, evidence showed cause for investigation, such as the perjured statements to TFB and conflicts found and yet TFB still refused to investigate, furthering the conspiracy.

586. How high did the conflicts elevate at TFB to be able to suppress the Plaintiffs' rights to the legal bar complaint process? That on information and belief, evidence now shows conflicts and violations of office extending all the way to the then President of TFB, defendant Kelly Overstreet Johnson ("Johnson").

587. That on information and belief, Johnson, after being apprised and sent information regarding the Wheeler and Proskauer complaint violations, information regarding the Triggs conflicts, information regarding the Turners and the Chairs actions in violation of the Rules Regulating TFB and accepting letters from Plaintiffs is found to coincidentally to be a direct report to the brother of the main protagonist Wheeler, through defendant James Wheeler ("J. Wheeler"), in the Florida law firm of defendant Broad and Cassel.

588. That on information and belief, this conflict of interest became known only after Johnson received Plaintiffs complaint information for months, with pleas for



Johnson to intercede on behalf of Plaintiffs' efforts to force formal docketing and disposition of the complaints against Triggs, Proskauer, Wheeler and Turner and begin formal charges against those involved in the affirmed conflicts and abuses of office. That Johnson's failure to perform her duty to enforce the rules is not only a violation of her office position but stands as evidence of her participation in the conspiracy to deny due process.

589. That on information and belief, pleas to Johnson to have the Triggs responses tendered in conflict voided from the Wheeler and Proskauer complaint record, to remove statements of endorsement by Turner and the Chairperson that were procured in violation of the rules and to have all prior complaint reviews re-evaluated in light of the conflicts and without their prejudicial influence, as would be required by law and procedure, all went wholly ignored by Johnson who continued to receive information central to what was happening at TFB without ever disclosing her conflict.

590. That on information and belief, although Johnson took the information again and again, she failed to disclose the obvious conflict she had with Wheeler's brother, until of course she was confronted with the fact that Plaintiffs had discovered her incestuous conflict and asked for formal written disclosure of the relationship.

591. That on information and belief, Johnson refused to tender a response to her conflicts and instead had TFB counsel call and state that she would no longer take any submissions or speak with Plaintiffs in regard to the matters. A bit late.

592. That on information and belief, with nowhere to go it appeared at TFB due to the top down corruptions and realizing that further complaints were frivolous at TFB, having exhausted every level of review, finding that no matter the level the rules were being wholly violated, Plaintiffs then appealed the matters to the direct oversight of TFB, as instituted in the Florida Constitution, defendant Florida Supreme Court ("FSC") and the defendant justices of that court.

593. FSC at once issued orders to halt a proposed destruction of the Proskauer, Wheeler, Turner, Triggs complaints filed with TFB which appeared to violate the Florida record retention laws for such files that TFB was in hurry to destroy ahead of such record retention laws.

A circular stamp with a signature written over it. The signature is in cursive and appears to be 'A. Johnson'. The stamp is partially obscured by the signature.

594. That on information and belief, TFB was planning to destroy their files prior to what record retention rules allowed and prior to the FSC review of the misconduct at TFB of its members in efforts to destroy relevant documents and further aid and abet the conspiracy and deny due process.

595. That on information and belief, Plaintiffs in response to the threatened destruction contacted defendant Deborah Yarborough of FSC whom advised Petitioners to file a complaint with the FSC and Plaintiffs filed such petition on or about October 07, 2004 with FSC becoming Case No. SC04-1078 and whereby such case is hereby incorporated by reference herein in its entirety.

596. That on information and belief, FSC and its agents, including but not limited to Hall and Yarborough and those identified herein, did act conspiratorially to deny Iviewit Companies and Plaintiffs due process rights.

597. That on information and belief, on or about October 11, 2004, FSC ordered TFB to respond to the petition filed by Plaintiffs.

598. That on information and belief, the response from TFB was tendered on or about October 22, 2004 to FSC, whereby the answer from TFB, which was barely intelligible and tendered by Turner, addressed none of the substantive issues raised in the petition filed and fell short of a proper response to a complaint by failing to address the substantive issues.

599. That on information and belief, Plaintiffs filed a response to the response of TFB, on or about November 15, 2004 that showed that TFB had failed to respond properly to the petition and requesting a default judgment.

600. That on information and belief, instead of granting Plaintiffs a victory for TFB's default, as the Turner response failed to deal with any of the substantive issues, FSC moved to close the case instead, failing to afford Plaintiffs the opportunity of further due process and procedure, or their rights to challenge and charge public officers, all without explanation or basis in law.

601. That this Court will see that not only did FSC err in a decision but their actions were coordinated to further usurp due process and procedure with the direct intent of covering for their brethren, TFB members and to further aid and abet the conspiracy.



602. That on information and belief, TFB is an offshoot of the FSC, it is believed that the members of TFB are insured under an insurance policy of the FSC, giving the FSC a vested interest in the outcome of the matters and again making it impossible for FSC to be objective when they maintain an interest. That this conflict was completely ignored by FSC and led to further violations of due process rights.

603. That on information and belief, the defendant justices of the FSC named herein were members of the opposing party TFB, and, thus had direct membership interest in the TFB, constituting further conflict and impeding their ability to make fair and impartial rulings in the matters and where due to this they should have found a none conflicted venue to review the matters as requested.

604. That on information and belief, unless Plaintiffs are unaware that conflict laws only apply when attorneys are conflicted with others and not when they are involved in bar cases against other attorneys, judges or members of the disciplinary process, then the whole concept of attorney self regulation is marred in conflict causing it to be useless as conflict laws are ignored.

605. That on information and belief, the fact that an attorney would be normally precluded from representing any organization where he has direct membership interest to avoid the obvious prejudice inherent in such representation, appears not to be the case when attorneys are attempting to regulate the actions of other attorneys, creating a conflicted process from the start and one where all actions can be questioned as to the ethics and where this conflicted process instead creates an attorney protection agency versus any sort of reliable disciplinary process.

606. That on information and belief, the factual allegations against TFB and FSC defendants can be found in the following set of documents and are hereby incorporated through reference herein, including but not limited to;

- A. Wheeler Bar Complaint #1 File No: 2003-51 109 (15c);
- B. Wheeler bar Complaint #2 – Pending Case No. – Case was never formally docketed or disposed of per due process and procedure.
- C. Triggs bar Complaint – Pending Case No. – Case was never formally docketed or disposed of per due process and procedure.

A handwritten signature in black ink is written over a circular, textured stamp. The signature is stylized and appears to be the initials 'LH'.

D. Turner bar Complaint – Pending Case No. – Case was changed from Bar Complaint to Employee matter inapposite due process and procedure in the handling of bar complaints.

E. FSC Case SC04-1078

F. United States Supreme Court Case No. 05-6611 Eliot I. Bernstein v. TFB - Certiorari of FSC Case SC04-1078. That representative copies of the complaint in online form can be obtained at the urls;

- i. <http://www.iviewit.tv/supreme%20court/> - a hyperactive document of the Supreme Court filing chalk full of evidence.
- ii. <http://www.iviewit.tv/CompanyDocs/oneofthesedays/index.htm> containing a list of the federal, state, international and civil laws that have been committed in the commissioning of the alleged acts,
- iii. <http://www.iviewit.tv/supremecourtexhibitgallery/> - with approximately close to 800 supporting documents, and,
- iv. <http://www.iviewit.tv/CompanyDocs/rico/CRIME%20ORG%20CARTS%201.htm> – A list of crime organization charts for the RICO element of this case as exhibited in that case. Turn on speakers.

STATE OF FLORIDA

607. That in or about Spring 2003 to Spring 2004, and through the actions of defendants TFB, Boggs, Marvin, Hoffman, Turner and, through the doctrine of respondeat superior, the State of Florida itself, and upon information and belief, these defendants conspired with Wheeler, Triggs, and Proskauer, to “white wash” and otherwise “rubber stamp” the attorney discipline complaints against Wheeler, Triggs, and Turner that constituted another instance of state and federal law claims cited herein that resulted from patent sabotage, theft of IP, robbery, and other state and federal law claims cited herein.

OFFICE OF THE STATE COURTS ADMINISTRATOR, FLORIDA

608. That in or about Spring 2004, and through the actions of defendants FSC, Wells, Anstead, Lewis, Quince and Bell and, through the doctrine of respondeat superior,



OSCA itself, and upon information and belief, these defendants conspired with Wheeler, Triggs, and Proskauer, to “white wash” and otherwise “rubber stamp” the attorney discipline complaints against Wheeler, Triggs, and Turner that constituted another instance of state and federal law claims cited herein that resulted from patent sabotage, theft of IP, robbery, and other state and federal law claims cited herein.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

609. That on or about November 4, 2008, Angela Potter of Florida’s Department of Business and Professional Regulation requested more information on a graphical depiction of where Plaintiffs position Gerald Lewin and Erika Lewin of Goldstein Lewin & Co., Inc. in the alleged conspiracy and other information. When confronted with such information and other substantive information, DBPR denies Plaintiffs claims that constituted another instance of denial of due process and state and federal law claims cited herein that resulted from patent sabotage, theft of IP, robbery, and other state and federal law claims cited herein.

THE NEW YORK COVER UP CONSPIRACIES

THE 1ST DDC & THE FIRST DEPARTMENT COURT

610. That on information and belief, on or about May 20, 2004, it was brought to the attention of Plaintiffs that Proskauer partner Krane, acting as counsel by authoring the formal responses of the Rubenstein and Proskauer attorney complaints filed with the 1st DDC had acted in conflict and violation of his public office positions. This was not discovered until the complaints had been stymied and delayed against 1st DDC rules and regulations and where Krane’s influence was most likely the cause of such delay to due process and procedure afforded under the Constitution and the New York Constitution.

611. That on information and belief, all the while he acted as counsel for his Proskauer partners, Krane had undisclosed conflicts having positions at both the 1st DDC and the New York State Bar Association (“NYSBA”), an organization that works in conjunction with the 1st DDC in the creation and enforcement of the Lawyer’s Code of Professional Responsibility (“Code”) and in each of the above roles either separately or combined, such positions created multiple conflicts and violations of public office positions for Krane.

A handwritten signature in black ink is written over a circular stamp. The stamp contains some illegible text and a central mark.

612. That on information and belief, Plaintiffs allege that the conflicted Krane responses were promoted, encouraged, and, perhaps, in fact, ordered by Rubenstein and Proskauer, as a means to have the complaint against Rubenstein, Proskauer and Joao blocked through using Krane's influence to either unconscionably delay the complaints and/or quickly review and dismiss them with no investigation, owing to Krane's position as one of New York's disciplinary most influential members and his roles in the disciplinary departments.

613. That on information and belief, and relying on the integrity of *Anderson's* claims of file thinning, the documents referenced herein in the attorney complaints can be found at the Iviewit Companies homepage, www.iviewit.tv and the following urls are particularly important for review;

A. Original Rubenstein filing at url

<http://iviewit.tv/CompanyDocs/2003%2002%2026%20Original%20Rubenstein%20Bar%20Action.pdf>

B. Rubenstein response to complaint tendered in conflict by former NYSBA

President and Proskauer partner Steven Krane at url

<http://iviewit.tv/CompanyDocs/2003%2004%2011%20-%20Rubenstein%20reponse%20KRANE%20CONFLICT%20AUTHORED%20to%20N.pdf>

C. Iviewit Companies rebuttal of Rubenstein response (best viewed with Adobe bookmarks on and patience is required as it is a 102 Megabyte file).

<http://iviewit.tv/CompanyDocs/2003%2007%2002%20Iviewit%20Rebuttal%20to%20Rubenstein%20Response%20Final%20ALL%20.pdf>

D. Raymond Joao original bar complaint filed at the 9th District Grievance Committee but somehow gets transferred to the 1st DDC.

<http://iviewit.tv/CompanyDocs/2003%2002%2025%20Joao%209th%20district%20original%20complaint.pdf>

E. Joao's response to the bar complaint at url

<http://iviewit.tv/CompanyDocs/2003%2004%2008%20Joao%20response%20to%20NY%20Bar.pdf>



F. Iviewit Companies Rebuttal to Joao's response (best viewed with Adobe bookmarks on and patience is required as it is a 49.8 Megabyte file) at url
<http://iviewit.tv/CompanyDocs/2003%2005%2026%20Iviewit%20Rebuttal%20to%20Joao%20Response%20BOOKMARKED.pdf>

G. 1st DDC Letter regarding complaints at url
<http://iviewit.tv/CompanyDocs/2003%2009%20New%20York%20Bar%20Response%20Joao%20and%20Rubenstein.pdf>

H. Iviewit Companies response to 1st DDC letter regarding complaints at url
<http://iviewit.tv/CompanyDocs/2004%2001%2009%20-%20Response%20to%20Cahill%20New%20York%20Bar%20Rubenstein%20Joao%20.pdf>

I. Krane bar complaint for conflict and violations of public office and request to strike the conflicted responses of Krane in the Rubenstein and Proskauer complaints at url
<http://iviewit.tv/CompanyDocs/2004%2005%2019%20Krane%20Complaint%20Signed%20Lamont%20Bernstein%20Cahill.pdf>

J. Krane response to Krane complaint tendered in conflict by Krane who represents himself at url
<http://iviewit.tv/CompanyDocs/2004%2005%2021%20krane%20response%20to%20complaint.pdf>

K. Iviewit Companies letter to Cahill regarding Krane conflicts at url
http://iviewit.tv/CompanyDocs/Lamont%20Docs/Strike_Response_05242004_Executed.pdf

L. Cahill Motion to move complaints of Rubenstein and Joao, failing to mention the Krane complaint too at url
<http://iviewit.tv/CompanyDocs/2004%2006%2017%20Cahill%20Motion%20to%20move%20complaints%20krane%20rubenstein.pdf>

M. Iviewit Companies complaint against Cahill at url
<http://iviewit.tv/CompanyDocs/2004%2006%2023%20cahill%20complaint%20fax%20to%20curran%20second%20send%20direct.pdf>

N. Iviewit Companies Affirmed Motion to move complaints at 1st DDC at url



<http://iviewit.tv/CompanyDocs/2004%2007%2008%20Cahill%20Motion%20Supreme%20court%20new%20york%20FINAL%20BOOKMAR.pdf>

O. First Department Court Order to move Krane complaint for conflict of interest and the appearance of impropriety for immediate investigation at url

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

P. First Department Court Order to move Rubenstein, Proskauer, Joao and MLG complaints for conflict of interest and the appearance of impropriety for immediate investigation at url

<http://iviewit.tv/CompanyDocs/2004%2008%2011%20Supreme%20Court%20NY%20ruling%20Joao%20and%20Rubenstein.pdf>

614. That on information and belief, after learning of such conflicts of Krane, the Plaintiffs called Cahill and filed a formal written complaint against Krane for violation of the ethics codes of NYSBA and the 1st DDC rules and regulations of its members pertaining to conflicts of interest and the appearance of impropriety.

615. That on information and belief, on or about, May 21, 2004, Krane authored another response, incorporated by reference herein, in not only Rubenstein and Proskauer's defense but now in his own defense, against the attorney misconduct complaint filed against him with defendant Cahill at the 1st DDC in an effort to have the complaints filed against Rubenstein, Proskauer and himself dismissed without due process by denying he was conflicted or had conflicting roles. That this false information of Krane further acts as violations of his ethics rules, department rules and other crimes of the New York penal code as further defined herein.

616. That on information and belief, at that time the rules of the NYSBA did not allow officers to represent disciplinary actions for one year after service and where Krane violates this rule in representing his firm Proskauer, Rubenstein and himself.

617. That on information and belief, the influence of Krane at the 1st DDC, because of his prominent roles and his name recognition, should have precluded Krane from any involvement in the complaint process against his firm Proskauer, Rubenstein and especially on his own behalf.



618. Any attempt to represent the complaints would have required full disclosure first of such conflicts to avoid the appearance of impropriety. Krane also had conflict in the matters as Proskauer was named in the complaints and thus he had a vested interest in the outcome.

619. That on information and belief, by acting as direct counsel for Rubenstein, himself and the firm of Proskauer, Krane knowingly violated and disregarded the conflicts inherent so as to cause an overwhelming appearance of impropriety at the 1st DDC, forcing a motion by Cahill, after Krane was exposed, to have the matters moved out of the 1st DDC after **sixteen months of virtual inactivity**, the conflict of Krane apparently worked well to suppress the complaints for that time in denying Plaintiffs due process rights.

620. That on information and belief, upon further investigation by the Plaintiffs, and when viewing the biography of Krane, Krane holds a multiplicity of professional ethics positions in New York and nationwide that present conflicts which would have precluded Krane from acting in any matters involving himself personally, his firm Proskauer, or any partner such as Rubenstein at the 1st DDC. In fact, Krane's roles in the disciplinary are so broad and overwhelming throughout the state of New York and the United States, that Krane would be barred for conflict from representing his firm and partners in almost any disciplinary venue at any of the NY court disciplinary departments, especially where he has personal and professional vested interest in the matters.

621. That on information and belief, Plaintiffs called Cahill regarding the conflicts of Krane whereby Cahill feigned that he did not really know of Krane or any conflict, as he did not think he was a member of the 1st DDC in any way.

622. That on information and belief, Plaintiffs called the First Department Court, Clerk of the Court, defendant Catherine O'Hagan Wolfe ("Wolfe"), who informed the Plaintiffs that a conflict with Krane presently existed at the 1st DDC with his official roles, making his responses tainted on behalf of Rubenstein, Proskauer and himself. Further showing that Krane was lying and committing perjury in a public complaint matter in violation of law and ethics rules.



623. That on information and belief, Wolfe further directed Plaintiffs to send a motion to the justices of the First Department Court for the immediate transfer of the Proskauer, Rubenstein, Krane and Joao complaints out of the 1st DDC and for investigation, to avoid further undue influence already caused by the conflict in the complaints filed by the Plaintiffs.

624. That on information and belief, the First Department Court and its agents, all acted in conspiratorial activity to further deny Ivewit Companies and Plaintiffs due process rights.

625. That on information and belief, Cahill, after learning of the Plaintiffs call to Wolfe, suddenly recants his prior statements to Plaintiffs regarding Krane having no affiliation with the 1st DDC and admits to Plaintiffs that Krane is appointed to the position of referee concerning attorney discipline matters at 1st DDC, a serious conflict, and at the very venue that is charged with the investigation of the complaints against Proskauer, Rubenstein, Rubenstein's referred underling Joao and now Krane.

626. That on information and belief, on information and belief, Krane held other more senior roles at the First Department Court and 1st DDC in addition to his roles as referee that were earlier attempted to be masked by the Cahill and Krane showing these were not mere errors or misstatements but a coordinated effort to aid and abet the conspiracy through public office violations.

627. That on information and belief, Plaintiffs allege that the conflict allowed by Cahill with scienter and existing since Krane's April 11, 2003 response to the Rubenstein complaint and Krane's May 21, 2004 response to the Krane complaint, was the genesis of a series of events that served to protect Proskauer, Rubenstein, Wheeler, Krane, Joao, Foley and Dick, using the 1st DDC as a shield and further as a quasi defense based on their dismissal of the case and lack of prosecution.

628. That on information and belief, the 1st DDC's actions to stymie and delay investigations and other documents submitted by conflicted Krane, were then used in other investigatory venues to attempt to claim vindication by those complained of, including VSB and TFB.

629. That on information and belief, the 1st DDC letters and the Krane responses were used further influence other investigatory bodies with false and



misleading information tendered in conflict, that all appear to fall from Krane's conflicted responses and abuse of his departmental power and public offices.

630. That on information and belief, Plaintiffs, on or about January 9, 2004, were sent a letter from the 1st DDC by Cahill dated, on or about, September 2, 2003 ("Deferment Letter"), which was issued without knowledge of Plaintiffs and missing for months, as the Deferment Letter was conveniently misaddressed and "lost" by the 1st DDC and never received by the Plaintiffs until January 2004.

631. That on information and belief, 1st DDC's Deferment Letter claims to use the same basic argument that TFB had used to delay and stymie the investigation of the complaints, claiming that due to the Proskauer Civil Billing Lawsuit, they were dismissing the case inapposite the 1st DDC rules, where the cases in these matters were wholly dissimilar as the 1st DDC complaints which contained allegations that the attorneys had violated hosts of state, federal and international laws against Plaintiffs, the United States and foreign nations and had nothing to do with the claims in Proskauer Civil Billing Lawsuit which was limited to billing issues by Labarga. That this violation of the 1st DDC appears to act to further delay due process.

632. That on information and belief, Plaintiffs rejected this delay of the complaints based on the Proskauer Civil Billing Lawsuit formally to the 1st DDC stating that the Proskauer Civil Billing Lawsuit was a civil matter limited by Labarga to purely billing matters and in fact, where Labarga had denied the Counter Complaint stating he would not let the claims other than billing in, or words to that effect.

633. That on information and belief, Plaintiffs later notified Cahill that the Proskauer Civil Billing Lawsuit had ended and that Plaintiffs suffered a technical default for failure to timely retain replacement counsel without any trial and requested that Cahill begin immediate investigation of the attorney complaints he had delayed for sixteen months.

634. That on information and belief, Plaintiffs see Cahill continuing the deferment of the Rubenstein and Joao complaints even after learning the Proskauer Civil Lawsuit had ended and that the matters contained in the complaints were entirely separate and not similar as stated in Cahill's Deferment Letter.

A handwritten signature in black ink is written over a circular stamp. The stamp contains a grid of small dots, forming a watermark or seal. The signature is a cursive-style name, possibly "A. J. ...".

635. That on information and belief, per follow up conversations with Cahill with Plaintiffs, after receiving the Deferment Letter and explaining the dissimilarity of Proskauer Civil Billing Lawsuit and the disciplinary complaints, Cahill stated he was beginning an investigation, one that he further would undertake personally.

636. That on information and belief, after months of unanswered calls by Cahill, Plaintiffs find Cahill further culpable in aiding and abetting the denial of due process and procedure rights of Plaintiffs, in that he failed to take the investigatory steps that he stated he was undertaking, further diffusing due process and procedure in the matters.

637. That on information and belief, this influence of Krane and Cahill was used as a means to protect Rubenstein, Joao, Wheeler and Dick from facing investigations into IP crimes, perhaps similar to allegations alleged in the RELATED case *Anderson*, used as a means to protect Proskauer's crimes to steal the IP and all other crimes committed. This all in violation of a mass of ethics laws, public office violations and violations of the laws of the State of New York.

638. That on information and belief, as a result of the multiplicity of conflicts allowed by Cahill, the complaint against Rubenstein, Proskauer and Joao languished at 1st DDC since its filing on or about February 25, 2003 through approximately January 2004.

639. That on information and belief, on or about February 1, 2004, Plaintiffs filed a complaint with the Commissioner of Patents and Trademarks ("Commissioner"), at the bequest of Harry I. Moatz ("Moatz"), the Director of the Office of Enrollment and Discipline, for registered patent attorneys, a unit of the USPTO. Moatz had found problems with inventors, assignments and ownership of the patent applications filed by Rubenstein and Joao for Plaintiffs, culminating in filed complaints against Rubenstein, Proskauer, MLG and Joao of fraud upon the USPTO. Similarly it is claimed that fraud has occurred against Plaintiffs and the Iviewit Companies shareholders through the same set of facts surrounding the fraudulent filings of declarations of oaths to the USPTO.

640. That on information and belief, Moatz, inquired as to the status of the Plaintiffs' complaints at the 1st DDC against Rubenstein, Proskauer, MLG and Joao, both which languished at 1st DDC since their filing on or about February 25, 2003 and February 26, 2003, respectively.

A handwritten signature in black ink is written over a circular stamp. The stamp contains a fingerprint or similar identification mark.

641. That on information and belief, Plaintiffs, upon contacting Cahill with the USPTO OED information and forwarding Moatz's request to speak to Cahill regarding the status of the 1st DDC investigations and further giving Cahill Moatz's telephone number to contact, find that several months after the request from the USPTO to speak to Cahill, that Cahill failed to contact the USPTO per his own admission.

642. That on information and belief, the Commissioner of Patents heard Plaintiffs specific, factual allegations of fraud upon the USPTO and based on such has granted a six (6) month suspension of four out of six patent applications, Plaintiffs expects similar suspensions for the remaining patent applications, stopping the applications from further prosecution at the USPTO while investigations were underway.

643. That on information and belief, the IP is suspended while matters pertaining to the crimes committed against the UPSTO and foreign nations (through violations of international trade treaties), by the attorneys and others can be further investigated.

644. That on information and belief, Cahill's failure to work with the USPTO points to Cahill's culpability and is further a sign that Cahill was influenced by Krane to further avoid his office duties to protect Proskauer, Rubenstein and Joao, all in violation of law and ethics and all aiding and abetting the conspiracy.

645. That on information and belief, Plaintiffs were confronted with time of the essence patent prosecution matters to repair patent applications, if possible, the detriments of which are at the nexus of the complaints against Rubenstein, Proskauer, MLG and Joao and Cahill was made aware of such pertinent filing dates and other time of the essence issues. Whereby, due to the failure of Cahill to investigate, discipline, or review the Plaintiffs' complaints further damage to the Plaintiffs' IP portfolio occurred.

646. That on information and belief, an affirmed motion titled

IN THE MATTER OF COMPLAINTS

AGAINST ATTORNEYS AND

COUNSELORS-AT-LAW;

KENNETH RUBENSTEIN – DOCKET

2003.0531

RAYMOND JOAO – DOCKET 2003.0532

STEVEN C. KRANE – DOCKET PENDING



**REVIEW BY PAUL J. CURRAN, ESQ.
THOMAS J. CAHILL – DOCKET PENDING
REVIEW BY SPECIAL COUNSEL MARTIN
R. GOLD ON ADVISEMENT OF PAUL J.
CURRAN (SEPARATE MOTION ATTACHED)
AND THE LAW FIRM OF
PROSKAUER ROSE, LLP**

was filed at First Department Court, on or about, July 08, 2004.

647. That on information and belief, the motion resulted in a unanimous decision by that court to begin immediate investigation of Rubenstein, Proskauer, Krane, MLG and Joao which was later to be wholly ignored by Second Department Court and 2nd DDC as further defined herein.

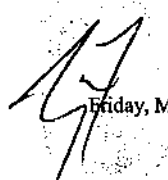
648. That on information and belief, a complaint was filed by Plaintiffs against Cahill which remains under investigation and where no determination has been made yet, in Special Inquiry No. 2004.1122, by reference herein incorporated in its entirety, which was transferred according to 1st DDC rules to special investigator Martin Gold, from 1st DDC Chairman for investigation of conflict and violations of public office.

SECOND DEPARTMENT COURT & 2nd DDC

649. That on information and belief, the First Department Court ordered investigations were then derailed by the 2nd DDC where they were transferred for investigation and again we find 2nd DDC members acting as counsel to the accused to dismiss the complaints and derail the ordered investigations.

650. That on information and belief, the attorneys ordered for investigation did not even have to provide a response to the complaints against them, no witnesses were called, no evidence tested and the court ordered investigation was attempted to be dismissed on review on review and skirt formal and procedural investigation, nothing but a dismissal on review letter which again appears to act to further block due process and aid and abet the conspiracy through obfuscations of public officers duties to follow procedure.

651. That on information and belief, formal written complaints were filed against 2nd DDC members for violating public offices and refusing to enforce a court order for investigations and those complaints were refused by those who they were filed



against, with no legal or procedural basis, denying Plaintiffs access again to the legal system and complaint process in New York in violation of the Constitution, the New York Constitution and other section of the New York penal code.

652. That on information and belief, the 2nd DDC was transferred the complaints against Rubenstein, Joao and Krane to conduct the court ordered investigation. An order by five Justices of the First Department Court whom concurred after "due-deliberation" and ordered an "investigation" of Proskauer, Krane, Rubenstein, MLG and Joao for conflict of interest and the appearance of impropriety.

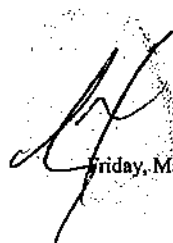
653. That on information and belief, upon reviewing the complaints, instead of addressing the First Department Court justices that ordered the investigation, the 2nd DDC wrote to inform Plaintiffs that no investigation was being done after a "review" was done of the materials. That the letter can be found at the url <http://iviewit.tv/CompanyDocs/2004%2010%2005%20Supreme%20Court%20NY%20Second%20Dept%20Kearse%20Krane%20Re.pdf>

654. That on information and belief, a "review" that failed to account for the fact that the complaints were already reviewed by five justices of the First Department Court and based on thorough review Ordered for "investigation" based on information supplied in the Motion filed at the First Department Court.

655. That on information and belief, a "review" that again had not tested a single piece of evidence and failed to call a single witness that was presented in the New York matters. A "review" that ignored the fact that the USPTO and the USPTO OED, had begun formal investigation of two of the three attorneys ordered for investigation. A review that ignored the conflicts and violations of public offices entirely.

656. That on information and belief, a "review" that ignored the fact that the FBI had taken these matters to the United States Attorney for further disposition and investigation.

657. That on information and belief, the "review" also failed to take into account that the IP was suspended by the USPTO Commissioner of Patents directly due to charges of fraud upon the USPTO by two of three attorneys.



658. That on information and belief, members of 2nd DDC, not even legally involved in the complaint process tried an attempt to dismiss all the cases and allow formal complaints and orders for investigations to be evaded.

659. That on information and belief, the 2nd DDC immediately became suspect with their failure to follow the court ordered "investigation" in favor of "review".

660. That on information and belief, upon confronting the reviewer Chief Counsel, Diana Maxfield Kears ("Kears"), on a call with Plaintiff Lamont and attorney Marc Garber, Esq., to address her dismissal on "review" letter, unbelievably further conflicts were discovered and affirmed by the reviewer, whereby she claimed she had conflicts with Krane and J. Kaye. Plaintiffs had recently learned that J. Kaye was married to a Proskauer partner, S. Kaye and where Krane was Kaye's former law clerk.

661. That on information and belief, Kears having admitted having professional and personal relations with Krane then stated that if Plaintiffs wanted a formal disclosure of her conflicts to put the request in writing.

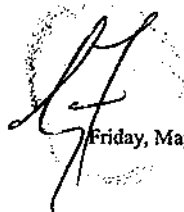
662. That on information and belief, once caught in conflict and failure to follow a court ordered investigation, Kears then failed to even respond to the letter she requested, sent by Plaintiffs requesting her to expose further her conflicts. Supporting such is a letter to Kears to reveal more about her stated conflicts with Krane and to the move the bar complaints to a non conflicted reviewer at url;

<http://iviewit.tv/CompanyDocs/2004%2010%2026%20Kears%20Krane%20Letter%20NY%20SUPREME%20COURT%20SECOND%20DEP.pdf>

663. That on information and belief, Kears continued to handle the matters personally despite acknowledging her conflicts with Krane and Kaye as evidenced in her response, incorporated by reference herein, which can be found at the url;

<http://iviewit.tv/CompanyDocs/2004%2011%2009%20-%20New%20York%202nd%20Department%20Letter%20Kears.pdf>

664. That on information and belief, when no response was tendered by Kears, as to her conflicts, complaints were filed against Kears with the 2nd DDC of which Kears refused to docket the complaint against her, again blocking the right of citizens to complain against public officials caught violating public offices.



665. That on information and belief, Kearsse still persisted in maintaining her decision to "review" and not investigate, stating that she was not under the jurisdiction of the First Department Court, and thus not obligated to "investigate" as ordered by that court.

666. That on information and belief, the matter was escalated to the Chairman, Lawrence DiGiovanna ("DiGiovanna") of the 2nd DDC and for his refusal to docket the complaints against Kearsse and failure to force her to publicly disclose the conflicts she had admitted having, a complaint was filed against DiGiovanna that similarly Kearsse refused to formally docket according to proper procedure.

667. That on information and belief, where Krane and Kaye's influence and conflicts with the investigator were obvious at 2nd DDC now, Plaintiffs called defendant Pelzer, Clerk of the Second Department Court to find out what the next step was in elevating the matters.

668. That on information and belief, Plaintiffs demanded to have the 2nd DDC move the complaints due to conflicts and failure to docket formal written complaints against 2nd DDC members and to the force the "investigation" ordered by First Department Court by non conflicted third party investigators.

669. That on information and belief, Pelzer took the matter to Chief Justice of the Second Department Court, defendant Prudenti, who made a grandstand effort to use her position of influence, similar to what Boggs had done in Florida to exculpate Triggs on disciplinary letterhead, to act as counsel for everyone involved from the 2nd DDC and all the Proskauer partners and deny due process and procedure to Plaintiffs and continue to ignore the First Department Court Order for "investigation".

670. That on information and belief, Prudenti attempted to justify the actions of the accused, applaud their work, state that a review is kind of like an investigation and attempted to get the complaints out of her court as having been resolved.

671. That on information and belief, Plaintiffs prior to these actions by Pelzer and Prudenti had formally requested that prior to their involvement, which had no basis in law or formal procedure in the disciplinary process, that they formally and publicly disclose any conflicts they might have, which they failed to do before taking actions to dismiss the complaints, again attempting to dismiss the court order for "investigation" by



confronting the Plaintiffs with their actions and not the First Department Court that ordered the investigations.

672. That on information and belief, it was learned prior to their involvement that Prudenti and Pelzer had conflict with Krane & Kaye and whereby their refusal to affirm or deny a formal written disclosure request stating if they were conflicted with any of the parties prior to having involvement, is taken by Plaintiffs that the source information regarding the conflicts is correct and they too acted in conflict and violated public offices to aid and abet the conspiracy.

673. That on information and belief, the reason this disclosure of any conflicts was so important prior to action in the court ordered "investigations" was that Plaintiffs were now weary of Pelzer who had turned the complaints over to Prudenti, as Plaintiffs and Pelzer had prior discussed the need for conflict waivers from all parties due to positions of prominence in the disciplinary department of those being accused and where Pelzer had assured Plaintiffs that he would make certain everyone disclosed any conflicts in advance of any determinative actions.

674. That on information and belief, Plaintiffs called Pelzer stating that Kearse had admitted conflict with Krane and Kaye and Plaintiffs had thought he had screened for conflict prior to turning the matters over to an investigator and that from his failure to do so he was the direct cause of two formerly innocent people, Kearse and DiGiovanna, now having complaints filed against them.

675. That on information and belief, Pelzer then assured Plaintiffs that he would talk to Prudenti to find out if Plaintiffs should petition the First Department Court to enforce the "investigation" ordered or if Plaintiffs should petition the Second Department Court for enforcement of the court order.

676. That on information and belief, instead of Pelzer checking where to file to enforce the court order, Plaintiffs received a letter from Prudenti authored by Pelzer, attempting to dismiss everything, to claim that "investigation" had been done, directly contradicting the former written statement in the Kearse determination letter which explicitly stated no investigation was done in lieu of a "review".

677. That on information and belief, this attempt to claim that a "review" was equal to a formal investigation attempted to put a spin on the word investigation like



never before, claiming review equaled investigation and attempting to claim they now complied, although Kearsse had stated explicitly that no investigation was done and no investigation had been done since her written statement of such.

678. That on information and belief, what the Second Department Court and 2nd DDC attempted to do was get out of the court ordered investigations by telling Plaintiffs this nonsense that dismissed on review was tantamount to a formal investigation, directing their nonsense to Plaintiffs, when truly they should have had to sold such story to the First Department Court justices who ordered the "investigation".

679. That on information and belief, for Peltzer and Prudenti's acts to aid and abet there will be forthcoming complaints against them for their involvement and misuse of public office. Yet it is useless to file complaints when they control the department and refuse to process complaints against members of their department, until such controls are removed, hopefully by this Court.

THE KAYE CONNECTION TO THE ENTIRE NEW YORK COURT AND NEW YORK DISCIPLINARY

680. That on information and belief, one asks how this incestuous series of conflict could be happening, crimes ignored and violations of ethics so grotesque ignored at, crimes against the United States and foreign nations overlooked by members involved in the disciplinary processes, and, investigations of their members wholly derailed despite confirmed violations of public offices.

681. That on information and belief, the answers were unknown until where again through undisclosed third parties, information regarding how such blockage occurred surfaced, revealing that controls were so high up in the process, as to block Plaintiffs from access to the courts and disciplinary processes in the entire state of New York, especially if it involved the law firm of Proskauer and especially Krane and S. Kaye who had become an IP partner in the newly formed, after learning of the Iviewit Companies inventions IP department.

682. That on information and belief, this led to uncovering in New York, conflict that permeates directly from Krane, to J. Kaye whom Krane not only formerly clerked for but who is married to a Proskauer partner, S. Kaye, also strangely a member of the Proskauer newly formed IP department.



683. That on information and belief, J. Kaye has vested interest in Plaintiffs Iviewit Companies as a holder of founding shares of stock and a major conflict with the Proskauer firm vis a vis her marriage interests.

684. That on information and belief, a greater conflict is the fact that if Plaintiffs are successful in securing fair and impartial due process anywhere, including in New York, that S. Kaye, Krane and Proskauer, will face lengthy federal prison sentences and loss of property that would have direct impact financially on all of them and J. Kaye.

685. That on information and belief, there is also conflict in that Kaye is the most powerful figure in both the courts of New York and its disciplinary departments and wherein a published article she states that Proskauer is the "in firm" to work for in New York.

686. That on information and belief, after discovery of the initial Krane conflicts, Plaintiffs had contacted the court of appeals and J. Kaye's chambers, to gain Kaye's intervention as Chief Judge, not knowing at the time her marital interests in the matter or relation to Krane and Proskauer and she failed to intervene and further directed us back to conflicted First Department Court, all the while failing to disclose her conflicts with matters.

STATE OF NEW YORK COMMISSION OF INVESTIGATION,

687. That Plaintiffs wrote, referencing their letter of August 9, 2007, to request the COI's and for a revisiting of the Iviewit Companies formal complaint of July 23, 2007, advising the COI of the pattern of 1st DDC and 2nd DDC to "white wash" and otherwise "rubber stamp" the attorney discipline complaints against, including but not limited to, Rubenstein, Joao, Krane, Proskauer, MLG, Joao, DiGiovanna, Cahill and Kearse, and when in the words of Anthony Cartusciello, Deputy Commissioner/Chief Counsel to word smith that is a matter of "an alleged theft by [an] attorney," or words to these effects as specified in COI's August 9, 2007 letter that, through the doctrine of respondeat superior, the COI itself conspired with , including but not limited to, Rubenstein, Joao, Krane, Proskauer, MLG, Joao, DiGiovanna, Cahill and Kearse, and this constitutes another instance of state and federal law claims cited herein that resulted from patent sabotage, theft of IP, robbery, and other state and federal law claims cited herein.



LAWYERS FUND FOR CLIENT PROTECTION OF THE STATE OF NEW YORK

688. That in or about Spring 2003 when Plaintiffs carbon copied LFPC and filed a form for relief as part of the attorney discipline complaints against Rubenstein, Proskauer, MLG and Joao, requesting relief for the damages Plaintiffs have suffered as a result of the actions of, among others, Rubenstein and Joao, LFPC never responds and Plaintiffs allege that LFPC conspired with, including but not limited to, Rubenstein, Joao, MLG and Proskauer that constitutes another instance of state and federal law claims cited herein that resulted from patent sabotage, theft of IP, robbery, and other state and federal law claims cited herein.

FORMER ATTORNEY GENERAL OF THE STATE OF NEW YORK & FORMER GOVERNOR OF THE STATE OF NEW YORK ELIOT SPITZER & OFFICE OF THE ATTORNEY GENERAL OF THE STATE OF NEW YORK

689. That in or about Spring 2004 when Plaintiffs forwarded Spitzer and NYAG's office the attorney discipline complaints and the problems uncovered at the various ethics departments and New York courts, including but not limited to, conflicts and violations of public offices, against, including but not limited to, Proskauer, Rubenstein, MLG, Krane, J. Kaye, Cahill and Joao requesting investigation, Spitzer never responds in his capacity as the Attorney General of NYAG and in or about the summer of 2007 when Plaintiffs bring similar claims on the advice of COI, Spitzer never responds in his capacity as Governor of the State of New York, wherein Plaintiffs allege that Spitzer conspired with, including but not limited to, Rubenstein, Proskauer, MLG, Joao, Proskauer, Krane, DiGiovanna, J. Kaye, Cahill and Kears that constitutes another instance of violations of state and federal law claims cited herein that resulted in patent sabotage, theft of IP, robbery, and other state and federal law claims cited herein. It is of note, that on information and belief, Spitzer's law firm is none other than Proskauer and that this may have been the reason for his failures to investigate.

STATE OF NEW YORK

690. That through the actions of public officers, including but not limited to, Cahill, Krane, Wigley, DiGiovanna, Kears, Prudenti, Curran, Gold, Wolfe, Mazzarelli, Andrias, Saxe, Friedman, Gonzales, Peltzer, and J. Kaye, and, through the doctrine of respondeat superior, the NYS itself, and upon information and belief, conspired with,



including but not limited to, Cahill, Krane, Wigley, DiGiovanna, Kearse, Prudenti, Curran, Gold, Wolfe, Mazzairelli, Andrias, Saxe, Friedman, Gonzales, Peltzer, and J. Kaye to "white wash" and otherwise "rubber stamp" the attorney discipline complaints and other violations of public offices against, including but not limited to, Rubenstein, Joao, Krane, Proskauer, MLG, DiGiovanna, and Kearse that constituted another instance of violations of state and federal law claims cited herein that resulted in patent sabotage, theft of IP, robbery, and other state and federal law claims cited herein.

THE OFFICE OF COURT ADMINISTRATION OF THE UNIFIED COURT SYSTEM

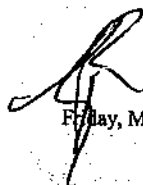
691. That through the actions of public officers, including but not limited to, Wolfe, Mazzairelli, Andrias, Saxe, Friedman, Gonzales, Peltzer, and J. Kaye, and, through the doctrine of respondeat superior, the OCA itself, and upon information and belief, conspired with, including but not limited to, Prudenti, Wolfe, Mazzairelli, Andrias, Saxe, Friedman, Gonzales, Peltzer, Cahill and J. Kaye to "white wash" and otherwise "rubber stamp" the attorney discipline complaints and violations of public offices against, including but not limited to, Rubenstein, Joao, Krane, Proskauer, MLG, DiGiovanna, Cahill and Kearse that constituted another instance of violations of state and federal law claims cited herein that resulted in patent sabotage, theft of IP, robbery, and other state and federal law claims cited herein.

THE VIRGINIA BAR CONSPIRACY

692. That on information and belief, the VSB refused to acknowledge that Dick has provided factually incorrect, false and misleading information in his response to a filed bar complaint against him and to investigate and/or reinvestigate the original bar complaint filed against Dick.

693. That on information and belief, VSB took an adversarial position toward Plaintiffs almost from the start, leading one to question if similar to New York and Florida conflicts and controls existed there that at the time which have not yet been discovered but further discovery in this case may reveal.

694. That on information and belief, again, since Krane has national recognition and influence in national ethics, VSB may already have conflicts with Krane which are unknown.



695. That on information and belief, Plaintiffs filed a complaint against Dick, for his part in theft of the IP and other ethical and criminal codes with the VSB. VSB Docket No. 04-052-1366 ("Dick Complaint"), hereby incorporated by reference in its entirety herein.

696. That on information and belief, based on recent calls with the State of Virginia Attorney General representing the VSB defendants, it was learned that the files were destroyed and that the AG did not know if record retention laws were followed in destroying such documents. The original Dick Complaint can therefore also be found at the Iviewit Companies homepage or at the direct url;
<http://iviewit.tv/CompanyDocs/2003%2009%2023%20VIRGINIA%20BAR%20COMPLAINT%20WILLIAM%20DICK.pdf>
and Dicks response at the url;
http://iviewit.tv/CompanyDocs/2003_10_30_Virginia%20Response_Version%205_Final_Executed.pdf
and Iviewit Companies response to Dick's response containing over a thousand pages of information and evidence (best viewed with Adobe bookmarks on and be patient as the adobe document is 53 Megabytes) at the url:
<http://iviewit.tv/CompanyDocs/2004%2003%2012%20William%20Dick%20Virginia%200Bar%20Complaint%20Response%20BOOKM.pdf>

697. That on information and belief, Plaintiffs state this matters outcome was tainted by the New York and Florida attorney ethics complaints that were found fraught with conflicts of interest.

698. That on information and belief, false and misleading information regarding TFB, the Proskauer Civil Billing Lawsuit and the 1st DDC outcomes was tendered to VSB by Dick in his defense, violating his ethics rules and possibly Virginia penal code regarding false statements made to investigatory bodies.

699. That on information and belief, further false statements were also submitted contained on a Foley IP portfolio submitted to the VSB in Dick's rebuttal to his complaint as Moatz has now instigated formal investigation based partially on the fraudulent information in the IP docket submitted to VSB by Dick. This information regarding Dick's false and misleading statements and evidence was transmitted to VSB



who wholly ignored these facts and refused to reopen the Dick complaints closed on review.

700. That on information and belief, VSB failed to investigate proof of false statements to a tribunal by Dick which at minimum warranted investigation of the bar complaint they had dismissed.

701. That on information and belief, VSB failed to investigate this new information that would have required instant investigation by beginning a pattern of evasion of Plaintiffs that further denied due process and procedure to the Iviewit Companies bar complaint against Dick and Foley.

702. That on information and belief, this new information regarding the IP docket is no small matters as the IP docket had misleading information on IP, including but not limited to, the Utlely patent application for "Zoom and Pan on a Digital Camera" and the core imaging IP application "Zoom and Pan Imaging Design Tool", which are the core technologies of how digital zoom on a digital imaging devices works.

SUMMARY OF STATE BAR ACTIONS AND DISCIPLINARY ACTIONS

703. That on information and belief, this Court must find reason to intercede on behalf of Plaintiffs as the legal systems involvement in causing such loss from corrupted IP attorneys, to corrupted bar members acting in violation of public offices, to denial of Plaintiffs' rights to file complaints against members of the legal community acting as an obstruction of justice by justice are compelling in that they represent the single largest threat to the institution of law this country has ever witnessed. These factors make it impossible for Plaintiffs to assert claims, in any venue, to protect the intellectual properties and the constitutional rights granted to inventors, as long as at every level they are blocked through conflict after conflict and violation of public office after violation of public office.

704. That on information and belief, while the bad guys continue to control the courts and disciplinary processes, they appear bullet proof even when caught. Neither Triggs nor Krane has been forced to respond to violations of public offices they have been found violating and respond to the formal filed complaints against them for acting in conflict, they have evaded court ordered investigations and that takes some heavy controls coming from high places.



705. That on information and belief, not only do the accused attorneys not have to respond, we find the disciplinary agencies responding and defending them as if they were counsel for them. Plaintiffs thus comes before this Court battered and abused by the legal system, denied all of rights to the legal system and having no safe harbor to press claims free of conflicts of interest and looks to this Court to relegate fair and impartial due process in hearing these matters from Pro Se counsel, where all funds for counsel have been sucked dry by having to defend ones rights to the legal process instead of ones rights as assured by the Constitution.

706. That on information and belief, Plaintiffs assert that now that they are forced to take on the New York, Florida and Virginia courts, the disciplinary bodies in those states and the top actors in the courts, and they are almost assuredly never going to find representation willing to take on their brethren at this level without fear of losing their license to practice law, acting as yet another barrier to due process and procedure. That until such time that criminal investigators tear down the walls of corruption in the legal system, starting top down, the Plaintiffs civil rights have no chance, as the only rule left is the rule that allows all the rules to be broken to deny Plaintiffs due process and procedure to further deny their rights entirely, including their rights to their IP.

COMMONWEALTH OF VIRGINIA

707. That through the actions of public officers Goodman, Sengel, Martelino, and Miller, and, through the doctrine of respondeat superior, the Commonwealth of Virginia itself, and upon information and belief, conspired with, including but not limited to, C Goodman, Sengel, Martelino, and Miller, and Foley to “white wash” and otherwise “rubber stamp” the attorney discipline complaint against Dick that constituted another instance of state and federal law claims cited herein that resulted from patent sabotage, theft of IP, robbery, and other state and federal law claims cited herein.

BOCA RATON POLICE DEPARTMENT

708. That through the actions of Flechaus and Scott, and, through the doctrine of respondeat superior, the Boca PD itself, and upon information and belief, conspired to dismiss formal complaints filed and interfere with investigations inapposite his public office duties, including but not limited to, making false statements regarding



investigations and others involved in such investigations, to deny due process and procedure to formal complaints submitted to Boca PD by Iviewit Companies and Plaintiffs.

CITY OF BOCA RATON FLORIDA

709. That through the actions of the Boca PD and its agents, and, through the doctrine of respondeat superior, the City of itself is responsible and liable for the actions of the Boca PD.

EPO

710. It has been found similar to the fraud on the USPTO the scheme involved applying for IP, where false and misleading information was perpetrated to the EPO. Fraud again was committed by licensed representatives of the EPO, including but not limited to, Pompidou, Eijk and Dybdahl, working in conjunction with the law firms in the United States and abroad, and those attorneys involved in the EPO filings and aided and abetted in the filing of the applications with false inventor oaths, false information and wrong content and then covering up for the fraud once it was exposed. It appears again, as with the USPTO, the intent was to create two sets of IP, one for inclusion into the legitimate Iviewit companies and one for inclusion to the illegitimate Iviewit companies or patents falsified for other IP schemes defined herein, with fraudulent inventors' names, fraudulent owners and with fraudulent assignments.

YAMAKAWA

711. That in or about Spring 2004 when Plaintiffs advised MASAKI YAMAKAWA of fraud regarding the JPO patent filings of the Iviewit Companies, Yamakawa traverses to tall tales of no process or relief is found in Japanese patent laws regarding fraud, therefore, he will not pursue investigations and fails to respond to Plaintiffs further communication, wherein Plaintiffs allege that Yamakawa conspired with Utey, Dick, Boehm, Becker, Grebe, and Foley, among others that constitutes another instance of denial of due process and international law and patent treaty claims that resulted from patent sabotage, theft of IP, robbery, and other state, federal and international law claims cited herein and any others that may apply.

A handwritten signature in black ink is written over a circular stamp. The stamp contains a fingerprint and some illegible text.

712. **YAMAKAWA INTERNATIONAL PATENT OFFICE.** That through the actions of Yamakawa and, through the doctrine of respondeat superior, YIPO itself, and upon information and belief, conspired with Utley, Dick, Boehm, Becker, Grebe, and Foley, among others that constitutes another instance of denial of due process and international law and patent treaty claims that resulted from patent sabotage, theft of IP, robbery, and other state, federal and international law claims cited herein and others that may apply.

HOW HIGH DOES IT GO? THE POSSIBLE CONSPIRACY TO COMMIT TREASON AGAINST THE UNITED STATES - PATENTGATE

713. On information and belief, defendant Frazier failed to perform his duties as Inspector General of the U.S. Department of Commerce, when notified of corruptions at the USPTO by failing to respond to Plaintiffs requests for intervention.

PETITION 1 & 2 FEINSTEIN

714. That the Hon. Senator Dianne Feinstein (D-CA) has been petitioned to aid Iviewit Companies and Plaintiffs and on information and belief her offices are conducting an ongoing investigation into the matters.

NITA LOWEY TO JOHN DINGELL TO JUDICIARY COMMITTEE

715. That the Representative Nita M. Lowey (D-NY 18th) was forwarded information regarding the Iviewit Companies and forwarded that information to the Hon. Representative John D. Dingell (D-MI 15th) in his official capacity as Chairman of the Energy and Commerce Committee and whereby he forwarded the information to the House Judiciary Committee, chaired by the Hon. John Conyers Jr. (D-MI 14th) whose committee members have met and spoken with Plaintiff Lamont and spoken with Plaintiff Bernstein regarding their ongoing investigative efforts.

DOJ OIG, FBI, FBI OPR AND THE CASE OF THE MISSING FILES AND INVESTIGATORS

716. That the DOJ OIG, headed by Fine is currently investigating the Iviewit Companies matters and was referred the matters by the FBI and US Attorney of Florida after it was learned that the FBI and US Attorney files were missing and the case

investigators were missing after several years of ongoing investigations and with no information sent to Plaintiffs as a result of the ongoing investigations.

717. That Fine's office referred Plaintiffs to contact the FBI's Office of Professional Conduct which is currently reviewing the Iviewit Companies matters and whereby through the review process, Plaintiffs have now sent requests to Attorney General Michael Mukasey's office and the Program Analyst who is handling the matters, for further review and to evaluate if matters such as the terrorist styled car bombing of Plaintiff's Bernstein minivan have gone uninvestigated due to the loss of case files and the main investigator, Stephen Lucchesi. That Plaintiffs await both a return phone call from the Program Analyst charged with the matters and now Michael Mukasey as to the response to their initial review letter but where these matters include matters of life and death, this Court should seek to compel immediate answers from those involved in the matters.

718. That on information and belief, the missing case files and investigator, at the FBI and the missing case files and investigators at the US Attorney General's offices were lost while those agencies were being directed by the former US Attorney General, defendant Gonzales. For the failures in the agencies directly under his control Gonzales has been charged as a defendant in these matters for failing to ensure the due process rights of Plaintiffs and possibly interfering with investigations.

LAWS VIOLATED

719. That to effectuate all of the above alleged acts, Plaintiffs state on information and belief, defendants both known and unknown, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other to act together or in separate acts, and with other co-conspirators whose names are both known and unknown, to participate in a conspiracy to steal the Iviewit Companies IP and/or deny due process rights and in so doing they all together through their various acts combined and/or separate did violate, including but not limited to, all of the following federal, state and international laws.

FEDERAL LAWS VIOLATED

720. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with

each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate multiple federal laws in committing IP thefts. That Plaintiffs state on information and belief, defendants have violated constitutionally protected inventor rights under - Article I, Section 8, Clause 8 of the United States Constitution in so doing.

A. Acts, including but not limited to; patent theft, copyright theft, fraudulent patent applications, fraudulent trademark applications, international patent fraud, violations of federal patent bar laws, violations of patent law, forgery, antitrust violations, monopoly violations and other crimes described herein and any other crimes known and unknown in the commissioning of the patent crimes.

B. Main participants, including but not limited to, Proskauer, Joao, MLG, Foley, Dick, Boehm, Becker, BSTZ, Zafman, Weisberg, CW, Rubenstein, Utley, DiStream, O'Brien and any other defendants described herein and any other participants both known and unknown who aided and abetted in any way in the commissioning of the patent crimes and to be further learned with discovery.

C. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy and as an additional step in the coordinated conspiracy of the defendants, including but not limited to, Proskauer, Foley, MLG, Rubenstein, Wheeler, Utley, Joao, Dick, Boehm, Becker and BSTZ, with such intent, they directed that certain patent rights be put in the name of Utley and/or Joao and other patent rights were modified or negligently pursued on behalf of the Iviewit Companies, so as to cause them to fail to provide protection of the Iviewit Companies IP to the detriment of the Iviewit Companies. Failing to secure proper ownership of the inventions for the investors of Iviewit Companies, resulting in the ability of defendants to make use of such technologies without being liable to Iviewit Companies for royalties which normally arise from such use.

721. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with

each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate 15 U.S.C.

A. Acts, including but not limited to; patent theft, copyright theft, fraudulent patent applications, fraudulent trademark applications, international patent fraud, violations of federal patent bar laws, violations of patent law, forgery, antitrust violations, monopoly violations and other crimes described herein and any other crimes known and unknown in the commissioning of the patent crimes.

B. Main participants, including but not limited to, Proskauer, Joao, MLG, Foley, Dick, Boehm, Becker, BSTZ, Zafman, Coester, Weisberg, CW, Rubenstein, Utlely and any other defendants described herein and any other participants both known and unknown who aided and abetted in any way in the commissioning of the antitrust crimes and to be further learned with discovery.

722. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate 15 U.S.C. Section 1 & 2.

723. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate Antitrust Procedures and Penalties Act ("Tunney Act"), 15 U.S.C. 16 and the Sherman and Clayton Acts under 15 U.S.C Sections 1 to Section and 15 U.S.C. Sections 12 to 27.

724. That Plaintiffs state on information and belief, the IP pools described herein act as an anticompetitive mechanism to block Iviewit Companies inventions from market, to allow the further proliferation of the IP pools patents to the detriment of Plaintiffs, Iviewit Companies shareholders and inventors by cutting them out of the market through bundling with other patents in the pools while delaying their patents and sabotaging them to keep them from market, in classic antitrust pattern.

725. That Plaintiffs state on information and belief, Rubenstein, MLG, Joao and Proskauer has conflict of interest in representation of MPEGLA LLC, other pools, NDA violators, other inventors and other contract violators with their representation of

Iviewit Companies. Inventors' inventions represented a competitive threat to the IP pools and that defendants conspired to steal Iviewit Companies technologies while simultaneously proliferating and monopolizing them through the patenting pooling scheme designed for their benefit, a form of anti-competitive behavior to the detriment of Iviewit Companies and inventors.

A. Under *Walker Process Equip. Inc. v. FMC Corp.*, 382 U.S. 172 (1965) there is an antitrust claim for fraud on the USPTO, analogous to the Iviewit Companies allegations of fraud as evidenced herein.

B. Under *City of Columbia v. Omni Outdoor Advertising, Inc.*, 499 U.S. 365 (1991) and *California Motor Transport v. Trucking Unlimited*, 404 U.S. 508 (1972), the court upheld the "sham" exception to Noerr-Pennington immunity, when the defendants' activities were a direct effort to impair a competitor's activity in the marketplace through the use of government processes as opposed to the outcome of the process, analogous to Iviewit Companies allegations of impairment of the inventions chances of success to the marketplace as described herein.

C. Under *PrimeTime 24 Joint Venture v. National Broadcasting Co.*, 219 F.3d 92 (2d Cir. 2000), the court upheld allegations of antitrust liability under "sham" exception to Noerr-Pennington immunity where the defendants' filings were frivolous and intended solely to impose expense and delay on the entry of an emergent competitor, analogous to the Iviewit Companies allegations of intentions to impose expense and delay on the inventions delaying entry to market as evidenced herein to deprive inventors' their inventions while defendants instead profited from them.

726. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to restrain competition, according to the allegations described herein. Competition was restrained by conspiratorial activity under 15 U.S.C. Sherman Antitrust Act Section 1 and in which monopoly power was sought in an attempt to monopolize and conspire to monopolize under 15 U.S.C. Sherman Antitrust Act Section 2, and sought to achieve monopolization under 15 U.S.C. Sherman Antitrust Act Section 2.

727. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate Section 2 of the Sherman Act: through a course of anticompetitive conduct that maintained patent IP pools and other schemes to effectuate a monopolization of markets for the stolen IP.

A. That Plaintiffs state on information and belief, this case involves the application of familiar and fundamental tenets of antitrust law. Defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy recognizing that Iviewit Companies validated technologies posed a threat to patent pools created and overseen by Rubenstein and Proskauer and concluded that competition on the merits would not defeat that threat. Defendants then mounted a campaign to maintain its monopoly power through anticompetitive means described herein and in fact steal Iviewit Companies technologies in an elaborate scheme of controlling the inventions of the Iviewit Companies inventors and then blocking the inventors' inventions from the inclusion to the IP pools they controlled. These pools combined with other schemes and artifices to defraud the inventions, now unlawfully maintain a monopoly in violation of the Sherman Act, 15 U.S.C. 2 of the markets' inventors inventions apply too.

728. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy violate the Offense of Monopolization. The offense of monopolization is;

- (1) the willful acquisition or maintenance of monopoly power
- (2) by the use of anticompetitive conduct "to foreclose competition, to gain a competitive advantage, or to destroy a competitor." Eastman Kodak Co. v. Image Technical Servs., Inc., 504 U.S. 451, 482-83 (1992), quoting United States v. Griffith, 334 U.S. 100, 107 (1948); see also United States v. Alcoa, 148 F.2d 416,

432 (2d Cir. 1945). Such conduct is labeled "exclusionary" or "predatory." *Aspen Skiing Co. v. Aspen Highlands Skiing Corp.*, 472 U.S. 585, 602 (1985).

- (3) The Supreme Court has described exclusionary conduct as conduct that "not only (1) tends to impair the opportunities of rivals, but also (2) either does not further competition on the merits or does so in an unnecessarily restrictive way." *Aspen*, 472 U.S. at 605 n.32, quoting 3 Phillip Areeda & Donald F. Turner, *Antitrust Law* 626b, at 78 (1978). If "valid business reasons" do not justify conduct that tends to impair the opportunities of a monopolist's rivals, that conduct is exclusionary. See *Eastman Kodak*, 504 U.S. at 483; *Aspen*, 472 U.S. at 605. The courts assess the legality of the defendants conduct in light of, among other things, the defendants' proffered justifications, and the consistency of those justifications with the defendants' actions and assertions, and the sufficiency of those justifications to explain the full extent of conduct. *Eastman Kodak*, 504 U.S. at 483-85.

729. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to use tactics which involves aggression against business rivals through the use of business practices that would not be considered profit maximizing except for the expectation that (1) actual rivals will be driven from the market, or the entry of potential rivals blocked or delayed, so that the predator will gain or retain a market share sufficient to command monopoly profits, or (2) rivals will be chastened sufficiently to abandon competitive behavior the predator finds threatening to its realization of monopoly profits.

A. *Neumann v. Reinforced Earth Co.*, 786 F.2d 424, 427 (D.C. Cir. 1986) (Bork, J.); accord Robert H. Bork, *The Antitrust Paradox* 144-45 (1993) (noting that, in any realistic theory of predation, the predator views its costs of predation as "an investment in future monopoly profits"). Predatory conduct is, of course, exclusionary. Such conduct, "by definition as well as by nature, lacks procompetitive business motivation." CL at 38 (JA 2418).

B. The Supreme Court's decisions in *Eastman Kodak* and *Aspen*, and this Court's decision in *Neumann*, state settled antitrust law. Courts routinely define exclusionary

or predatory conduct as conduct that would not make economic sense unless it eliminated or softened competition and thus permitted the costs of the conduct to be recouped through higher profits resulting from the lack of competition.

730. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to engage In A Multifaceted Campaign Of Exclusionary Conduct That Maintained Its Monopoly Power and violated Section 1 of the Sherman Act by Bundling through the anticompetitive IP pools and other schemes, the result that Iviviewit Companies IP is sold in combination or in multitude with other products.

A. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy, including but not limited to, Proskauer, Rubenstein, MPEGLA, Intel, Real, RYJO, Foley, MLG, BSTZ, Dick, Joao, Boehm, Coester, Becker, NDA violators, other contract violators and any/all IP pools related to any of the defendants, are liable under The Supreme Court's Tying and Bundling Decisions. For purposes of tying analysis, the Supreme Court has consistently ruled "that the answer to the question whether one or two products is involved turns not on the functional relation between them, but rather on the character of the demand for the two items." Jefferson Parish, 466 U.S. at 19. The Court has focused on whether there is separate demand for the two items because the prohibition on tying is concerned with foreclosure of competition on the merits in the tied product, which can occur only if there can be such competition separate from competition in the tying product. Id. at 12-14, 19-22. The Supreme Court has accordingly condemned tying arrangements that link distinct markets that are "distinguishable in the eyes of buyers." Id. at 19, citing Times-Picayune Publ'g Co. v. United States, 345 U.S. 594 (1953).

B. The Jefferson Parish test inquires whether "there is a sufficient demand for the purchase of [the tied product] separate from [the tying product] to identify a distinct product market in which it is efficient to offer" the two products "separately." 466

U.S. at 21-22; accord *Eastman Kodak*, 504 U.S. at 462 ("sufficient consumer demand so that it is efficient for a firm to provide" them separately). This test requires the court to ask whether a supplier in a competitive market would provide the products separately, thus distinguishing situations in which the refusal to supply them separately is efficient from situations in which the refusal might be profitable only because of its adverse effect on competition. See, e.g., *Eastman Kodak*, 504 U.S. at 462-63; *Jefferson Parish*, 466 U.S. at 21-22.

C. First, the *Jefferson Parish* test reflects the Supreme Court's authoritative guidance on how to apply Section 1 to tying arrangements. The Supreme Court spoke clearly in *Jefferson Parish*, and the district court "was bound to follow its guidance," CL at 51 (JA 2431), unless and until that Court concludes that a different standard is more appropriate in particular circumstances. See, e.g., *Rodriguez de Quijas v. Shearson/American Express, Inc.*, 490 U.S. 477, 484 (1989). This Court, sitting en banc, is also obligated to follow *Jefferson Parish*, but it is not obligated to follow *Microsoft II*. See, e.g., *LaShawn v. Barry*, 87 F.3d 1389, 1395 (D.C. Cir. 1996) (en banc).

731. That Plaintiffs state on information and belief, defendants Tying and Bundling Had Significant Competitive Consequences

A. Standard-Setting Activities - In a related area, issues may arise in connection with standard-setting activities by members of an industry. Standard-setting issues are virtually inherent in e-business, since Internet communication is impossible unless participants have agreed to follow a universal set of protocols. Because the standards-setting process may be abused to provide a competitive advantage to a subset of competitors in the industry, standard setting should be undertaken in a structured manner that (a) ensures all key industry constituency groups an opportunity for meaningful participation, and (b) relies on objective data. Problems may also arise where, in the course of standard-setting proceedings, one participant fails to disclose to the standard-setting body IP rights held by the participant that may be infringed by a proposed standard. By failing to disclose IP rights relating to the standard, the participant may set the stage for infringement claims against all of the firms that design to the standard following its adoption.

B. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to maintain Exclusionary Agreements and control of the IP pools to block Iviewit Companies technologies from being monetized by Iviewit Companies and these agreements instead inured money to defendants directly or indirectly to further the criminal activities and cover up crimes of the criminal enterprises, described herein further.

732. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS (RICO).

A. Acts, including but not limited to; patent theft, copyright theft, fraudulent patent applications, fraudulent trademark applications, international patent fraud, violations of federal patent bar laws, violations of patent law, forgery, antitrust violations, extortion through threats, conspiracy, monopoly violations, extortion through threats and destruction of personal property, robbery, conspiracy, embezzlement, arson, and other crimes described herein and any other crimes known and unknown in the commissioning of the criminal enterprises, as further described herein, crimes and cover up crimes.

B. Main participants, including but not limited to, Proskauer, Joao, MLG, Foley, Dick, Boehm, Becker, BSTZ, Zafman, Weisberg, CW, Rubenstein and Utley and **all** other defendants described herein, in that all acts combined and separate constitute the actions of the criminal enterprises Proskauer and Foley, as further defined herein, who directed the activities of the defendants in various criminal acts, and any other participants both known and unknown who aided and abetted in the commissioning of any criminal acts to further the conspiratorial enterprises, to be further learned with further discovery who directed and controlled what actions of the defendants and which defendants participated in the various acts of the criminal enterprises.

C. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy and that as an additional step in the coordinated conspiracy of the defendants, including but not limited to, Proskauer, Foley, Rubenstein, Wheeler, Utley, Joao, Dick, Boehm, Becker, BSTZ undertook a knowing and willful series of introductions of the inventions to proliferate the inventions to potential licensees of the Iviewit Companies inventions, including but not limited to; Intel, Real, Silicon Graphics, Inc., Lockheed Martin, MPEGLA, AOL, WB, SONY Corporation, Metro-Goldwyn-Mayer Inc., Paramount Pictures, Deutsche Telecom, Compaq Computer Corporation, Eastman Kodak, Universal Pictures, Hewlett Packard, and hundreds of others under non-disclosure agreements ("NDA's") and other strategic alliances and license agreements. That a list of NDA violators can be found at the urls;

- i. <http://iviewit.tv/CompanyDocs/Patents/Confidentialities/20010612%20-%20Book%20One.tif>
- ii. <http://iviewit.tv/CompanyDocs/Patents/Confidentialities/20010612%20-%20Book%20Two.tif>
- iii. <http://iviewit.tv/CompanyDocs/Patents/Confidentialities/20010702%20-%20Book%20Three.tif> and
- iv. [http://iviewit.tv/CompanyDocs/Patents/Confidentialities/20010612%20-%20List%20of%](http://iviewit.tv/CompanyDocs/Patents/Confidentialities/20010612%20-%20List%20of%20)

and whereby such NDA's are further incorporated herein by reference. Once the IP was proliferated by defendants in defiance of such agreements, defendants then avoided enforcement of said NDA's and profits were directly realized by defendants and not Iviewit Companies through this scheme and artifice to defraud thus funding the criminal enterprises criminal activities.

733. That Plaintiffs state definitions are met for RICO under TITLE 18 PART I CH 96 Sec 1961 RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ("RICO"). Definitions are met and a classic RICO complaint meeting all criteria of an organized crime enterprise have been fulfilled, and, that defendants met the definitions

whereby the racketeering activities have involved acts and threats involving robbery and extortion., and further have involved the following acts which are indictable under the following provisions of Title 18:

A. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy violate section 1341 (relating to mail fraud). That defendants, including but not limited to, Proskauer, Foley, Rubenstein, Wheeler, Utle, Joao, Dick, Boehm, Becker, BSTZ Foley, Proskauer, MLG, Joao, and BSTZ, and others who aided and abetted in the commissioning of these crimes, committed mail violations that effectuated all of the following crimes, bank fraud, fraud on the USPTO, fraud on foreign nations through trade treatises, fraud on a Bankruptcy Court, fraud on securities firms, fraudulent state corporate transactions involving securities and other mail frauds known and unknown, where further discovery will needed to evaluate the multitudes of mail fraud that aided and abetted the crimes.

B. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate section 1343 (relating to wire fraud). That defendants, including but not limited to, Proskauer, Foley, Rubenstein, Wheeler, Utle, Joao, Dick, Boehm, Becker, BSTZ Foley, Proskauer, MLG, Joao, and BSTZ, and others who aided and abetted in the commissioning of these crimes, committed wire violations that effectuated all of the following, bank fraud, fraud on the USPTO, fraud on foreign nations through trade treatises, fraud on a Bankruptcy Court, fraud on securities firms, fraudulent state corporate transactions involving securities and other wire frauds known and unknown, where further discovery will needed to evaluate the multitudes of wire fraud that aided and abetted

C. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate section 1503 (relating to obstruction

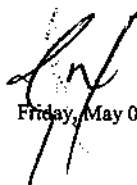
of justice). That defendants, including but not limited to, Proskauer, Labarga, TFB, Foley, Dick, FSC, 1st DDC, 2nd DDC, Krane, Triggs, Flechaus, VSB, Johnson, Cahill, Dick, Turner and Hoffman conspired to obstruct justice in multiple venues of law and justice in order deny due process and procedure rights to Plaintiffs. That *Anderson* further supports the charge of obstruction of justice.

D. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate section 1510 (relating to obstruction of criminal investigations) as further defined herein.

E. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy, including but not limited to, Proskauer, Foley, Dick, Labarga, TFB, FSC, 1st DDC, 2nd DDC, Krane, Triggs, Flechaus, VSB, Johnson, Cahill, Dick, Turner, Kearse and Hoffman to obstruct justice in multiple venues of law and justice in order deny due process and procedure rights to Plaintiffs, as described herein. That *Anderson* further supports the charge of obstruction of criminal investigations.

F. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate section 1511 (relating to the obstruction of State or local law enforcement). That defendants, including but not limited to, Proskauer, Labarga, Foley, TFB, FSC, 1st DDC, 2nd DDC, Krane, Triggs, Flechaus, VSB, Johnson, Cahill, Dick, Turner, Kearse and Hoffman, obstructed state and local law enforcement in several states as defined herein,

G. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate section 1951 (relating to interference



with commerce, robbery, or extortion). That Plaintiffs state on information and belief, defendants have interfered with commerce, committed robbery and committed extortion as described herein.

H. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to, including but not limited to, Utley, Reale and Tiedemann commit robbery as defined further herein.

I. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate section 1952 (relating to racketeering), see Racketeering charges herein.

J. That Plaintiffs state on information and belief, all defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate section 1957 (relating to engaging in monetary transactions in property derived from specified unlawful activity). That Plaintiffs state on information and belief, defendants defined herein engaged in monetary transactions in property derived from specified unlawful activity, as defined herein.

K. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate 2315 (relating to interstate transportation of stolen property). That defendants, including but not limited to, Utley, Reale and Tiedemann violated interstate transportation of stolen property in taking stolen equipment over state lines to effectuate part of the conspiracy to steal IP. That defendants transported stolen IP and other properties, including but not limited to, highly proprietary computers across state borders and international borders.

L. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate section 2318 (relating to trafficking in counterfeit labels for phonorecords, computer programs or computer program documentation or packaging and copies of motion pictures or other audiovisual works).

M. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate section 2319 (relating to criminal infringement of a copyright). That defendants, including but not limited to, Proskauer, Rubenstein, Joao, Foley, Dick, BSTZ, MLG, Weisberg, Boehm and Becker failed to file copyright protections for source codes and other IP. Where Proskauer billed for Copyright protections but failed to seek protection.

N. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to commit arson with the probable intent of murder when analyzed in relation to the threats made on Plaintiff Bernstein by Utley to commit murder.

O. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to commit embezzlement as described herein. That defendants Utley and Reale were charged with embezzlement with the Boca PD and where equipment and other properties were recovered, as further described herein.

P. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and

unknown, participate in a conspiracy to commit multiple acts of fraud, including but not limited to, fraud against; the Ivievit Companies and inventors, agencies of the United States, state agencies, disciplinary agencies, a federal bankruptcy court, state courts, the SBA, investment banks, investors and international agencies in violation of trade treatises and international laws, as described herein.

Q. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to commit bankruptcy fraud as described herein.


R. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to commit securities fraud as defined herein.

S. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to commit Murder-for-Hire as described herein.

T. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to commit extortion as described herein.

U. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to commit blackmail as described herein.

734. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 96 Sec 1962 (a) - RICO Prohibited activities.


196
Friday, May 09, 2008 @ 2:04:17 PM

A. That Plaintiffs state on information and belief, prohibited activities have taken place and defendants have received income derived, directly and/or indirectly, from a pattern of racketeering activity in which such defendants have participated as principals to use and invest directly and or indirectly any part of such income and proceeds of such of income in acquisition of any interest in, or the establishment and operation of, enterprise which is engaged in and the activities which effect, interstate and foreign commerce, and defendants pattern of racketeering activity acquired and maintained, directly and indirectly, an interest in and control of enterprises engaged in and the activities of which effect interstate and foreign commerce, and defendants are employed by and associated with enterprises engaged in and the activities which affect interstate and foreign, and have conducted and participated, directly and indirectly in the conduct of such enterprise's affairs through a pattern of racketeering as described herein.

735. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate TITLE 18 PART I CH 96 SEC 1962 (a) RICO. That defendants have used and invested the proceeds of income derived from a pattern of racketeering, in which they participated as a principal, to establish, operate or acquire any interest in any enterprise engaged in or affecting interstate commerce.

A. That Plaintiffs state on information and belief, defendants did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with co-conspirators and others whose names are both known and unknown, to benefit and use proceeds from defendants pattern of racketeering activity for the furtherance of the legitimate aspects of the organizations, as stockholder dividends, employee and executive salaries, bonuses and operating expenses, to purchase and acquire goods and services, direct the proceeds of the racketeering activity into the general funds of these defendant organizations, their employees, their executives, their stockholders, their subcontractors and others.

B. This violation was in concert with lax and/or corrupt regulatory and law enforcement agencies and officials, constituting an association in fact for the purpose

of racketeering activity. After being apprized of the illegal activities by Iviewit Companies, none of these regulatory and law enforcement agencies or individuals made adequate, if any, effort to investigate, report or remedy the illegal activities, although they are legally obligated by statute and fiduciary duty to do so.

736. That That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate TITLE 18 PART I CH 96 SEC 1962 (B) RICO. Acquiring an interest in or control of an enterprise through a pattern of racketeering activity.

A. That Plaintiffs state on information and belief, defendants did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to acquire and to maintain markets in the Iviewit Companies technologies markets through a fraudulent series of events to acquire ownership interest and/or control of inventors inventions, companies and other business enterprises; to unfairly compete with other vendors through the IP pools and violations of contracts, including but not limited to, NDA's and other schemes to gain market advantage through a pattern of racketeering activity; and to affect interstate and foreign commerce through a pattern of racketeering activity.

B. This violation was in concert with corrupt and/or inept regulatory and law enforcement officials, constituting an association in fact for the purpose of racketeering activity. After being apprized of the illegal activities by Iviewit Companies, these persons in regulatory and law enforcement made little, if any, effort to investigate report or remedy the illegal activities, although they are legally obligated by statute and fiduciary duty to do so as described herein.

737. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate TITLE 18 PART I CH 96 SEC 1962 (C) RICO. Conducting the affairs of an enterprise through a pattern of racketeering.

A. That Plaintiffs state on information and belief, defendants in concert with all other defendants and each of them, did knowingly, unlawfully and intentionally combine, confederate, conspire, and agree together with each other, with named co-conspirators and with others whose names are both known and unknown, to conduct the affairs of an enterprise through a pattern of racketeering activity to promote the affairs of the enterprise.

B. This violation was in concert with corrupt and/or inept regulatory officers or law enforcement who after being apprized of the illegal activities by Iviewit Companies, none of the defendants who hold regulatory or law enforcement titles made reasonable effort to investigate report or remedy the illegal activities, therefore condoning the activities as described herein.

738. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate TITLE 18 PART I CH 19 SEC 1962 (D) RICO. Unlawful for any person to conspire to violate Sections 1962 (a), 1962 (b), and 1962 (c).

A. That Plaintiffs state on information and belief, defendants in concert with all other defendants and each of them, did knowingly, unlawfully and intentionally combine, confederate, conspire, and agree together with each other, with named co-conspirators and with others whose names are both known and unknown, commit violations of the Racketeer Influenced and Corrupt Organizations Act, and to prevent the conspiracy from becoming known to the public.

B. This violation was in concert with corrupt and/or inept regulatory agents and law enforcement who after being apprized of the illegal activities by Iviewit Companies, none of the defendants who hold regulatory or law enforcement positions made reasonable effort to investigate report or remedy the illegal activities, therefore engaging in a conspiracy by condoning the activities through their inactions.

RICO STATEMENT FORM QUESTIONS AND ANSWERS

739. That Plaintiffs state on information and belief, this case contains a Civil RICO claim, filed in this Court pursuant to 18 U.S.C. Sections 1961-1968. The Order designed to establish a uniform and efficient procedure for deciding RICO cases. The

Plaintiffs are filing within 20 days of the entry of this order, by incorporating a RICO case statement within this Amended Complaint (an original and one (1) copy) attached. The statement includes the facts Plaintiffs rely upon to initiate this RICO complaint as a result of the "reasonable inquiry" required by Federal Rule of Civil Procedure II. In particular, the statement is in a form which both uses the numbers and letters set forth below, and it is also filed as part of an amended and restated complaint in which the allegations of the amended and restated complaint reasonably follow the organization set out below in the form and whereby Plaintiffs state in detail and with specificity the following information for the numbered form:

RICO STATEMENT FORM

i. State whether the alleged unlawful conduct is in violation of 18 U.S.C. Sections 1962(a), (b), (c), and/or (d). If you allege violations of more than one Section 1962 subsections, treat each as a separate RICO claim.

Answer: Violations of 18 U.S.C. Sections 1962(a), (b), (c), and/or (d) as defined herein

ii. List each defendant and state the alleged misconduct and basis of liability of each defendant.

Answer: Defined herein.

iii. List the alleged wrongdoers, and state the alleged misconduct of each wrongdoer.

Answer: Defined herein.

iv. List the alleged victims and state how each victim allegedly was injured.


Answer: Iviewit Companies shareholders, Patent Interest Holders and Plaintiffs. Each was injured by the theft of IP by the enterprise and its agents described herein. Economic are estimated if all IP were lost due to the actions of the Enterprise at One Trillion Dollars.

v. Described in detail the pattern of racketeering activity or collection of an unlawful debt alleged for each RICO claim. A description of the pattern of racketeering activity shall include the following information:

Answer: Defined herein.

vi. List the alleged predicate acts and the specific statutes allegedly violated;

Answer: Defined herein.

 180
Friday, May 09, 2008 @ 2:04:17 PM

vii. Provide the dates of the predicate acts, the participants in the predicate acts and a description of the facts surrounding each predicate act;

Answer: Defined herein.

viii. If the RICO claim is based upon the predicated offenses of wire fraud, mail fraud, fraud in the sale of securities, or fraud in connection with a case under U.S.C. Title II, the "circumstances constituting fraud or mistake shall be state with particularity," Fed. R. Civ. P. 9(b). Identify the time, place and contents of the alleged misrepresentation or omissions, and the identity of persons to whom and by whom the alleged misrepresentations or omissions were made;

Answer: Defined herein.

ix. Describe whether the alleged predicate acts relate to the enterprise as part of a common plan. If so, describe in detail.

Answer: The predicate acts of the enterprise were part of a common plan to commit theft of IP and deny due process to evade prosecution for the crimes committed by the enterprise and all of its agents defined herein.

x. Describe in detail the alleged enterprise for each RICO claim. A description of the enterprise shall include the following information:

Answer: The enterprise for each RICO claim is presumed to be through the law firms of Proskauer and Foley. That all agents of Proskauer and Foley that were commissioned to commit any of the other criminal and civil violations are assumed to be through the direction of either/or Proskauer and/or Foley.

xi. State the names of the individuals, partnerships, corporations, associations or other entities allegedly constituting the enterprise;

Answer: The names of the individuals who are known to have participated are defined herein and acted through the commissioning of the enterprises Proskauer and Foley. These other entities would include, but are not limited to, the named defendants in their entirety as all together they have acted to further the crimes for the main enterprises of Proskauer and Foley.

xii. Describe the structure, purpose, roles, function and course of conduct of the enterprise;

Answer: The structure of the enterprises is mainly law firms using their legal acumen to commit fraud upon inventors and the USPTO to enable IP theft via violations of attorney client privileges' or other methods. Described herein is the function and course of conduct of the enterprises. The enterprise also is capable of using its legal acumen to circumvent prosecution when necessary by infiltrating the legal and judicial systems to deny due process to its victims.

xiii. State whether any defendants are employees, officers or directors of the alleged enterprise;

Answer: Certain defendants are direct employees, officers, directors, partners, legal counsel to the alleged enterprises.

xiv. State whether any defendants are associated with the alleged enterprise, and if so, how;

Answer: Described herein.

xv. State whether you allege that the defendants are individuals or entities separate from the alleged enterprise, or that the defendants are the enterprise itself, or members of the enterprise;

Answer: Described herein.

xvi. If you allege any defendants to be the enterprise itself, or members of the enterprise, explain whether such defendants are perpetrators, passive instruments, or victims of the alleged racketeering activity.

Answer: It is believed that the enterprises members described herein are perpetrators.

xvii. State whether you allege and describe in detail how the pattern of racketeering activity and the enterprise are separate or have merged into one entity.

Answer: That the enterprises have remained separate although sharing common goals.

xviii. Describe the alleged relationship between the activities of the enterprise and the pattern of racketeering activity. Discuss how the racketeering activity differs from the usual and daily activities of the enterprise, if at all.

Answer: The racketeering element of the enterprises differs from their day to day business in that their day to day business is the offering of legal services to protect

client interests. The racketeering element is in the activities of the law firms to instead of protecting clients, violating their legal rights.

xix. Describe what benefits, if any, the alleged enterprise receives from the alleged pattern of racketeering activity.

Answer: The benefits received are rights to IP property of inventors' inventions and royalties.

xx. Describe the effect of the activities of the enterprise on interstate or foreign commerce.

Answer: Described herein.

xxi. If the complaint alleges a violation of 18 U.S.C. Section 1962(a), provide the following information:

xxii. State who received the income derived from the pattern of racketeering activity or through the collection of an unlawful debt; and,

Answer: The income was received by various agents of the enterprise, including but not limited to the enterprises Proskauer and Foley, and, all of the defendants named herein and possibly other unknowns at this time.

xxiii. Describe the use of investment of such income.

Answer: The use of investment of the illegally gained royalties is not wholly known although parts of the income are believed to grow the enterprises named herein and to further effectuate more IP crimes and to bribe cover up participants.

That further, the income is used to further monopolize markets gained from the stolen IP in hosts of other income producing schemes.

xxiv. If the complaint alleges a violation of 18 U.S.C. Section 1962(b), provide the following information:

1. Describe in detail the acquisition or maintenance of any interest in or control of the alleged enterprise; and,

Answer: Unknown at this time and further discovery would provide more information regarding any acquisition or maintenance of any interest in or control of the alleged enterprises Foley and Proskauer and their agents who aided and abetted in the criminal activities of the enterprises.

2. State whether the same entity is both the liable "person" and the "enterprise" under Section 1962(b).

Answer: Yes, the same entity is both the liable "persons" and the "enterprises" and all of the agents who aided and abetted in the criminal activities of the enterprises.

xxv. If the complaint alleges a violation of 18 U.S.C. Section 1962(c), provide the following information:

1. State who is employed by or associated with the enterprise;

Answer: The enterprises employ and associate with all of the named defendants herein as direct employees or partners, etc. or as agents who aided and abetted in the criminal activities of the enterprises as further described herein.

2. State whether the same entity is both the liable "person and the "enterprise" under Section 1962(c).

Answer: Described herein and above.

xxvi. If the complaint alleges a violation of 18 U.S.C. Section 1962(d), describe in detail the alleged conspiracy;

1. Describe the alleged injury to business or property;

Answer: Described herein and above.

2. Describe the relationship between the alleged injury and violation of the RICO statute.

Answer: Described herein and above.

3. List the damages sustained by reason of the violation of Section 1962, indicating the amount for which each defendant allegedly is liable.

Answer: The enterprises and all of the defendants together are liable for approximately One Trillion Dollars if the IP rights have been wholly lost, inapposite the Constitution regarding inventors' rights.

4. List all other federal causes of action, if any, and provide the relevant statute numbers.

Answer: Described herein.

5. List all pendant state claims, if any.

Answer: Described herein for the states of Florida, New York and Delaware. Other state crimes may have been committed in various other states to effectuate the crimes and will take further discovery to correctly asses such.

6. Provide any additional information you feel would be helpful to the Court in processing your RICO claim.

Answer: Plaintiffs feel that due to the complexity of the RICO charges federally and in the states of Florida and New York this case would be better prosecuted by criminal investigators and prosecutors. Plaintiffs feel that this Court should grant immediate Pro Counsel studied in all genres of complex civil and criminal law that the RICO and other federal, state and international laws violated will require.

This order was adopted by the court en banc at its meeting of June 3, 1987. The court has further directed it be entered in each RICO case at the time of filing.

End of generic RICO statement.

740. LIST OF DAMAGES SUSTAINED: BY REASON OF THE VIOLATION OF 1962, INDICATING THE AMOUNT FOR WHICH EACH DEFENDANT IS ALLEGEDLY LIABLE.

A. That Plaintiffs state on information and belief, Iviewit Companies shows damages already at a minimum value to be estimated at a low estimate to date of several hundred billion dollars plus ten years of unearned royalties due to the conversions by the enterprises to an estimate of one trillion dollars to date and over the twenty year life of the IP, trillions of dollars.

B. That Plaintiffs state on information and belief, the aforesaid outrageous conduct by defendants, and each of them, conspiratorially, was done intentionally for the purpose of depriving Iviewit Companies of their royalties.

741. DESCRIPTION OF THE DIRECT CAUSAL RELATIONSHIP BETWEEN THE ALLEGED INJURY AND THE VIOLATION OF THE RICO STATUTE.

A. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with

each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy which caused loss of IP rights to the Iviewit Companies and inventors and was done by two or more parties committing a host of the predicate acts RICO defines.

742. DESCRIPTION OF THE ALLEGED INJURY TO BUSINESS OR PROPERTY

A. That Plaintiffs state on information and belief, as a direct and proximate result of defendants and all of them, inclusive, that the Iviewit Companies and shareholders have suffered total loss of rights to their IP for almost 10 years and other damages to the business described herein.

B. That Plaintiffs state on information and belief, Iviewit Companies has incurred expenses to investigate and litigate fraudulent actions against fraudulent companies, fraudulent federal Bankruptcies, fraud on the USPTO, the EPO, the JPO and bar complaints and ethics complaints in several states where violations of ethics and bar agencies rules and procedures were so grossly violated by public officers, so much so as to cause Plaintiff Bernstein personal loss so extreme as to force his family into destitute and financially impoverished and caused financial loss to all shareholders.

C. That Plaintiffs state on information and belief, defendants, and all of them, and each of them, by their extreme and outrageous conduct intended to cause severe emotional distress to another, the possibility of bodily harm resulting as a result of threats and a car bombing of the main inventor, as a means to silence Iviewit Companies from disclosing information about defendants illegal and corrupt conduct.

D. That Plaintiffs state on information and belief, defendants knew, or should have known being attorneys at law (there should further be no excuse of ignorance and no relief in penalty), that their intentional conduct as described herein is outrageous, illegal and beyond all bounds of decency and civilized behavior, utterly intolerable in a civilized community, unconscionable, extremely malicious and would cause Plaintiff Bernstein to suffer the highest levels of emotional distress, shock, horror, fear, grief, anger, mental humiliation, distress of mind, alarm, disappointment, despair, worry, physical injury and illness. Defendants were well aware that their

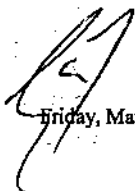
conduct would cause distress so severe and of such a nature that no reasonable person could be expected to endure it and, it is asserted herein that this was all with scienter.

E. That Plaintiffs state on information and belief, emotional distress was a foreseeable and direct result of the defendants' acts and were meant to cause intentional infliction of emotional distress on inventor Plaintiff Bernstein and others.

F. That the Iviewit Companies have been destroyed and forced to struggle with Iviewit Companies investors worried about stolen and lost monies and their rights to IP they invested in. Defendants actions have caused a lack of ability to raise capital based on the patent suspensions and other investor worries, rightfully so, as the ownership of the US and foreign patents is uncertain.

G. That Plaintiffs state on information and belief, Krane and Triggs through conflicted responses to Florida and New York Supreme Court State Bar Associations tried to cast a spell of insanity on inventor Plaintiff Bernstein, so as to create a false belief that Plaintiff Bernstein was a conspiracy theorist, a person looking for someone to blame for a failed dot com and that their clients knew nothing and handled nothing to do with IP. Yet concealed was the fact that these responses by both Krane and Triggs were done tainted in conflict of interests and in violation of their public office positions with the state bars and state disciplinary agencies investigating the matters against their partners. The only way to cover up such crimes and hide from the volumes of damning evidence was to use the influence of the most conflicted partners at Proskauer and buy and/or derail justice and usurp Plaintiffs legal options through denial of due process.

H. Once recruited, Krane and Triggs violated their state bar office positions and prepared a smear campaign of ridicule against Plaintiff Bernstein, while denying due process of the complaints against their partners. This happened almost identically in two state bar associations indicating no coincidence and conveying an appearance of impropriety in all matters related. Evidence that these are real actions of defendants and not paranoia of inventor Plaintiff Bernstein are further corroborated in the filing of the fraud upon the USPTO charges signed by Crossbow CEO Warner supporting the claims herein. The fact that patent applications are being suspended and information preliminarily obtained indicates fraud both on the USPTO and Iviewit



Companies, also gives cause to believe that the inventor is not mad and it is those who attempted to steal such inventions that are mad. In their desperation defendants have attempted to cover up and have in fact become delusional in their attempts to alter the truth and the timeline of history attempting to erase the truth to the inventions from history. In addition, Iviewit Companies has a multitude of witnesses that confound defendants' surrealistic phantasmagorical account of history. Inventor Plaintiff Bernstein most has suffered in the denial of time, discovering and preparing for this action and delays of time caused by denial of due process through conflicts, in the ability to love his wife and see his three children, ages six, four and one grow, and the pain and suffering it has brought to their lives.

743. DESCRIPTION OF THE FACTS SHOWING THE EXISTENCE OF THE ALLEGED CONSPIRACY IN VIOLATION OF U.S.C. 1962(d) defendants, in concert with all other defendants and each of them, did knowingly, unlawfully and intentionally combine, confederate, conspire, and agree together with each other, with named co-conspirators and with others whose names are both known and unknown, commit violations of the Racketeer Influenced and Corrupt Organizations Act, and to prevent the conspiracy from becoming known to the public violated hosts of public offices all described further herein.

A. After being apprized of the illegal activities by Iviewit Companies, none of the defendants in public office positions charged with investigating as defined herein made reasonable effort to investigate report or remedy the illegal activities, therefore engaging in a conspiracy by condoning the activities through their inactions.

744. STATEMENT OF WHO IS EMPLOYED BY OR ASSOCIATED WITH THE ALLEGED ENTERPRISE, AND WHETHER THE SAME ENTITY IS BOTH THE LIABLE PERSON AND THE ENTERPRISE UNDER U.S.C. 1962(c)

A. That Plaintiffs state on information and belief, defendants, in concert with all other defendants and each of them, did knowingly, unlawfully and intentionally combine, confederate, conspire, and agree together with each other, with named co-conspirators and with others whose names are both known and unknown, to conduct the affairs of an enterprise through a pattern of racketeering activity to promote the affairs of the enterprises. That Proskauer and Foley are the main enterprises and have

through affiliation with many of those named herein conspired together through IP pools and violations of other contracts with the Iviewit Companies, for the benefit of various agents of the enterprise to profit from the stolen IP. The same entities are the same liable "persons" and the "enterprise".

745. DESCRIPTION OF THE ACQUISITION OR MAINTENANCE OF ANY INTEREST IN OR CONTROL OF THE ALLEGED ENTERPRISE IN VIOLATION OF U.S.C. 1962(b)

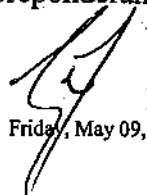
A. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to maintain and acquire markets to gain market advantage through a pattern of racketeering activity; and affected interstate and foreign commerce through a pattern of racketeering activity.

B. This violation was in concert with corrupt and/or inept, and at times and in certain instances successful at manipulating regulatory and law enforcement officials to deny due process to Iviewit Companies, constituting an association in fact for the purpose of racketeering activity. After being apprized of the illegal activities by Iviewit Companies, these persons made little, if any, effort to investigate report or remedy the illegal activities, although they are legally obligated by statute and fiduciary duty to do so.

C. That the main enterprise Proskauer has gained an interest in the MPEGLA IP pools through their representation of them and that the profits derived from the illegal activities are thought to be funneled through the Proskauer IP department to partners of that group that was formed immediately after learning of the inventions and that their may be other ways interests are acquired for other defendants that are unknown and where further discovery will reveal such.

746. DESCRIPTION OF BENEFITS, THE ALLEGED ENTERPRISE RECEIVES FROM THE ALLEGED PATTERN OF RACKETEERING

A. That Plaintiffs state on information and belief, defendants' motives was at all times financial. Iviewit Companies believes through the discovery process and the production of documents a preponderance of evidence to support this allegation will



be presented to this Court. Defendants benefited financially from the inventions stolen from Iviewit Companies and benefit financially from not paying Iviewit Companies royalties in a variety of illegal schemes to convert the technologies and royalties for themselves.

747. DESCRIPTION OF ALLEGED RELATIONSHIP BETWEEN THE ACTIVITIES OF THE ENTERPRISE AND THE PATTERN OF RACKETEERING ACTIVITY.

A. That Plaintiffs state on information and belief, defendants' schemes are multitudinous. Viewed from an "outsider's" perspective, they may appear random but viewed from an "insider's" perspective and with insider knowledge and experience with many similar claims handled by these defendant enterprises, an obvious and predictable pattern emerges: That Plaintiffs state on information and belief, there was collusion among the defendants, the purpose of which is to increase their profits through exclusion of Iviewit Companies to the inventions by means of, thefts, frauds, relentless economic and psychological harassment including threats and a car bombing; deceptions, delays, and falsification of documents, forcing claimants to give up, accept less, or sue; and then further using the legal system to evade prosecution for their crimes through denying due process through conflicts and violations of public offices

B. The schemes and tactics involve lies, violations of attorney client privileges', fraud, distortions, delays, deceit, and misrepresentations, among other things; the end result being extortion, including extortion by color of official right, of money, property and benefits rightfully owed the Plaintiffs.

748. STATEMENT AND DESCRIPTION OF WHETHER IVIEWIT COMPANIES IS ALLEGING THAT THE PATTERN OF RACKETEERING ACTIVITY AND THE ENTERPRISE ARE SEPARATE OR HAVE MERGED INTO ONE ENTITY.

A. That Plaintiffs state on information and belief, that Proskauer and Foley are the main enterprises and have commissioned other agents to facilitate various acts to benefit the main enterprises and themselves, in aiding and abetting with the various criminal acts and cover up acts herein described.

749. DESCRIPTION OF THE ALLEGED "ENTERPRISE".

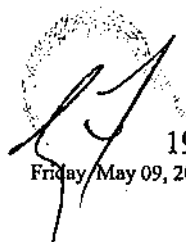
A. That Plaintiffs state on information and belief, at all times material to this complaint, defendants Proskauer and Foley are the main "enterprises," as that term is defined in Title 18, U.S. Code, Section 1961 (4), which enterprises were engaged in, and the activities of which affected interstate and foreign commerce. These "enterprises" conduct their affairs against legitimate Plaintiffs and the Ivievit Companies by fraud, deceit, violations of antitrust laws, theft, arson, deception, harassment, delays, intimidation, implicit and explicit threats, violations of due process rights through violations of public offices; the goal of which is to induce fear, despair, and economic hardship in Plaintiffs so they will drop their claims to their IP or settle for less than they are rightfully owed. There is every indication these "enterprises" will continue indefinitely, and continue to spread to other companies through mergers, acquisitions, and corrupt influence.

B. That Plaintiffs state on information and belief, these "enterprises" fall under the definition of a RICO "enterprise" as a group of persons associated together for a common purpose of engaging in a course of conduct, and as an ongoing organization, formal or informal [with] . . . various associates function[ing] as a continuing unit. That the enterprises, law firms, operate to steal inventions from inventors and create anticompetitive monopolistic IP pools to monetize such inventions as their own and they also operate together to infiltrate government agencies to commit crimes or derail justice to protect from prosecution if caught, in classic RICO organizational behavior. IP pools have traditionally been broken up by Justice as being anticompetitive.

C. The enterprises may conduct other forms of legal crimes in other genres of law that are unknown at this time.

750. That Plaintiffs state on information and belief, defendants have violated: TITLE 18 PART I CH 19 CONSPIRACY.

751. That Plaintiffs state on information and belief, defendants have violated: Sec 371 CONSPIRACY TO COMMIT OFFENSE OR TO DEFRAUD UNITED STATES.



A. That Plaintiffs state on information and belief, In addition, defendants have committed offenses to defraud United States in a multitude of acts against the following agencies, including but not limited to:

- i. USPTO
- ii. UNITED STATES COPYRIGHT OFFICES
- iii. FEDERALLY BACKED SMALL BUSINESS
ADMINISTRATION
- iv. FEDERAL BANKRUPTCY COURT
- v. STATE SUPREME COURTS
- vi. FLORIDA - THE TFB
- vii. FLORIDA SUPREME COURT
- viii. NEW YORK - First Department Court, Second Department Court,
1st DDC DDC & 2nd DDC
- ix. VIRGINIA STATE BAR
- x. PENNSYLVANIA BAR
- xi. FIFTEENTH JUDICIAL CIRCUIT COURT
- xii. SECRETARY OF STATES IN FLORIDA AND DELAWARE
- xiii. FLORIDA DEPARTMENT OF Corporations
- xiv. DELAWARE DEPARTMENT Corporations
- xv. INTERNAL REVENUE SERVICE

752. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy and two or more defendants have conspired and further conspire to commit offenses against the United States, and to defraud the United States, and agencies thereof in manner and purpose, and one or more of such persons did acts to effect the object of the conspiracy.

A. That Plaintiffs state on information and belief, defendants have violated Sec. 2071. - Concealment, removal, or mutilation generally.

B. That Plaintiffs state on information and belief, defendants have violated Sec. 2073. - False entries and reports of moneys or securities.

C. That Plaintiffs state on information and belief, defendants have violated Sec. 2112. - Personal property of United States.

D. That Plaintiffs state on information and belief, defendants have violated Sec. 2114. - Mail, money, or other property of United States.

(b) Receipt, Possession, Concealment, or Disposal of Property.

E. That Plaintiffs state on information and belief, defendants have violated Sec. 2314. - Transportation of stolen goods, securities, moneys, fraudulent State tax stamps, or articles used in counterfeiting

F. That Plaintiffs state on information and belief, defendants have violated Sec. 2319. - Criminal infringement of a copyright

753. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate RACKETEERING.

754. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 95 RACKETEERING Sec 1951 - INTERFERENCE WITH COMMERCE BY THREATS OR VIOLENCE.

A. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy with defendant Utley to threaten the life of Plaintiff Bernstein and his family using the Proskauer and Foley law firms as the source of fear for the threat. That unknown defendants or John Doe's through arson also placed a car bomb in Plaintiff Bernstein's family minivan that blew up three cars adjacent to Plaintiff Bernstein's minivan in what appears an attempted contracted murder plot.

B. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and

unknown, participate in a conspiracy to interfere with commerce by threats and obstructed, delayed, and affected commerce and the movement of articles and commodity in commerce, by robbery and extortion and further conspired so to do, and committed and threatened physical violence to Plaintiff Bernstein in furtherance of a plan with the intended purpose to violate this section.

C. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to commit robbery in the unlawful taking and obtaining of personal property and IP from inventors and Iviewit Companies.

D. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to commit extortion in the obtaining of property from another, with his consent, induced by wrongful use of actual or threatened force, violence, or fear, or under color of official right. Conspiracy involves commerce within the District of Columbia and Territories and Possessions of the United States; involving commerce between points in a State, Territory, Possession, or the District of Columbia and points outside thereof; and commerce between points within the same State through any place outside such State; and other commerce over which the United States has jurisdiction.

755. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 95 RACKETEERING SEC 1952 Interstate and foreign travel or transportation in aid of racketeering enterprises

A. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participated in a conspiracy through Interstate and foreign travel and transportation in aid of racketeering enterprises. Conspirators have through interstate

and foreign commerce used the mail facilities in interstate or foreign commerce, with intent; distributing the proceeds of unlawful activities; and otherwise promoted, managed, established, carry on, facilitate the promotion, management, establishment, or carrying on, unlawful activities.

756. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to participate in a conspiracy to violate and commit unlawful activities in business enterprises involving extortion and bribery in violation of the laws of the States in which committed and the Federal Code, and acts which are indictable under subchapter II of chapter 53 of title 31, United States Code, or under section 1956 or 1957 of this title.

757. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 95 RACKETEERING SEC 1956 Laundering of monetary instruments.

758. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 95 RACKETEERING SEC 1957 Engaging in monetary transactions in property derived from specified unlawful activity as described herein and to be further learned through discovery.

759. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CHAPTER 103 SEC. 2112 - Personal property of United States.

A. That Plaintiffs state on information and belief, defendants have robbed and attempted to rob personal property of United States from the Iviewit Companies and inventors belonging to the United States. That Plaintiffs state on information and

belief, SBA Monies were secured through fraud and misrepresentation and then stolen. SBA loans were collateralized with the patents which gives the United States a vested interest in the IP. Plaintiffs believe the Iviewit patent, copyrights and Trademark rights' to also be property of the United States as well as the SBA funds.

760. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate COMMERCE AND TRADE. That Plaintiffs state on information and belief defendants have violated every contract, combination in the form of trust our otherwise, have conspired, in the restraint of trade and commerce among the States and with foreign nations, and defendants have further monopolized, and combined to conspire with a multitude of persons, to monopolize trade of the commerce among the States and foreign nations which is therefore declared to be illegal.

761. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 15 CHAPTER 1 RELATING TO MONOPOLIES AND COMBINATIONS IN RESTRAINT OF TRADE Sec. 1 - Trusts, etc., in restraint of trade illegally.

A. That Plaintiffs state on information and belief, defendants have used Trusts, etc., in the restraint of trade; and penalty that every contract, combination in the form of trust and otherwise has been used in conspiracy, in restraint of trade and commerce among the several States, and with foreign nations, and defendants made contracts and or engaged in combinations and conspiracy declared to be illegal.

762. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate TITLE 15 CHAPTER 1 Sec. 6 - Forfeiture of property in transit.

A. That Plaintiffs state on information and belief, concerning the forfeiture of property in transit. Property owned under contract and/or by any combination, and

A handwritten signature in black ink is written over a circular stamp. The stamp contains a date and time: "Friday, May 09, 2008 @ 2:04:17 PM".

pursuant to conspiracy (and being the subject thereof) mentioned in section 1 of this title, and in the course of transportation from one State to another, and to foreign countries, shall be forfeited to the United States, and may be seized and condemned by like proceedings as those provided by law for the forfeiture, seizure, and condemnation of property imported into the United States contrary to law.

763. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 15 CHAPTER 1 Sec. 14 - Sale, etc., on agreement not to use goods of competitor.

764. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 15 CHAPTER 1 Sec. 18 - Acquisition by one corporation of stock of another, as described herein.

765. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 15 CH 1 Sec 19 Interlocking directorates and officers, as described herein.

A. That Plaintiffs state on information and belief, the following defendants, including but not limited to, Proskauer, Hersch, Crossbow, Utley, Wheeler, Rubenstein, Foley, Kane, in order to perfect the corporate schemes and artifices to defraud violated Title 15 CH 1 Sec 19.

B. That Plaintiffs state on information and belief, defendants have violated as a criminal enterprise the penal provisions of the antitrust laws, and such violation is deemed to be also of the individual directors, officers, and agents of such criminal enterprises described herein, who shall have authorized, ordered, and done any of the acts constituting in whole or in part such violation.

766. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with



each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; VIOLATIONS OF FEDERAL TRADE COMMISSION; VIOLATION OF PROMOTION OF EXPORT TRADE AND UNFAIR METHODS OF COMPETITION.

767. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 15 CH 2 SUBCH II SEC 62 - Export trade and antitrust legislation.

768. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 15 CH 2 SUBCH II Sec 64 - Unfair methods of competition in export trade.

A. That Plaintiffs state on information and belief, defendants acted in the pursuit of unfair methods of competition in export trade The prohibition against "unfair methods of competition" and the remedies provided for enforcing said prohibition contained in the Federal Trade Commission Act (15 U.S.C. 41 et seq.) shall be construed as extending to unfair methods of competition used in export trade against competitors engaged in export trade, even though the acts constituting such unfair methods are done without the territorial jurisdiction of the United States

769. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate VIOLATIONS OF THE DEPARTMENT OF COMMERCE, as described herein.

770. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 17 CH 5 Sec 501 Infringement of copyright.



198

771. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to commit fraud upon the USPTO and the United States Copyright Offices as defined herein.

772. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 35 PART I CH 2 Sec 25 Declaration in lieu of oath.

A. That Plaintiffs state on information and belief, in falsifying declarations in lieu of oaths such written declarations were used fraudulently and defendants made willful false statements to the USPTO, and similarly The World IP Organization ("WIPO"), the European Patent Office, the Japanese Patent Office and the Korean Patent Office.

773. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 35 PART II CH 11 Sec 115 Oath of applicant.

A. That Plaintiffs state on information and belief, defendants have violated Regarding Oaths of applicants. The applicants made false oaths on patent applications, intentionally claiming the wrong individuals to be the original and first inventors of Iviewit Companies processes, before a diplomatic or consular officer of the United States authorized to administer oaths and before officers having an official seal and authorized to administer oaths in the foreign country in which the applicant may be, or apostille of an official designated by a foreign country which, by treaty or convention, accords like effect to apostilles of designated officials in the United States, and such oath is invalid as it does not comply with the laws of the state and country where made. For purposes of this section, a consular officer shall include any United States citizen serving overseas, authorized to perform notarial functions pursuant to section 1750 of the Revised Statutes, as amended (22 U.S.C. 4221)



774. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 35 PART II CH 11 Sec 116 Inventors.

A. That Plaintiffs state on information and belief, and the laws regarding proper Inventors. Inventions were made by two or more persons jointly, and they did not apply for the patent jointly and each did not make the required oaths, due to intentional actions caused by defendants.

775. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 35 PART III CH 261 Ownership; assignment.

A. That Plaintiffs state on information and belief, regarding ownership and assignments of patents and since inventors are wrong, assignments and ownerships are also incorrect and have caused damages to Iviewit Companies. Loss of rights invested in the patents to investors, and in some instances possible loss of patent rights entirely in inventions. Patents have all the attributes of personal property.

776. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 35 PART IV PATENT COOPERATION TREATY CH 35 Sec 351.

777. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate and caused damage under; TITLE 35 PART IV CH 37 Sec 373 Improper applicant.

A. That Plaintiffs state on information and belief, by improper application for international patent applications. An international application designating the United States, shall not be accepted by the Patent and Trademark Office for the national



stage if it was filed by anyone not qualified under chapter 11 of this title to be an applicant for the purpose of filing a national application in the United States.

778. That Plaintiffs state on information and belief, defendants, mainly those licensed with the USPTO OED did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; 1.56 Duty to disclose information material to patentability.

That Plaintiffs state on information and belief, defendants with license to practice before the USPTO have failed to include all material pertinent to inventor inventions and this was done knowingly, with malice and intent.

779. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; 1.63 regarding Oaths and declarations.

A. That Plaintiffs state on information and belief, whereby, (a) An oath or declaration filed under § 1.51(b) (2) as a part of a non-provisional application must:

- (1) Be executed, i.e., signed, in accordance with either §1.66 or §1.68. There is no minimum age for a person to be qualified to sign, but the person must be competent to sign, i.e., understand the document the person is signing.

780. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; CONSOLIDATED PATENT RULES § 1.63.

A. That Plaintiffs state on information and belief, by knowingly and with intent and malice failing to;

- (2) Identify each inventor by full name;
- (3) Identify the country of citizenship of each inventor; and

by knowingly and with intent and malice falsely stating;

- (4) the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

By knowingly and with intent and malice failing to;

(b) In addition to meeting the requirements of paragraph (a) of this section, the oath or declaration must also:

(1) Identify the application to which it is directed;

by knowingly and with intent and malice falsely stating;

(2) the person making the oath or declaration has reviewed and understands the contents of the application, including the claims, as amended by any amendment specifically referred to in the oath or declaration; and by failing in their duties as attorney agents of the Iviewit Companies and failing to disclose pertinent information to the patent applications to a tribunal under section;

(3) State that the person making the oath or declaration acknowledges the duty to disclose to the Office all information known to the person to be material to patentability as defined in § 1.56.

(c) Unless such information is supplied on an application data sheet in accordance with § 1.76, the oath or declaration must also identify:

(1) The mailing address, and the residence if an inventor lives at a location which is different from where the inventor customarily receives mail, of each inventor; and by failing to secure new oaths and declarations that were proper and correct with corrected information upon filing of nonprovisional applications at the one year filing from provisional status to nonprovisional, even after being fully apprised of the corrections necessary, and further continuing said fraud upon USPTO and Iviewit Companies, as new oaths and declarations were required by section;

(d)(1) A newly executed oath or declaration is not required under § 1.51(b) (2) and § 1.53(f) in a continuation or divisional application, provided that:

(i) The prior nonprovisional application contained an oath or declaration as prescribed by paragraphs (a) through (c) of this section;

(ii) The continuation or divisional application was filed by all or by fewer than all of the inventors named in the prior application;

(iii) The specification and drawings filed in the continuation or divisional application contain no matter that would have been new matter in the prior application; and



(3) Where the executed oath or declaration of which a copy is submitted for a continuation or divisional application was originally filed in a prior application accorded status under § 1.47, the copy of the executed oath or declaration for such prior application must be accompanied by:

(i) A copy of the decision granting a petition to accord § 1.47 status to the prior application, unless all inventors or legal representatives have filed an oath or declaration to join in an application accorded status under § 1.47 of which the continuation or divisional application claims a benefit under 35 U.S.C. 120, 121, or 365(c); and

(5) A newly executed oath or declaration must be filed in a continuation or divisional application naming an inventor not named in the prior application.

(e) A newly executed oath or declaration must be filed in any continuation-in-part application, which application may name all, more, or fewer than all of the inventors named in the prior application.

781. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; 1.64 regarding person making false oaths and Declarations

A. That Plaintiffs state on information and belief, the actual inventors were not included in applications for inventions they created and were substituted knowingly, with malice and intent with false inventors who took false oath and without consent or knowledge of the actual inventors and Iviewit Companies.

(a) The oath or declaration (§ 1.63), including any supplemental oath or declaration (§ 1.67), must be made by all of the actual inventors except as provided for in § 1.42, 1.43, 1.47, or § 1.67.

(b) If the person making the oath or declaration or any supplemental oath or declaration is not the inventor (§ 1.42, 1.43, 1.47, or § 1.67), the oath or declaration shall state the relationship of the person to the inventor, and, upon information and belief, the facts which the inventor is required to state.

782. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with

each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; § 1.71 regarding detailed description and specification of the invention.

A. That Plaintiffs state on information and belief, defendants knowingly and with malice and intent failed to include an adequate written description of the invention or discovery and of the manner and process of making and using the same, and it was not in full, clear, concise, and in exact terms, so as to enable any person skilled in the art or science to which the invention or discovery appertains, or with which it is most nearly connected, to make and use the same.

(b) The specification did not set forth the precise invention for which a patent is solicited, in such manner as to distinguish it from other inventions and from what is old. It must describe completely a specific embodiment of the process, machine, manufacture, composition of matter or improvement invented, and must explain the mode of operation or principle whenever applicable. The best mode contemplated by the inventor of carrying out his invention must be set forth.

(c) In the case of an improvement, the specification must particularly point out the part or parts of the process, machine, manufacture, or composition of matter to which the improvement relates, and the description should be confined to the specific improvement and to such parts as necessarily cooperate with it or as may be necessary to a complete understanding or description of it.

B. Ivivewit Companies has had to petition the Commissioner due to defendants' actions under; § 1.137 for Revival of abandoned application, terminated reexamination proceeding, or lapsed patent.

C. The Commissioner has revived abandoned patents to then place them into a six month suspension pending the outcome of certain investigations into the problems created by defendants.

783. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; LAWS NOT IN TITLE 35, UNITED STATES CODE 18 U.S.C. 1001.



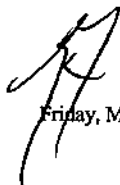
A. That Plaintiffs state on information and belief, through statements and entries generally, patent attorneys for the Iviewit Companies, acting as licensed patent attorneys before the USPTO whom may qualify as part of the judicial branch of government and have falsified, concealed and cover up by trick, scheme and device, material facts and have made materially false, fictitious and fraudulent statements and representations. Further, defendants have made and used false writings and documents knowing the same to contain materially false, fictitious, and fraudulent statements and entries.

784. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; LAWS NOT IN TITLE 35, UNITED STATES CODE 18 U.S.C. 2071.

A. That Plaintiffs state on information and belief, through Concealment, removal, or mutilation generally. It is alleged certain patent applications, signed by the inventors and sent to the USPTO directly, were intercepted or removed from the patent office, either by defendants, or defendants working with USPTO personnel to remove such records. A records search for the missing documents has been formally requested by Iviewit Companies to OED Director, Moatz and requests for the File Wrappers of the patent filings, trademark filings and PCT filings have gone ignored by the USPTO, perhaps outside the law in not fulfilling such requests.

785. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate Section 10 of; Title 37 - Code of Federal Regulations Patents, Trademarks, and Copyrights - MANUAL OF PATENT EXAMINING PROCEDURE PATENT RULES Part 10 - PRACTICE BEFORE THE PATENT AND TRADEMARK OFFICE PART 10 - REPRESENTATION OF OTHERS BEFORE THE UNITED STATES PATENT AND TRADEMARK

A. That Plaintiffs state on information and belief, defendants have violated 10.18 Signature and certificate for correspondence filed in the Patent and Trademark Office



B. That Plaintiffs state on information and belief, defendants filed in the USPTO in patent, trademark, and other non-patent matters correspondences filed by Ivviewit Companies practitioners in the Patent and Trademark Office which contained false certifications that;

(1) All statements made therein of the party's own knowledge were true, all statements made therein on information and belief were believed to be true, and all statements made therein were made with the knowledge that whoever, in any matter within the jurisdiction of the Patent and Trademark Office, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be subject to the penalties set forth under 18 U.S.C. 1001, and that violations of this paragraph may jeopardize the validity of the application or document, or the validity or enforceability of any patent, trademark registration, or certificate resulting therefrom; and (2) To the best of the party's knowledge, information and belief, formed after an inquiry reasonable under the circumstances, that (i) The paper is not being presented for any improper purpose, such as to harass someone or to cause unnecessary delay or needless increase in the cost of prosecution before the Office; (ii) The claims and other legal contentions therein are warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law; (iii) The allegations and other factual contentions have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery; and (iv) The denials of factual contentions are warranted on the evidence, or if specifically so identified, are reasonably based on a lack of information or belief. (c) Violations of paragraph (b)(1) of this section by a practitioner or non-practitioner may jeopardize the validity of the application or document, or the validity or enforceability of any patent, trademark registration, or certificate resulting therefrom. Violations of any of paragraphs (b)(2)(i) through (iv) of this section are, after notice and reasonable opportunity to respond, subject to such sanctions as deemed appropriate by the Commissioner, or the Commissioner's



designee, which may include, but are not limited to, any combination of (1) Holding certain facts to have been established; (2) Returning papers; (3) Precluding a party from filing a paper, or presenting or contesting an issue; (4) Imposing a monetary sanction; (5) Requiring a terminal disclaimer for the period of the delay; or (6) Terminating the proceedings in the Patent and Trademark Office. (d) Any practitioner violating the provisions of this section may also be subject to disciplinary action. See § 10.23(c) (15).

786. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate § 10.20 Canons and Disciplinary Rules

787. That Plaintiffs state on information and belief, defendants licensed to practice before the USPTO have failed in their duties and violated; § 10.21 Canon 1

A. That Plaintiffs state on information and belief, defendant attorney practitioners failed to assist in maintaining the integrity and competence of the legal profession, and in fact have so abused such privileges so as to cause a potential lapse in faith of the patent office by the general public, which jeopardizes the very fabric of our democracy and country.

788. That Plaintiffs state on information and belief, defendants licensed to practice before the USPTO have failed in their duties and violated; § 10.23 Misconduct

A. That Plaintiffs state on information and belief, and have engaged in disreputable and gross misconduct. They have violated a multiplicity of Disciplinary Rules; Circumvented Disciplinary Rules through actions of another; engaged in illegal conduct involving moral turpitude; engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation; engaged in conduct that is prejudicial to the administration of justice; engaged in other conduct that adversely reflects on the practitioner's fitness to practice before the USPTO; engaged in conduct which constitutes a violation of paragraphs (a) and (b) of this section including, but not limited to: (2) Knowingly giving false or misleading information or knowingly participating in a material way in giving false or misleading information, to: (i) A client in connection with any immediate, prospective, or pending business before the

Office. (ii) The Office or any employee of the Office. (4) Directly or indirectly improperly influencing, attempting to improperly influence, offering or agreeing to improperly influence, or attempting to offer or agree to improperly influence an official action of any employee of the Office by: (i) Use of threats, false accusations, duress, or coercion, (ii) An offer of any special inducement or promise of advantage, or (iii) Improperly bestowing of any gift, favor, or thing of value. (7) Knowingly withholding from the Office information identifying a patent or patent application of another from which one or more claims have been copied. See § 1.604(b) and 1.607(c) of this subchapter. (8) Failing to inform a client or former client or failing to timely notify the Office of an inability to notify a client or former client of correspondence received from the Office or the client's or former client's opponent in an inter partes proceeding before § 10.23 the Office when the correspondence (i) could have a significant effect on a matter pending before the Office, (ii) is received by the practitioner on behalf of a client or former client and (iii) is correspondence of which a reasonable practitioner would believe under the circumstances the client or former client should be notified. (9) Knowingly misusing a Certificate of Mailing or Transmission under § 1.8 of this chapter. (10) Knowingly violating or causing to be violated the requirements of § 1.56 or § 1.555 of this subchapter. (11) Except as permitted by § 1.52(c) of this chapter, knowingly filing or causing to be filed an application containing any material alteration made in the application papers after the signing of the accompanying oath or declaration without identifying the alteration at the time of filing the application papers. (13) Knowingly preparing or prosecuting or providing assistance in the preparation or prosecution of a patent application in violation of an undertaking signed under § 10.10(b). (14) Knowingly failing to advise the Director in writing of any change which would preclude continued registration under § 10.6. (15) Signing a paper filed in the Office in violation of the provisions of § 10.18 or making a scandalous or indecent statement in a paper filed in the Office. (16) Willfully refusing to reveal or report knowledge or evidence to the Director contrary to § 10.24 or paragraph (b) of § 10.131. (18) In the absence of information sufficient to establish a reasonable belief that fraud or inequitable conduct has occurred, alleging before a tribunal that anyone has

committed a fraud on the Office or engaged in inequitable conduct in a proceeding before the Office. (20) Knowing practice by a Government employee contrary to applicable Federal conflict of interest laws, or regulations of the Department, agency, or commission employing said individual. (d) A practitioner who acts with reckless indifference to whether a representation is true or false is chargeable with knowledge of its falsity. Deceitful statements of half-truths or concealment of material facts shall be deemed actual fraud within the meaning of this part.

B. That Plaintiffs state on information and belief, defendants licensed with the USPTO OED have all known and conspired to cause deceit upon the USPTO by knowingly and with malice and intent, failing to disclose improper behavior by other practitioners, through a series of frauds on the USPTO and Iviewit Companies. Certain defendants, had full knowledge of the fraud being committed and in fact were charged with correcting such fraud, and although such changes were conveyed to Iviewit Companies, such changes were knowingly and with malice and intent withheld from the USPTO.

C. That Plaintiffs state on information and belief, defendants representing Iviewit Companies before the USPTO have failed to provide legal counsel and in the case of Proskauer, MLG, Foley, Weisberg, Dick, Boehm, Becker, Joao, Rubenstein and BSTZ, it is alleged with malice and intent counsel has been usurped at critical times essential to patent prosecution before the USPTO with the intent of causing the patents to lapse or go abandoned. The attorney defendants were retained through binding contractual legal obligations to provide legal representation before the USPTO for Iviewit Companies and with malice and intent have failed to perform under the binding agreements, including the SB LOU, which serves also as a legal retainer for services before the USPTO. This sabotaging of patent counsel, led to OED Director, Moatz, releasing all prior counsel from access to the patents and has allowed the patent applications to be suspended while investigations continue. Iviewit Companies sought to retain new counsel, which under the SB binding LOU was to be provided upon signing of the LOU and which had a leading patent law firm, Greenberg Traurig, P.A.'s September 22, 2002 Patent Evaluation as a basis for SB funding such counsel based on discovery of the alleged patent crimes and which

failure to perform by SB upon signing, along with breaches on every other contract clause damaging the Iviewit Companies into the billions of dollars of loss and opportunities, has caused permanent and fatal damages to Iviewit Companies on patent rights to inventions with annual royalties estimated into the trillions of dollars. Iviewit Companies has demanded specific performances and/or damages from SB by serving upon them an August 13, 2003 SB Demand Letter.

789. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate section; § 10.25 - 10.29 [Reserved] § 10.30 Canon 2

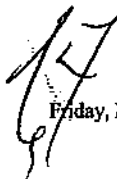
A. That Plaintiffs state on information and belief, defendant practitioners should have assisted the legal profession in fulfilling its duty to make legal counsel available to Iviewit and in fact acted in diametric opposition in an attempt to deny counsel.

790. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; § 10.31 Communications concerning a practitioner's services

A. Whereby: (a) No practitioner shall with respect to any prospective business before the Office, by word, circular, letter, or advertising, with intent to defraud in any manner, deceive, mislead, or threaten any prospective applicant or other person having immediate or prospective business before the Office.

791. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; § 10.33 Direct contact with prospective clients

A. That Plaintiffs state on information and belief, a practitioner may not solicit professional employment from a prospective client with whom the practitioner has no family or prior professional relationship, by mail, in-person, or otherwise, when a significant motive for the practitioner's doing so is the practitioner's pecuniary gain under circumstances evidencing undue influence, intimidation, or overreaching. The



term "solicit" includes contact in person, by telephone or telegraph, by letter or other writing, or by other communication directed to a specific recipient.

792. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate section; § 10.40 Withdrawal from employment.

A. That Plaintiffs state on information and belief, Iviewit practitioners withdrew from employment in a proceeding before the Office without permission, or permission gained on false information relating to their release from the Office (see § 1.36 and 2.19 of this subchapter) and in any event, Iviewit Companies practitioners withdrew from employment without taking reasonable steps to avoid foreseeable prejudice to the rights of the Iviewit Companies, including failing to give due notice to Iviewit Companies to allow time for employment of another practitioner, failing to deliver to Iviewit Companies all papers and property to which Iviewit Companies is entitled, and failing to comply with applicable laws and rules, in fact in regards to BSTZ it is alleged that a coordinated effort was made by BSTZ to destroy Iviewit Companies patent records, including records forwarded directly to them by Proskauer, Foley, and MLG to BSTZ, whereby BSTZ upon learning Moatz and foreign patent offices had been notified of fraud began to obstruct justice through document destruction and loss.

793. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate section; § 10.50 - 10.55 [Reserved] § 10.56 Canon 4

A. That Plaintiffs state on information and belief, Iviewit Companies' practitioners failed to preserve the confidences and secrets of Iviewit Companies, leading to a mass proliferation of Iviewit Companies' inventions by defendants, whereby Iviewit Companies' attorneys have proliferated such inventions to their advantage to the detriment of Iviewit Companies and inventors.

794. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with



each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; § 10.57 Preservation of confidences and secrets of a client

A. That Plaintiffs state on information and belief, where "Confidence" refers to information protected by the attorney-client or agent-client privilege under applicable law. "Secret" refers to other information gained in the professional relationship that the client has requested be held inviolate or the disclosure of which would be embarrassing or would be likely to be detrimental to the client and defendant practitioners knowingly:

- i. (1) Revealed confidences and secrets of Iviewit Companies and inventors.
- ii. (2) Used confidences and secrets of Iviewit Companies to the disadvantage of the Iviewit Companies and inventors,
- iii. (3) Used confidences and secrets of Iviewit Companies and inventors for the advantage of the practitioner and of third parties without client consent or even disclosure. Defendants in fact violated multiple conflicts of interest whereby Iviewit Companies patent counsel charged with the confidentiality of certain patent inventions of Iviewit Companies maintained conflicts with, including but not limited to, IP pools and NDA holders they were direct counsel for, transcending attorney-client privileges and confidences to thousands of patent pool members and NDA infringers who now all utilize Iviewit Companies inventions due to the failure to maintain such confidences with malice and intent and to inure profits for the enterprise corruption scheme.

795. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; § 10.58 - 10.60 [Reserved] §10.61 Canon 5

A. That Plaintiffs state on information and belief, Iviewit Companies patent practitioners failed to exercise independent professional judgment on behalf of a

client and instead had personal financial interests motivating their actions inapposite to their clients.

B. That Plaintiffs state on information and belief, defendant Rubenstein and Proskauer accepted stock in patent companies which according to statements under deposition of Proskauer partners, the acquisition was a gift, and not tied to fees or services, inapposite to section;

796. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate § 10.64 Avoiding acquisition of interest in litigation or proceeding before the Office.

A. That Plaintiffs state on information and belief, Iviewit Companies patent practitioners acquired a proprietary interest in the subject matter of a proceeding before the Office which the practitioner was conducting for a client. It was not acquired as a lien granted by law to secure the practitioner's fee or expenses; or by contract with a client for a reasonable contingent fee; and further it is alleged the interest was directly in the patent. Further, such stock was accepted after thorough review and analysis by Rubenstein on behalf of Proskauer, while acting as patent counsel for Iviewit Companies with promises of royalties from the patents being adopted by Rubenstein's IP pools he was counsel for, stated as Proskauer's motive for taking such stock for consideration.

B. Proskauer opined in a Proskauer Opinion to Hassan Miah, again in opinion to H. Wayne Huizenga, Jr. the seed investor in Iviewit Companies and other investors, in, including but not limited to, a Proskauer Opinion Letter Dated, on or about, July 23, 1999, where such documents can be found at the urls;

- i. <http://iviewit.tv/CompanyDocs/1999%2004%2026%20Wheeler%20Letter%20to%20Rosman%20re%20Rubenstein%20opinion.pdf>
- ii. <http://iviewit.tv/CompanyDocs/1999%2005%2030%20Miah%20Letter%20ASKING%20TO%20EMAIL%20RUBENSTEIN.pdf>
- iii. <http://iviewit.tv/CompanyDocs/1999%2006%2001%20HASSAN%20LETTER%20FORWARDED%20TO%20RUBENSTEIN.pdf>



- iv. <http://iviewit.tv/CompanyDocs/1999%2006%2009%20-%20Epstein%20letter%20to%20Wheeler%20confirm%20PR%20review%20of.pdf>
- v. <http://iviewit.tv/CompanyDocs/Real%203D%20and%20Huizenga%20info.pdf>
- vi. <http://iviewit.tv/CompanyDocs/1999%2007%2023%20Wheeler%20Branden%20Opinion%20on%20technology%20Huizenga.pdf>

All documents at the urls above are hereby incorporated herein by reference in their entirety. That these documents were used by Iviewit Companies for investment. Based on these opinions of the novel aspects of the inventions by Proskauer, investments were made and in a series of sworn statements, investors and prior board members attest to Proskauer and Rubenstein as a pivotal factor in their investment. That the shareholder statements can be found at the url;

<http://iviewit.tv/CompanyDocs/SHAREHOLDER%20STATEMENTS%20BOOKMARKED.pdf> and are incorporated by reference herein in their entirety. Such documents illustrated above were transmitted by Proskauer to prospective investors, investors including the Federal Small Business Administration loan documents whereby the SBA has financial interest in Iviewit Companies and the IP through investment generated by Crossbow. In contrast to all current denials of Proskauer and Rubenstein regarding having no involvement with the patents, investment documents were transmitted naming Rubenstein and his IP department as patent counsel for Iviewit Companies in a management section and Board of Director listing in a Wachovia Securities Private Placement Memorandum. The Wachovia PPM information can be found at the url; <http://iviewit.tv/CompanyDocs/Rubenstein%20bio%20in%20Wachovia%20PPM%20and%20as%20Iviewit%20Counsel.pdf>

and,

<http://iviewit.tv/CompanyDocs/Wachovia%20Private%20Placement%20Memorandum%20-%20with%20bookmarks%20in%20col.pdf>

and are incorporated in entirety by reference herein.

The Wachovia PPM was a document reviewed, billed for and disseminated by Proskauer and further disseminated to investor Crossbow for compliance with an SBA Loan, in a



Small Business Administration Form for securing such Federal funds. If Proskauer's current claims of non-involvement hold true than these documents contain materially false and misleading information to Wachovia Securities and the SBA, as well as, many other investors, constituting additional crimes as further described herein.

C. That Plaintiffs state on information and belief, Proskauer took stock and such stock taken by Proskauer was to further to postpone payment of fees until such royalties were realized or investment funds were raised.

D. That Plaintiffs state on information and belief, Rubenstein, Proskauer and Joao have entered into business transactions with Iviewit Companies while having multitudes of conflicting personal and professional conflicts of interest and none of these were ever waived or disclosed. Rubenstein and Proskauer now claim to control IP pools through representation and have created such IP pools, which all stand with direct differing interests. Further Joao in written statements to a tribunal, the 1st DDC states, Iviewit Companies is infringing upon his inventions and Joao has taken a series of patents, approximately 80 per his own admissions, all in violation of section; § 10.65 Limiting business relations with a client

E. That Plaintiffs state on information and belief, Iviewit Companies patent practitioners entered into business transactions with Iviewit Companies while they had differing interests therein and Iviewit Companies never consented and defendants failed to disclose such conflicts or seek waiver. In fact, it is unclear by either the deposition of Wheeler or Rubenstein if a conflicts check was ever done before accepting Iviewit Companies and inventors as clients and Rubenstein and Wheeler have provided no evidence of such check ever being performed or any waivers secured in fact, Wheeler and Rubenstein state a conflict check may never have been done in deposition.

F. That Plaintiffs state on information and belief, this failure to secure protection of Iviewit Companies and inventors and coupled with Proskauer now perjured statements regarding their non-involvement with the Iviewit Companies patent work, in opposition to masses of evidence contrary and sworn statements by multitudes of witnesses to the contrary, which is an attempt to deny culpability as to how IP pools

now controlled by a former real-estate firm, are all in violation of Iviewit Companies IP rights.

G. That Plaintiffs state on information and belief, whether Proskauer now attempts to distance themselves in their defense from patent work, despite evidence to the contrary, fails to deal with the fact Proskauer and the IP department of Proskauer preformed all the Trademark and Copyright work for the company and billed excessively for such services. These services provided Proskauer and Rubenstein who oversights such department entire source codes for the Iviewit Companies inventions and all disclosures of all patent materials and inventions for the prosecution of these matters and still Rubenstein has no distance between himself and Iviewit Companies. In fact, as evidenced by an interoffice correspondence that turned up in the Proskauer Civil Billing Lawsuit months after production and after Rubenstein's deposition, it is clear Rubenstein was directly in receipt of the entire patent portfolio as illustrated in an August 25, 2000 Wheeler letter whereby he is found transferring the entire IP binders to Rubenstein that such document may be found at the url <http://iviewit.tv/CompanyDocs/2000%2008%2025%20Wheeler%20to%20Rubenstein%20PATENT%20BINDER.pdf> and is hereby by reference herein.

797. That Plaintiffs state on information and belief, Rubenstein in representing both Iviewit Companies and the IP pools violated section; §10.66 Refusing to accept or continue employment if the interests of another client may impair the independent professional judgment of the practitioner

A. That Plaintiffs state on information and belief, Iviewit Companies patent practitioners, including but not limited, MLG, Joao, Rubenstein and Proskauer should have declined proffered employment where the exercise of independent professional judgment on behalf of Iviewit Companies was likely to be adversely affected by the acceptance of the proffered employment, and were it likely involved the practitioner in representing differing interests.

B. That Plaintiffs state on information and belief, including but not limited to, Rubenstein, MLG, Joao and Proskauer should not have continued multiple employments since the exercise of the practitioner's independent professional

judgment on behalf of Iviewit Companies was adversely affected by the practitioners' representations other clients, the IP pools, NDA infringers and others, and it clearly involved the practitioner in representing differing interests.

C. That Plaintiffs state on information and belief, as to Joao's possible 90+ patents in his name Joao stood wholly conflicted with Iviewit Companies as their attorney in the grossest way in violation of all practitioner codes defined herein and other possibly.


798. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; §10.68 Avoiding influence by others than the client.

A. Whereby: (a) Except with the consent of the practitioner's client after full disclosure, a practitioner shall not: (1) Accept compensation from one other than the practitioner's client for the practitioner's legal services to or for the client. (2) Accept from one other than the practitioner's client any thing of value related to the practitioner's representation of or the practitioner's employment by the client. (b) A practitioner shall not permit a person who recommends, employs, or pays the practitioner to render legal services for another, to direct or regulate the practitioner's professional judgment in rendering such legal services. (c) A practitioner shall not practice law for a profit, if a non-practitioner has the right to direct or control the professional judgment of a practitioner.

799. That Plaintiffs state on information and belief, defendants licensed to practice before the USPTO, all failed their duties to protect client IP under section; § 10.69 - 10.75 [Reserved] § 10.76 Canon 6.

A. That Plaintiffs state on information and belief, each and every patent counselor for the Iviewit Companies failed to represent Iviewit Companies and inventors competently.

800. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; §10.77 Failing to act competently

 217
Friday, May 09, 2008 @ 2:04:17 PM

A. That Plaintiffs state on information and belief, Iviewit Companies patent counsel neglected legal matters entrusted to them by Iviewit Companies and inventors.

801. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; § 10.78 Limiting liability to client.

A. That Plaintiffs state on information and belief, a practitioner shall not attempt to exonerate himself or herself from, or limit his or her liability to, a client for his or her personal malpractice which attorney defendants licensed with the USPTO did.

802. That Plaintiffs state on information and belief, defendants licensed to practice before the USPTO, all failed their duties to protect client IP under section; §10.79 - 10.82 [Reserved] §10.83 Canon 7.

A. That Plaintiffs state on information and belief, Iviewit Companies IP counsel failed to represent Iviewit Companies and inventors as a client zealously and within the bounds of the law.

803. That Plaintiffs state on information and belief, defendants licensed to practice before the USPTO, all failed their duties to protect client IP under section; § 10.84 Representing a client zealously.

A. That Plaintiffs state on information and belief, with malice and intent did the Iviewit Companies patent practitioners fail to seek the lawful objectives of Iviewit Companies and inventors through reasonable available means permitted by law and the Disciplinary Rules. They have failed to carry out a contracts of employment entered into with Iviewit Companies for professional services. They have prejudiced and damaged Iviewit Companies during the course of the professional relationships.

804. That Plaintiffs state on information and belief, defendants licensed to practice before the USPTO, all failed their duties to protect client IP under section; §10.85 Representing a client within the bounds of the law.

A. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to delay proceedings on behalf of Iviewit

Companies and inventors patent applications before the Office and took other actions on behalf of the Iviewit Companies, when the practitioners knew and it is now obvious such actions served merely to harass and maliciously injure Iviewit Companies and inventors. Iviewit Companies patent practitioners concealed and knowingly failed to disclose that which the practitioner is required by law to reveal.

B. That Plaintiffs state on information and belief, Iviewit Companies patent practitioners knowingly used perjured testimony and false evidence to tribunals such as the USPTO, USPTO OED and the US Supreme Court Bar Associations and knowingly made false statements of law and fact. Iviewit Companies patent practitioners participated in the creation and preservation of evidence when the practitioners knew the evidence was false and presented such false evidence to not only the USPTO but numerous other private and public agencies as discussed herein.

C. That Plaintiffs state on information and belief, Iviewit Companies patent practitioners knowingly engaged in other illegal conduct and conduct contrary to many disciplinary rules as well as a variety of state, federal and international crimes. Further, Iviewit Companies subsequent patent practitioners received information clearly establishing other attorneys had perpetrated a fraud upon tribunals and failed to reveal such frauds to the tribunals. Rubenstein was to correct Joao errors and then Dick came in to file and fix and did nothing but further the fraud, and when discovered BSTZ was brought in to correct and fix the patents and failed to carry out these tasks and further failed to report the fraud. Even after BSTZ informed Iviewit Companies they had made corrections and notification they then further falsified documents and patent portfolios with materially false and misleading information.

805. That Plaintiffs state on information and belief, the conspiratorial and coordinated efforts at both using the legal system to attempt theft of patents, which endangers constitutionally protected rights by the very institution created by congress to uphold such rights for the citizens as ARTICLE 1, SECTION 8, CLAUSE 8 OF THE UNITED STATES OF AMERICA CONSTITUTION provides and which the USPTO acts as the agency to provide such rights, has been wholly violated to usurp Plaintiffs rights' to the IP.

806. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; §10.94 - 10.99 [Reserved] §10.100 Canon 8.

A. That Plaintiffs state on information and belief, Iviewit Companies patent practitioners have failed to assist in improving the legal system and perhaps may have catastrophically created harm to the general public's confidence in such system which could lead to a failure to trust patent attorneys, a further harm to legal profession.

807. That Plaintiffs state on information and belief, the actions of Iviewit Companies patent practitioners taken alone or together are of such high crimes against the USPTO, Iviewit Companies and other government agencies described herein, as to constitute further a violation of section; §10.104 - 10.109 [Reserved] §10.110 Canon 9.

A. That Plaintiffs state on information and belief, Iviewit Companies patent practitioners have not avoided even the appearance of professional impropriety and have in fact committed multitudes of professional improprieties in the commission of such crimes as described herein.

808. That Plaintiffs state on information and belief, defendants licensed to practice before the USPTO, all failed their duties to protect client Iviewit Companies and inventors IP under section; §10.112 Preserving identity of funds and property of client.

A. That Plaintiffs state on information and belief, Iviewit Companies patent practitioners failed to maintain the IP files of the Company which all prior patent practitioners claim that all original materials were transferred to BSTZ and BSTZ upon learning OED and international agencies had been alerted to the crimes, attempted to claim a transfer of the patent materials to Iviewit Companies with no accounting for such claimed transfer. There were no proper or formal written requests to transfer such files and there was no written receipt for transfer of such properties. Records were lost whereby such properties have not been identified and labeled properly and the practitioners failed to maintain complete records of all properties of Iviewit Companies coming into the possession of the practitioner and there was no accounting to the client regarding the properties and now BSTZ claims to have no accounting for all such properties. Iviewit Companies had requested BSTZ

to promptly deliver to several investigatory agencies the necessary files for investigation and BSTZ then suddenly claimed they had transferred such proprietary and highly confidential and pertinent patent document to Iviewit Companies with no notice or receipt of such transfer and such parcels never were transferred.

809. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; PATENT RULES PART 10 INDEX - PART 15.

810. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate multiplicity of rules in the CONSOLIDATED PATENT RULES Title 37 - Code of Federal Regulations Patents, Trademarks, and Copyrights and Title 35.

811. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to commit VIOLATIONS OF PROTECTION OF TRADE SECRETS.

812. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 90 Sec 1831 Economic espionage.


A. That Plaintiffs state on information and belief, defendants have committed economic espionage intending and knowing the offenses will benefit a foreign agent and knowingly stole, and without authorization appropriated, took, carried away, and concealed, and by fraud, artifice, and deception obtained trade secrets; further and without authorization copied, duplicated, sketched, drew, photographed, downloaded, uploaded, altered, destroyed, photocopied, replicated, transmitted, delivered, sent, mailed, communicated, and conveyed trade secrets; and received, bought and possess

trade secrets, knowing the same to have been stolen and appropriated, obtained, and converted without authorization; and attempted to commit offenses described in paragraphs (1) through (3); and (5) and conspired with one or more other persons and committed offenses described in paragraphs (1) through (3), and one or more of such persons did acts to effect the object of the conspiracy.

813. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 90 Sec 1832 Theft of trade secrets.

A. That Plaintiffs state on information and belief, defendants have committed theft of trade secrets with intent to convert trade secrets, related to and included in products produced for and placed in interstate and foreign commerce, to the economic benefit of others than the owner thereof, and intended and knowing the offenses would, injure the owners of trade secrets, knowingly steals, and without authorization appropriated, took, carried away, and concealed, and/or by fraud, artifice, and deception obtained such information; and without authorization copied, duplicated, sketched, drew, photographed, downloaded, uploaded, altered, destroyed, photocopied, replicated, transmitted, delivered, sent, mailed, communicated, and conveyed such information; and received, bought, possesses such information, knowing the same to have been stolen and appropriated, obtained, or converted without authorization; and attempted to commit offenses described in paragraphs (1) through (3); or (5) and conspired with one or more other persons to commit any offense described in paragraphs (1) through (3), and one or more of such persons in acts to effect the object of the conspiracy.

814. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to commit FRAUD UPON THE UNITED STATES COPYRIGHT OFFICES.


222
Friday, May 09, 2008 @ 2:04:17 PM

815. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to commit fraud upon the United States Copyright Offices by failing to secure copyright protection and other acts under, including but not limited to: TITLE 17 – COPYRIGHTS.

816. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate VIOLATIONS OF FEDERAL BANKRUPTCY LAW.

817. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CHAPTER 9 BANKRUPTCY Sec. 152 CONCEALMENT OF ASSETS; FALSE OATHS AND CLAIMS; BRIBERY.

A. That Plaintiffs state on information and belief, by Definition and Sec.152 defendants have concealed assets and falsified oaths and claims and further caused embezzlement against estate and under Sec. § 154 defendants had adverse interests and conduct unbecoming officers and under Sec. §155 Fee agreements in cases under title 11 and receiverships and under Sec. § 156 had knowing disregard of bankruptcy law or rule and under Sec. § 157 have committed bankruptcy fraud and defendants concealed assets and made false oaths and claims and who knowingly and fraudulently concealed from a custodian, trustee, marshal, or other officer of the court charged with the control or custody of property, or, in connection with a case under title 11, from creditors or the United States Trustee, properties belonging to the estate of a debtor; knowingly and fraudulently made false oaths or accounts in and in relation to a case under title 11; knowingly and fraudulently made false declarations, certificates, verifications, and statements under penalty of perjury under section 1746 of title 28, in and in relation to a case under title 11; knowingly and fraudulently presented false claims for proof against the estate of a debtor, and uses any such claim

in a case under title 11, in a personal capacity or as or through an agent, proxy, or attorney; knowingly and fraudulently received any material amount of property from a debtor after the filing of a case under title 11, with intent to defeat the provisions of title 11; knowingly and fraudulently gave, offered, received, and attempted to obtain any money or property, remuneration, compensation, reward, advantage, or promise thereof by acting and forbearing to act in a case under title 11; in a personal capacity or as an agent or officer of a person and corporation, in contemplation of a case under title 11 by or against the person or any other person or corporation, or with intent to defeat the provisions of title 11, knowingly and fraudulently transferred and concealed property or the property of such other person or corporation; after the filing of a case under title 11 and in contemplation thereof, knowingly and fraudulently concealed, destroyed, mutilated, falsified, and made false entries in recorded information (including books, documents, records, and papers) relating to the property or financial affairs of a debtor; or after the filing of a case under title 11, knowingly and fraudulently withholds from a custodian, trustee, marshal, or other officer of the court or a United States Trustee entitled to its possession, any recorded information (including books, documents, records, and papers) relating to the property or financial affairs of a debtor.

818. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CHAPTER 9 Sec 156 - Knowing disregard of bankruptcy law or rule and TITLE 18 PART I CHAPTER 9 Sec 157 - Bankruptcy fraud.

A. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate Sec. 157 and through bankruptcy fraud defendants described herein devised and intended to devise a scheme and artifice to defraud and for the purpose of executing and concealing such a scheme and artifice and attempting to do so and filed a petition under title 11; and filed documents

in a proceeding under title 11; and makes a false or fraudulent representation, claim, or promise concerning or in relation to a proceeding under title 11, at any time before or after the filing of the petition, or in relation to a proceeding falsely asserted to be pending under such title.

819. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate COUNTERFEITING AND FORGERY.

820. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 25 SEC 470 COUNTERFEITING AND FORGERY counterfeit acts committed outside the United States.

A. That Plaintiffs state on information and belief, by committing counterfeit acts committed outside the United; and Sec. 471. - in regard to obligations and securities of United States defendants, with intent to defraud, falsely made, forged, counterfeited, and altered an obligation or other security of the United States.

821. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 25 Sec 473 - Dealing in counterfeit obligations or securities.

A. That Plaintiffs state on information and belief, by dealing in counterfeit obligations or securities and defendants bought\buy, sold\sell, received\receive, and \delivered\deliver false, forged, counterfeited, and altered obligations and other securities of the United States, with the intent that the same be passed, published, or used as true and genuine.

822. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown,

participate in a conspiracy to violate; TITLE 18 PART I CH 25 Sec 494 - Contractors' bonds, bids, and public records in regard to Contractors' bonds, bids, and public records.

A. That Plaintiffs state on information and belief, defendants falsely made, altered, forged, and counterfeited security, public record, affidavit, or other writing for the purpose of defrauding the United States; and defendants uttered and published as true and possessed with intent to utter or publish as true, false, forged, altered, and counterfeited writing, knowing the same to be false, forged, altered, or counterfeited; and defendants transmitted to, and presented at offices and officers of the United States, false, forged, altered, or counterfeited writing, knowing the same to be false, forged, altered, or counterfeited.

823. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 25 Sec 495 - Contracts, deeds, and powers of attorney in regards to contracts, deeds, and powers of attorney and falsely made, altered, forged, and counterfeited deeds, power of attorneys, orders, certificates, receipts, contracts, and other writings, for the purpose of obtaining and receiving, and of enabling other persons, directly and/or indirectly, in obtaining and receiving from the United States and/or officers and agents thereof, any sum of money; defendants have uttered and published as true false, forged, altered, or counterfeited writings, with intent to defraud the United States, knowing the same to be false, altered, forged, or counterfeited; and defendants have transmitted to, and presented at offices and officers of the United States, writings in support of, and in relation to, any account or claim, with intent to defraud the United States, knowing the same to be false, altered, forged, or counterfeited.

824. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate Sec. 513. - Securities of the States and private entities.



825. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate Sec. 514. - Fictitious obligations.

826. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate FRAUD AND FALSE STATEMENTS. In the commission of certain crimes against the USPTO and state corporate laws, documents were falsified for; patent applications, corporate formation and other corporate documents; billing statements, foreign patent applications, investment documents and other documents currently under investigations as outlined herein.

827. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 47 FRAUD AND FALSE STATEMENTS Sec 1001.

A. That Plaintiffs state on information and belief, defendants made statements or entries generally and in matters within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully falsified, concealed, and covered up by trick, scheme, and device material facts; and made materially false, fictitious, and fraudulent statements and representations; and made and used false writings and documents knowing the same to contain materially false, fictitious, and fraudulent statements and entries.

828. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 47 Sec 1031 - Major fraud against the United States.

A. That Plaintiffs state on information and belief, defendants have committed major fraud against the United States and knowingly executed, and attempted to execute,

A handwritten signature in black ink is written over a circular stamp. The stamp contains a stylized logo or emblem, possibly representing a government or legal entity. The signature is written in a cursive style.

schemes and artifices with the intent to defraud the United States; and obtained money and property by means of false and fraudulent pretenses, representations, and promises, in the procurement of property and services as a prime contractor with the United States or as a subcontractor or supplier on a contract in which there is a prime contract with the United States.

829. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate MALICIOUS MISCHIEF VIOLATION.

830. That Plaintiffs state on information and belief, defendants have violated; TITLE 18 PART I CH 65 Sec 1361 - Government property or contracts.

A. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate Government property and contracts and that defendants willfully injured and committed depredation against properties of the United States, and departments and agencies thereof, and property which has been or is being manufactured or constructed for the United States, or any department or agency thereof, and attempted to commit the foregoing offenses.

831. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate ROBBERY AND BURGLARY.

832. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 103 Sec 2112 - Personal property of United States.

A. That Plaintiffs state on information and belief, defendants have robbed and attempted to rob Iviewit Companies of properties belonging to the United States.

833. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 103 Sec 2114 - Mail, money, or other property of United States.

A. That Plaintiffs state on information and belief, defendants through mail, money, and other property of United States and are in receipt, possession, concealment, and disposal of Property. Defendants have received, possess, conceal, and dispose of money and other property obtained in violation of this section, knowing the same to have been unlawfully obtained.

834. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate STOLEN PROPERTY.

835. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 113 STOLEN PROPERTY Sec 2311.

A. That Plaintiffs state on information and belief, through illegal actions and defined, "Money" means the legal tender of the United States or of any foreign country, or any counterfeit thereof; "Securities" includes any note, stock certificate, bond, debenture, check, draft, warrant, traveler's check, letter of credit, warehouse receipt, negotiable bill of lading, evidence of indebtedness, certificate of interest or participation in any profit-sharing agreement, collateral-trust certificate, preorganization certificate or subscription, transferable share, investment contract, voting-trust certificate; certificate of interest in property, tangible or intangible; instrument or document or writing evidencing ownership of goods, wares, and merchandise, or transferring or assigning any right, title, or interest in or to goods, wares, and merchandise; or, in general, any instrument commonly known as a "security", or any certificate of interest or participation in, temporary or interim certificate for, receipt for, warrant, or right to

subscribe to or purchase any of the foregoing, or any forged, counterfeited, or spurious representation of any of the foregoing; "Tax stamp" includes any tax stamp, tax token, tax meter imprint, or any other form of evidence of an obligation running to a State, or evidence of the discharge thereof; "Value" means the face, par, or market value, whichever is the greatest, and the aggregate value of all goods, wares, and merchandise, securities, and money referred to in a single indictment shall constitute the value thereof.

836. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 113 Sec 2314 - Transportation of stolen goods, securities, moneys, fraudulent State tax stamps, or articles used in counterfeiting.

A. That Plaintiffs state on information and belief, defendants have participated in the transportation of stolen goods, securities, moneys, or articles used in counterfeiting and defendants have transported, transmitted, and made transfers in interstate and foreign commerce of goods, wares, merchandise, securities or money, of the value of \$5,000 or more, knowing the same to have been stolen, converted and taken by fraud; and having devised and intended to devise schemes and artifices to defraud, and for obtaining money or property by means of false or fraudulent pretenses, representations, and promises, transported and caused to be transported, and induced persons to travel in, and to be transported in interstate and foreign commerce in the execution and concealment of schemes and artifices to defraud that person or those persons of money or property having a value of \$5,000 or more; and, with unlawful or fraudulent intent, transported in interstate and foreign commerce falsely made, forged, altered, and counterfeited securities, knowing the same to have been falsely made, forged, altered, and counterfeited; and, with unlawful and fraudulent intent.

837. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown,

participate in a conspiracy to violate; TITLE 18 PART I CH 113 Sec 2315 - Sale or receipt of stolen goods, securities, moneys, or fraudulent State tax stamps.

838. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 113 Sec 2318 - Trafficking in counterfeit labels for phonorecords, copies of computer programs or computer program documentation or packaging, and copies of motion pictures or other audio visual works, and trafficking in counterfeit computer program documentation or packaging.

A. That Plaintiffs state on information and belief, while trafficking in counterfeit labels for phonorecords, copies of computer programs or computer program documentation or packaging, and copies of motion pictures or other audio visual works, and trafficking in counterfeit computer program documentation or packaging and knowingly traffic in counterfeit label affixed or designed to be affixed to a phonorecord, or a copy of a computer program or documentation or packaging for a computer program, or a copy of a motion picture or other audiovisual work, and whoever, in any of the circumstances described in subsection (c) of this section, knowingly traffics in counterfeit documentation or packaging for a computer program.

839. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 113 Sec 2319 - Criminal infringement of a copyright.

840. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 113 Sec 2320 - Trafficking in counterfeit goods or services.

841. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with

each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate SECURITIES LAWS of Title 15 Chap 2. That Plaintiffs state on information and belief, state defendants violated multiple securities laws through fraud to achieve the IP thefts and corporate formations.

A. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate BRIBERY, GRAFT, AND CONFLICTS OF INTEREST.

842. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 11 Sec. 201. Bribery of public officials and witnesses.

843. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate Sec. 225. - Continuing financial crimes enterprise.

844. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate Sec. 205. - Activities of officers and employees in claims against and other matters affecting the Government.

845. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate Sec. 208. - Acts affecting a personal financial interest.

846. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with

each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate Sec. 210. - Offer to procure appointive public office.

847. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate PERJURY.

848. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 79 Sec 1621 - Perjury generally.

A. That Plaintiffs state on information and belief, By committing acts of perjury generally and further having taken an oath before a competent tribunal, officer, or person, in cases in which laws of the United States authorize oaths to be administered, that defendants testify, declare, depose, and certify truly, that written testimonies, declarations, depositions, and certificates subscribed, is true, and defendants willfully and contrary to such oaths stated and subscribed material matters which they did not believe to be true; and in declarations, certificates, verifications, and statements under penalty of perjury as permitted under section 1746 of title 28, United States Code, willfully subscribed as true material matters which they do not believe to be true; and is therefore guilty of perjury.

849. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 79 Sec 1622 by subornation of perjury.

A. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to procure others to commit perjury and therefore are guilty of subornation of perjury.

850. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 79 Sec 1623 - False declarations before grand jury or court.

A. That Plaintiffs state on information and belief, defendants have made false declarations before a court and under oath (and in declarations, certificates, verifications, and statements under penalty of perjury as permitted under section 1746 of title 28, United States Code) in proceedings before or ancillary to any court of the United States and knowingly made false material declarations and made and use other information, including books, papers, documents, records, recordings, and other materials, knowing the same to contain false material declarations.

851. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate perjury in depositions to state supreme court agencies, state supreme courts, civil court and a federal bankruptcy court.

852. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 63 Sec 1341 - Frauds and swindles.

A. That Plaintiffs state on information and belief, defendants have devised and intended to devise schemes and artifices to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, and\or to sell, dispose of, loan, exchange, alter, give away, distribute, supply, furnish and\or procure for unlawful uses counterfeit or spurious obligation, security, and other articles, and represented to be and intimated and held out to be counterfeit or spurious article, for the purpose of executing such schemes and artifices and attempting so to do, places in any post office or authorized depository for mail matter, matters or things sent and delivered by the Postal Service, and deposited and caused

to be deposited matters and things to be sent and delivered by private and commercial interstate carriers, and took and received therefrom, such matters and things, and knowingly caused to be delivered by mail and such carrier according to the direction thereon, and at the place at which it is directed to be delivered by the person to whom it is addressed, any such matters or things.

853. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 63 Sec 1342 Fictitious name or address.

A. That Plaintiffs state on information and belief, In the use of fictitious names and addresses, defendants for the purpose of conducting, promoting, and carrying on by means of the Postal Service, schemes and devices mentioned in section 1341 of this title and other unlawful business, used and assumed, and requested to be addressed by, any fictitious, false, or assumed title, name, and address and name other than his own proper name, or takes or receives from any post office or authorized depository of mail matter, any letter, postal card, package, and other mail matter addressed to any such fictitious, false, or assumed title, name, address, name other than his own proper name.

854. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 63 Sec 1343 - Fraud by wire, radio, or television.

A. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to commit fraud by wire, radio, or television and defendants have devised and intended to devise schemes and artifices to defraud, and for obtaining money and property by means of false or fraudulent pretenses, representations, and promises, transmitted and caused to be transmitted by means of

wire, radio, or television communication in interstate or foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such schemes and artifices.

855. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 63 Sec 1344 - Bank fraud.


A. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to commit bank fraud by knowingly executing, and attempting to execute, schemes and artifices to defraud a financial institution; and to obtain any of the moneys, funds, credits, assets, securities, or other property owned by, or under the custody or control of, a financial institution, by means of false or fraudulent pretenses, representations, or promises.

856. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 63 Sec 1346 - Definition of "scheme or artifice to defraud".

A. That Plaintiffs state on information and belief, defendants meet the definition of "scheme or artifice to defraud" including schemes and artifices to deprive another of the intangible right of honest services.

857. That That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate VIOLATIONS OF POSTAL SERVICE.

858. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown,

 236
Friday, May 09, 2008 @ 2:04:17 PM

participate in a conspiracy to violate; TITLE 18 PART I CH 83 Sec 1701 - Obstruction of mails generally.

A. That Plaintiffs state on information and belief, defendants have obstructed mails generally, knowingly and willfully obstructing and retarding the passage of the mail, and carrier and conveyance carrying the mail.

859. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 83 Sec 1702 - Obstruction of correspondence.

A. That Plaintiffs state on information and belief, defendants have obstructed correspondences and taken letters, postal cards, and packages out of a post office and a authorized depository for mail matters, and from any letter or mail carrier, or which has been in any post office or authorized depository, or in the custody of any letter or mail carrier, before it has been delivered to the person to whom it was directed, had designs to obstruct the correspondences, and to pry into the businesses and secrets of others, and opened, secreted, embezzled, and destroyed the same.

860. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate numerous codes of the INTERNAL REVENUE SERVICE CODE by actions described herein.

A. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate numerous federal and state tax codes including; TITLE 26 INTERNAL REVENUE CODE.

B. That Plaintiffs state on information and belief, defendants engaged in illegal activities in reporting taxes and preparing statements.

861. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with



each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate EMBEZZLEMENT AND THEFT.

862. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 31 Sec 641 - Public money, property or records.

A. That Plaintiffs state on information and belief, in regard to public money, property or records, defendants have embezzled, stolen, purloined, and knowingly converted to their use and the uses of others, and without authority, sell, convey and disposed of records, vouchers, moneys, and things of value of the United States or of any department or agency thereof, and in property made and being made under contract for the United States or any department or agency thereof; and defendants have received, concealed, and retained the same with intent to convert it to their use and gain, knowing it to have been embezzled, stolen, purloined or converted.

863. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate Sec 654 - Officer or employee of United States converting property of another.

864. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate TITLE 15 CH 22 SUBCH IV SUBCHAPTER IV - THE MADRID PROTOCOL.

865. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate CONTEMPT.

866. That Plaintiffs state on information and belief, defendants have violated the following in the abuse of, including but not limited to, Supreme Court disciplinary agencies and a Florida civil circuit court.

867. That Plaintiffs state on information and belief, defendants have violated Sec. 401. - Power of court.

868. That Plaintiffs state on information and belief, defendants have violated Sec. 201. - Bribery of public officials and witnesses.

869. That Plaintiffs state on information and belief, defendants have violated Sec. 205. - Activities of officers and employees in claims against and other matters affecting the Government.

870. That Plaintiffs state on information and belief, defendants have violated Sec. 208. - Acts affecting a personal financial interest.

871. That Plaintiffs state on information and belief, defendants have violated Sec. 210. - Offer to procure appointive public office.

872. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate OBSTRUCTION OF JUSTICE.

873. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; TITLE 18 PART I CH 73 Sec 1511 - Obstruction of State or local law enforcement.

NEW YORK STATE CRIMES

874. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate New York Conspiracy laws. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to

commit a conspiracy within the state of New York and under; New York State Consolidated Laws Penal ARTICLE 105 CONSPIRACY as described herein.

875. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate: Section 105.00 Conspiracy in the sixth degree.

876. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate 105.05 Conspiracy in the fifth degree.

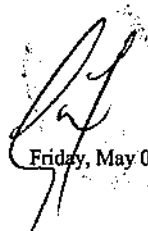
877. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate 105.10 Conspiracy in the fourth degree.

878. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate 105.13 Conspiracy in the third degree.

879. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate 105.15 Conspiracy in the second degree.

880. That That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate 105.17 Conspiracy in the first degree.

881. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate 105.20 Conspiracy; pleading and proof; necessity of overt act.

 240
Friday, May 09, 2008 @ 2:04:17 PM

882. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate 105.30 Conspiracy; no defense.

883. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate 05.35 Conspiracy; enterprise corruption: applicability.

884. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate S 105.00 Conspiracy in the sixth degree.

885. That That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate VIOLATIONS OF PUBLIC OFFICES, INCLUDING BUT NOT LIMITED TO, First Department Court, 1st DDC, Second Department Court, 2nd DDC.

886. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; New York State Consolidated Laws Penal ARTICLE 200 BRIBERY INVOLVING PUBLIC SERVANTS AND RELATED OFFENSES, and these claims are further endorsed by the statements in *Anderson*.

887. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 200.03 Bribery in the second degree.

A. That Plaintiffs state on information and belief, defendants are guilty of bribery in the second degree they conferred, or offered or agreed to confer, any benefit valued in

excess of ten thousand dollars upon a public servant upon an agreement or understanding that such public servant's vote, opinion, judgment, action, decision or exercise of discretion as a public servant will thereby be influenced. Bribery in the second degree is a class C felony.

888. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 200.04 Bribery in the first degree.

A. That Plaintiffs state on information and belief, defendants are guilty of bribery in the first degree when they conferred, or offered or agreed to confer, any benefit upon a public servant upon an agreement or understanding that such public servant's vote, opinion, judgment, action, decision or exercise of discretion as a public servant will thereby be influenced in the investigation, arrest, detention, prosecution or incarceration of any person for the commission or alleged commission of a class A felony defined in article two hundred twenty of the penal law or an attempt to commit any such class A felony. Bribery in the first degree is a class B felony.

889. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 200.10 Bribe receiving in the third degree.

A. That Plaintiffs state on information and belief, a public servant is guilty of bribe receiving in the third degree when he solicits, accepts or agrees to accept any benefit from another person upon an agreement or understanding that his vote, opinion, judgment, action, decision or exercise of discretion as a public servant will thereby be influenced. Bribe receiving in the third degree is a class D felony.

890. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 200.11 Bribe receiving in the second degree.

A. That Plaintiffs state on information and belief, a public servant is guilty of bribe receiving in the second degree when they solicit, accept or agree to accept any benefit

valued in excess of ten thousand dollars from another person upon an agreement or understanding that his vote, opinion, judgment, action, decision or exercise of discretion as a public servant will thereby be influenced. Bribe receiving in the second degree is a class C felony.

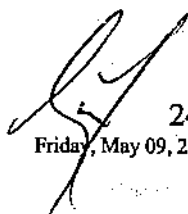
891. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 200.12 Bribe receiving in the first degree.

A. That Plaintiffs state on information and belief, a public servant is guilty of bribe receiving in the first degree when he solicits, accepts or agrees to accept any benefit from another person upon an agreement or understanding that his vote, opinion, judgment, action, decision or exercise of discretion as a public servant will thereby be influenced in the investigation, arrest, detention, prosecution or incarceration of any person for the commission or alleged commission of a class A felony defined in article two hundred twenty of the penal law or an attempt to commit any such class A felony. Bribe receiving in the first degree is a class B felony.

892. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 200.20 Rewarding official misconduct in the second degree.

A. That Plaintiffs state on information and belief, defendants are guilty of rewarding official misconduct in the second degree when he knowingly confers, or offers or agrees to confer, any benefit upon a public servant for having violated his duty as a public servant. Rewarding official misconduct in the second degree is a class E felony.

893. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 200.22 Rewarding official misconduct in the first degree.



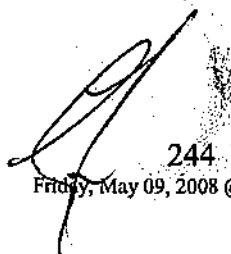
A. That Plaintiffs state on information and belief, defendants are guilty of rewarding official misconduct in the first degree when they knowingly conferred, or offered or agreed to confer, any benefit upon a public servant for having violated his duty as a public servant in the investigation, arrest, detention, prosecution, or incarceration of any person for the commission or alleged commission of a class A felony defined in article two hundred twenty of the penal law or the attempt to commit any such class A felony. Rewarding official misconduct in the first degree is a class C felony.

894. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 200.25 Receiving reward for official misconduct in the second degree.

A. That Plaintiffs state on information and belief, a public servant is guilty of receiving reward for official misconduct in the second degree when he solicits, accepts or agrees to accept any benefit from another person for having violated his duty as a public servant. Receiving reward for official misconduct in the second degree is a class E felony.

895. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 200.27 Receiving reward for official misconduct in the first degree.

A. That Plaintiffs state on information and belief, a public servant is guilty of receiving reward for official misconduct in the first degree when he solicits, accepts or agrees to accept any benefit from another person for having violated his duty as a public servant in the investigation, arrest, detention, prosecution, or incarceration of any person for the commission or alleged commission of a class A felony defined in article two hundred twenty of the penal law or the attempt to commit any such class A felony. Receiving reward for official misconduct in the first degree is a class C felony.



896. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 200.30 Giving unlawful gratuities.

A. That Plaintiffs state on information and belief, defendants are guilty of giving unlawful gratuities when they knowingly conferred, or offered or agreed to confer, any benefit upon a public servant for having engaged in official conduct which he was required or authorized to perform, and for which he was not entitled to any special or additional compensation. Giving unlawful gratuities is a class A misdemeanor.

897. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 200.35 Receiving unlawful gratuities.

A. That Plaintiffs state on information and belief, a public servant is guilty of receiving unlawful gratuities when he solicits, accepts or agrees to accept any benefit for having engaged in official conduct which he was required or authorized to perform, and for which he was not entitled to any special or additional compensation. Receiving unlawful gratuities is a class A misdemeanor.

898. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 200.45 Bribe giving for public office.

A. That Plaintiffs state on information and belief, defendants are guilty of bribe giving for public office when he confers, or offers or agrees to confer, any money or other property upon a public servant or a party officer upon an agreement or understanding that some person will or may be appointed to a public office or designated or nominated as a candidate for public office. Bribe giving for public office is a class D felony.

899. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with

each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; ARTICLE 175 OFFENSES INVOLVING FALSE WRITTEN STATEMENTS.

900. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 175.05 Falsifying business records in the second degree.

A. That Plaintiffs state on information and belief, defendants are guilty of falsifying business records in the second degree when, with intent to defraud, they:

1. Makes or causes a false entry in the business records of an enterprise; or
2. Alters, erases, obliterates, deletes, removes or destroys a true entry in the business records of an enterprise; or
3. Omits to make a true entry in the business records of an enterprise in violation of a duty to do so which he knows to be imposed upon him by law or by the nature of his position; or
4. Prevents the making of a true entry or causes the omission thereof in the business records of an enterprise. Falsifying business records in the second degree is a class A misdemeanor.

901. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 175.10 Falsifying business records in the first degree.

A. That Plaintiffs state on information and belief, defendants are guilty of falsifying business records in the first degree when he commits the crime of falsifying business records in the second degree, and when his intent to defraud includes an intent to commit another crime or to aid or conceal the commission thereof. Falsifying business records in the first degree is a class E felony.

902. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with

each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 175.20 Tampering with public records in the second degree.

A. That Plaintiffs state on information and belief, defendants are guilty of tampering with public records in the second degree when, knowing that he does not have the authority of anyone entitled to grant it, he knowingly removes, mutilates, destroys, conceals, makes a false entry in or falsely alters any record or other written instrument filed with, deposited in, or otherwise constituting a record of a public office or public servant. Tampering with public records in the second degree is a Class A misdemeanor.

903. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 175.25 Tampering with public records in the first degree.

A. That Plaintiffs state on information and belief, defendants are guilty of tampering with public records in the first degree when, knowing that he does not have the authority of anyone entitled to grant it, and with intent to defraud, he knowingly removes, mutilates, destroys, conceals, makes a false entry in or falsely alters any record or other written instrument filed with, deposited in, or otherwise constituting a record of a public office or public servant. Tampering with public records in the first degree is a class D felony.

904. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 175.30 Offering a false instrument for filing in the second degree.

A. That Plaintiffs state on information and belief, defendants are guilty of offering a false instrument for filing in the second degree when, knowing that a written instrument contains a false statement or false information, he offers or presents it to a public office or public servant with the knowledge or belief that it will be filed with,

registered or recorded in or otherwise become a part of the records of such public office or public servant. Offering a false instrument for filing in the second degree is a class A misdemeanor.

905. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 175.35 Offering a false instrument for filing in the first degree.

A. That Plaintiffs state on information and belief, defendants are guilty of offering a false instrument for filing in the first degree when, knowing that a written instrument contains a false statement or false information, and with intent to defraud the state or any political subdivision, public authority or public benefit corporation of the state, he offers or presents it to a public office, public servant, public authority or public benefit corporation with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become a part of the records of such public office, public servant, public authority or public benefit corporation. Offering a false instrument for filing in the first degree is a class E felony.

906. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 175.40 Issuing a false certificate.

A. That Plaintiffs state on information and belief, defendants are guilty of issuing a false certificate when, being a public servant authorized by law to make or issue official certificates or other official written instruments, and with intent to defraud, deceive or injure another person, he issues such an instrument, or makes the same with intent that it be issued, knowing that it contains a false statement or false information. Issuing a false certificate is a class E felony.

907. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 175.45 Issuing a false financial statement.

A. That Plaintiffs state on information and belief, defendants are guilty of issuing a false financial statement when, with intent to defraud:

1. He knowingly makes or utters a written instrument which purports to describe the financial condition or ability to pay of some person and which is inaccurate in some material respect; or

2. He represents in writing that a written instrument purporting to describe a person's financial condition or ability to pay as of a prior date is accurate with respect to such person's current financial condition or ability to pay, whereas he knows it is materially inaccurate in that respect. Issuing a false financial statement is a class A misdemeanor.

908. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; NY Constitution ARTICLE XIII Public Officers Section 1. Members of the legislature, and all officers, executive and judicial, except such inferior officers as shall be by law exempted, shall, before they enter on the duties of their respective offices, take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of New York, and that I will faithfully discharge the duties of the office of, according to the best of my ability;" and have in multitude violated such oath and to faithfully discharge duties.

909. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate Public Officers - Public Officers ARTICLE 1 S 2.

910. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; ARTICLE 2 Appointment and Qualification of Public Officers - ARTICLE 15 ATTORNEYS AND COUNSELORS.



911. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate S 476-a. Action for unlawful practice of the law.

A. Whereby:

1. The attorney-general may maintain an action upon his own information or upon the complaint of a private person or of a bar association organized and existing under the laws of this state against any person, partnership, corporation, or association, and any employee, agent, director, or officer thereof who commits any act or engages in any conduct prohibited by law as constituting the unlawful practice of the law.
2. Such an action may also be maintained by a bar association organized and existing under the laws of the state of New York, upon an application to the supreme court of the state of New York, or a justice thereof, for leave to bring the same by such bar association on good cause shown therefor and proof that a written request was made upon the attorney-general to bring such an action and that more than twenty days have elapsed since the making of such request and he has failed or refused to bring such an action.

912. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 487. Misconduct by attorneys.

A. Whereby:

That Plaintiffs state on information and belief, attorneys and counselors:

1. are guilty of deceit and collusion, and consented to deceit and collusion, with intent to deceive the court or any party; or,
2. and have willfully delayed his client's suit with a view to his own gain. And in addition to the punishment prescribed therefore by the penal law, he forfeits to the party injured treble damages, to be recovered in a civil action.

913. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown,

participate in a conspiracy to violate Public Officers Law §73 Restrictions on the Activities Of Current and Former State Officers and Employees. Section 73. Business or professional activities by state officers and employees and party officers.

914. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; Public Officers Law §74 Code of Ethics Sec. 74. Code of ethics.

2. Rule with respect to conflicts of interest. No officer or employee of a state agency, member of the legislature or legislative employee should have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his duties in the public interest.

3. Standards.

a. No officer or employee of a state agency, member of the legislature or legislative employee should accept other employment which will impair his independence of judgment in the exercise of his official duties.

b. No officer or employee of a state agency, member of the legislature or legislative employee should accept employment or engage in any business or professional activity which will require him to disclose confidential information which he has gained by reason of his official position or authority.

c. No officer or employee of a state agency, member of the legislature or legislative employee should disclose confidential information acquired by him in the course of his official duties nor use such information to further his personal interests.

d. No officer or employee of a state agency, member of the legislature or legislative employee should use or attempt to use his official position to secure unwarranted privileges or exemptions for himself or others.

e. No officer or employee of a state agency, member of the legislature or legislative employee should engage in any transaction as representative or agent of the state with any business entity in which he has a direct or indirect financial interest that might reasonably tend to conflict with the proper discharge of his official duties.



f. An officer or employee of a state agency, member of the legislature or legislative employee should not by his conduct give reasonable basis for the impression that any person can improperly influence him or unduly enjoy his favor in the performance of his official duties, or that he is affected by the kinship, rank, position or influence of any party or person.

g. An officer or employee of a state agency should abstain from making personal investments in enterprises which he has reason to believe may be directly involved in decisions to be made by him or which will otherwise create substantial conflict between his duty in the public interest and his private interest.

h. An officer or employee of a state agency, member of the legislature or legislative employee should endeavor to pursue a course of conduct which will not raise suspicion among the public that he is likely to be engaged in acts that are in violation of his trust.

j. If any officer or employee of a state agency shall have a financial interest, direct or indirect, having a value of ten thousand dollars or more in any activity which is subject to the jurisdiction of a regulatory agency, he should file with the secretary of state a written statement that he has such a financial interest in such activity which statement shall be open to public inspection.

4. Violations. In addition to any penalty contained in any other provision of law any such officer, member or employee who shall knowingly and intentionally violate any of the provisions of this section may be fined, suspended or removed from office or employment in the manner provided by law.

915. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate NEW YORK STATE CONSOLIDATED LAWS TITLE X ORGANIZED CRIME CONTROL ACT ARTICLE 460 ENTERPRISE CORRUPTION.

916. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 460.20 Enterprise corruption.

A. Whereby:

1. That Plaintiffs state on information and belief, defendants are guilty of enterprise corruption when, having knowledge of the existence of a criminal enterprise and the nature of its activities, and being employed by or associated with such enterprise, he:

(a) intentionally conducts or participates in the affairs of an enterprise by participating in a pattern of criminal activity; or

(b) intentionally acquires or maintains any interest in or control of an enterprise by participating in a pattern of criminal activity; or

(c) participates in a pattern of criminal activity and knowingly invests any proceeds derived from that conduct, or any proceeds derived from the investment or use of those proceeds, in an enterprise.

2. For purposes of this section, a person participates in a pattern of criminal activity when, with intent to participate in or advance the affairs of the criminal enterprise, he engages in conduct constituting, or, is criminally liable for pursuant to section 20.00 of this chapter, at least three of the criminal acts included in the pattern, provided that:

(a) Two of his acts are felonies other than conspiracy;

(b) Two of his acts, one of which is a felony, occurred within five years of the commencement of the criminal action; and

(c) Each of his acts occurred within three years of a prior act.

1. For purposes of this section, the enterprise corrupted in violation of subdivision one of this section need not be the criminal enterprise by which the person is employed or with which he is associated, and may be a legitimate enterprise.

Enterprise corruption is a class B felony.

917. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 460.30 Enterprise corruption.

918. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with



253

Friday, May 09, 2008 @ 2:04:17 PM

each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violated; S 460.40 Enterprise corruption; jurisdiction.

A. Whereby:

That Plaintiffs state on information and belief, a person may be prosecuted for enterprise corruption:

1. in any county in which the principal place of business, if any, of the enterprise was located at the time of the offense, and, if the enterprise had a principal place or business located in more than one county, then in any such county in which any conduct occurred constituting or requisite to the completion of the offense of enterprise corruption; or

2. in any county in which any act included in the pattern of criminal activity could have been prosecuted pursuant to article twenty of the criminal procedure law; provided, however, that such person may not be prosecuted for enterprise corruption in such county based on this subdivision if the jurisdiction of such county is based solely on section 20.60 of the criminal procedure law; or

3. in any county in which he:

(a) conducts or participates in the affairs of the enterprise in violation of subdivision one of section 460.20 of this article, (b) acquires or maintains an interest in or control of the enterprise in violation of subdivision one of section 460.20 of this article, (c) invests proceeds in an enterprise in violation of subdivision one of section 460.20 of this article; or

4. in any county in which the conduct of the actor had or was likely to have a particular effect upon such county or a political subdivision or part thereof, and was performed with intent that it would, or with knowledge that it was likely to, have such particular effect therein.

919. That Plaintiffs cite on information and belief; S 460.50 Enterprise corruption; prosecution.

A. Whereby:

1. Subject to the provisions of section 460.60 of this article, a charge of enterprise corruption may be prosecuted by: (a) the district attorney of any county with jurisdiction over the offense pursuant to section 460.40 of this article; (b) the deputy



attorney general in charge of the statewide organized crime task force when authorized by subdivision seven of section seventy-a of the executive law; or (c) the attorney general when he is otherwise authorized by law to prosecute each of the criminal acts specifically included in the pattern of criminal activity alleged in the enterprise corruption charge.

2. For purposes of paragraph (c) of subdivision one of this section, a criminal act or an offense is specifically included in a pattern of criminal activity when the count of the accusatory instrument charging a person with enterprise corruption alleges a pattern of criminal activity and the act is alleged to be a criminal act within the pattern of criminal activity.

920. That Plaintiffs cite on information and belief, S 460.60 Enterprise corruption; consent to prosecute.

A. Whereby:

1. For purposes of this section, when a grand jury proceeding concerns a possible charge of enterprise corruption, or when an accusatory instrument includes a count charging a person with enterprise corruption, the affected district attorneys are the district attorneys otherwise empowered to prosecute any of the underlying acts of criminal activity in a county with jurisdiction over the offense of enterprise corruption pursuant to section 460.40 of this article.

921. That Plaintiffs state on information and belief, defendants have violated State of New York Trademark Laws.

A. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate New York laws; General Business Article 24 - TRADE-MARKS, SERVICE-MARKS AND BUSINESS REPUTATION.

922. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; §360-j. Fraudulent registration.

A. That Plaintiffs state on information and belief, whereby, any person who shall for himself or herself, or on behalf of any other person, procure the filing or registration of any mark in the office of the secretary under the provisions hereof, by knowingly making any false or fraudulent representation or declaration, orally or in writing, or by any other fraudulent means, shall be liable to pay all damages sustained in consequence of such filing or registration, to be recovered by or on behalf of the party injured thereby in any court of competent jurisdiction.

923. That Plaintiffs state on information and belief, defendants have violated; § 360-k. Infringement.

924. That Plaintiffs state on information and belief, defendants have violated; § 360-l. Injury to business reputation; dilution.

A. That Plaintiffs state on information and belief, whereby, likelihood of injury to business reputation or of dilution of the distinctive quality of a mark or trade name shall be a ground for injunctive relief in cases of infringement of a mark registered or not registered or in cases of unfair competition, notwithstanding the absence of competition between the parties or the absence of confusion as to the source of goods or services.

925. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; NEW YORK STATE CONSOLIDATED LAWS ARTICLE 210 - PERJURY AND RELATED OFFENSES.

926. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 210.05 Perjury in the third degree.

A. That Plaintiffs state on information and belief, defendants are guilty of perjury in the third degree when he swears falsely. Perjury in the third degree is a class A misdemeanor.

927. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with



each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 210.10 Perjury in the second degree.

A. That Plaintiffs state on information and belief, defendants are guilty of perjury in the second degree when he swears falsely and when his false statement is (a) made in a subscribed written instrument for which an oath is required by law, and (b) made with intent to mislead a public servant in the performance of his official functions, and (c) material to the action, proceeding or matter involved. Perjury in the second degree is a class E felony.

928. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 210.15 Perjury in the first degree.

A. That Plaintiffs state on information and belief, defendants are guilty of perjury in the first degree when he swears falsely and when his false statement (a) consists of testimony, and (b) is material to the action, proceeding or matter in which it is made. Perjury in the first degree is a class D felony.

929. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 210.20 Perjury; pleading and proof whereinconsistent statements involved.

A. That Plaintiffs state on information and belief, where a person has made two statements under oath which are inconsistent to the degree that one of them is necessarily false, where the circumstances are such that each statement, if false, is perjuriously so, and where each statement was made within the jurisdiction of this state and within the period of the statute of limitations for the crime charged, the inability of the people to establish specifically which of the two statements is the false one does not preclude a prosecution for perjury, and such prosecution may be conducted as follows:

1. The indictment or information may set forth the two statements and, without designating either, charge that one of them is false and perjuriously made.

2. The falsity of one or the other of the two statements may be established by proof or a showing of their irreconcilable inconsistency.

3. The highest degree of perjury of which the defendant may be convicted is determined by hypothetically assuming each statement to be false and perjurious. If under such circumstances perjury of the same degree would be established by the making of each statement, the defendant may be convicted of that degree at most. If perjury of different degrees would be established by the making of the two statements, the defendant may be convicted of the lesser degree at most.

930. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 210.35 Making an apparently sworn false statement in the second degree.

A. That Plaintiffs state on information and belief, defendants are guilty of making an apparently sworn false statement in the second degree when (a) he subscribes a written instrument knowing that it contains a statement which is in fact false and which he does not believe to be true, and (b) he intends or believes that such instrument will be uttered or delivered with a jurat affixed thereto, and (c) such instrument is uttered or delivered with a jurat affixed thereto. Making an apparently sworn false statement in the second degree is a class A misdemeanor.

931. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 210.40 Making an apparently sworn false statement in the first degree.

A. That Plaintiffs state on information and belief, defendants are guilty of making an apparently sworn false statement in the first degree when he commits the crime of making an apparently sworn false statement in the second degree, and when (a) the written instrument involved is one for which an oath is required by law, and (b) the false statement contained therein is made with intent to mislead a public servant in the performance of his official functions, and (c) such false statement is material to the

action, proceeding or matter involved. Making an apparently sworn false statement in the first degree is a class E felony.

932. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; S 210.45 Making a punishable false written statement.

A. That Plaintiffs state on information and belief, defendants are guilty of making a punishable false written statement when he knowingly makes a false statement, which he does not believe to be true, in a written instrument bearing a legally authorized form notice to the effect that false statements made therein are punishable. Making a punishable false written statement is a class A misdemeanor.

FLORIDA STATE CRIMES

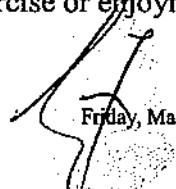
933. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate FLORIDA CONSPIRACY.

934. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate inventors' constitutional rights under; TITLE XLIV - CIVIL RIGHTS Ch 760-765-760.01 the Florida Civil Rights Act of 1992.

935. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; 760.51 Violation of constitutional rights, civil action by the Attorney General; civil penalty.

A. Whereby,

(1) Whenever any person, whether or not acting under color of law, interferes by threats, intimidation, or coercion, or attempts to interfere by threats, intimidation, or coercion, with the exercise or enjoyment by any other person of rights secured by the



State Constitution or laws of this state, the Attorney General may bring a civil or administrative action for damages, and for injunctive or other appropriate relief for violations of the rights secured. Any damages recovered under this section shall accrue to the injured person. The civil action shall be brought in the name of the state and may be brought on behalf of the injured person. The Attorney General is entitled to an award of reasonable attorney's fees and costs if the Department of Legal Affairs prevails in an action brought under this section.

(2) Any person who interferes by threats, intimidation, or coercion, or attempts to interfere by threats, intimidation, or coercion, with the exercise or enjoyment by any other person of rights secured by the State Constitution or laws of this state is liable for a civil penalty of not more than \$10,000 for each violation. This penalty may be recovered in any action brought under this section by the Attorney General. A civil penalty so collected shall accrue to the state and shall be deposited as received into the General Revenue Fund unallocated.

936. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; Title XLV - TORTS - Ch 772 CIVIL REMEDIES FOR CRIMINAL PRACTICES.

937. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate 772.103 Prohibited activities

A. Whereby:

a. It is unlawful for any person:

(1) Who has with criminal intent received any proceeds derived, directly or indirectly, from a pattern of criminal activity or through the collection of an unlawful debt to use or invest, whether directly or indirectly, any part of such proceeds, or the proceeds derived from the investment or use thereof, in the acquisition of any title to, or any right, interest, or equity in, real property or in the establishment or operation of any enterprise.



(2) Through a pattern of criminal activity or through the collection of an unlawful debt, to acquire or maintain, directly or indirectly, any interest in or control of any enterprise or real property.

(3) Employed by, or associated with, any enterprise to conduct or participate, directly or indirectly, in such enterprise through a pattern of criminal activity or the collection of an unlawful debt.

(4) To conspire or endeavor to violate any of the provisions of subsection (1), subsection (2), or subsection (3). History.--s. 3, ch. 86-277.

938. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; Title XLV TORTS.

939. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violated FLORIDA RICO (RACKETEER INFLUENCED AND CORRUPT ORGANIZATION) ACT.


A. Past history of crimes Utlely, Dick & Wheeler

B. Prior patent misappropriations

940. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; CH 895 - OFFENSES CONCERNING RACKETEERING AND ILLEGAL DEBTS 895.01 "Florida RICO (Racketeer influenced and Corrupt Organization) Act.

A. ATTEMPTING TO BRIBE Employees TO STEAL EQUIPMENT AND THEN STEALING EQUIPMENT.

941. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; Section 414.39, relating to public assistance fraud.

 261
Friday, May 09, 2008 @ 2:04:17 PM

942. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate Chapter 517, relating to sale of securities and investor protection.

943. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate Section 810.02(2)(c), relating to specified burglary of a dwelling or structure.

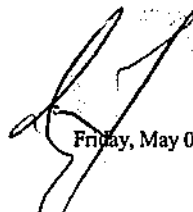
944. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate Chapter 812, relating to theft, robbery, and related crimes.

945. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate Chapter 815, relating to computer-related crimes.

946. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate Chapter 817, relating to fraudulent practices, false pretenses, fraud generally, and credit card crimes.

947. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate Chapter 831, relating to forgery and counterfeiting.

948. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with



each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate Section 836.05, relating to extortion.

949. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate Chapter 837, relating to perjury.

950. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate Chapter 838, relating to bribery and misuse of public office.

951. T That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate Chapter 843, relating to obstruction of justice.

952. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; Chapter 896, relating to offenses related to financial transactions.

953. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate Sections 918.12 and 918.13, relating to tampering with jurors and evidence.

(b) conduct defined as "racketeering activity" under 18 U.S.C. s. 1961(1).

954. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; 895.03 Prohibited activities and defense

A. Whereby, Plaintiffs state on information and belief,

(1) That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to with criminal intent received proceeds derived, directly or indirectly, from a pattern of racketeering activity or through the collection of an unlawful debt to use or invest, whether directly or indirectly, any part of such proceeds, or the proceeds derived from the investment or use thereof, in the acquisition of any title to, or any right, interest, or equity in, real property or in the establishment or operation of any enterprise.

(2) That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to, through a pattern of racketeering activity or through the collection of an unlawful debt, to acquire or maintain, directly or indirectly, any interest in or control of any enterprise or real property.

(3) That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy and were employed by, and associated with, enterprises to conduct or participate, directly or indirectly, in such enterprise through a pattern of racketeering activity or the collection of an unlawful debt.

(4) It is unlawful for any person to conspire or endeavor to violate any of the provisions of subsection (1), subsection (2), or subsection (3).

955. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; CH 896 - OFFENSES RELATED TO FINANCIAL TRANSACTIONS 896.101 FLORIDA MONEY LAUNDERING ACT.



956. That Plaintiffs state on information and belief, defendants have violated; 896.102 Currency more than \$10,000 received in trade or business; report required; noncompliance penalties.

957. That Plaintiffs state on information and belief, defendants have violated; 896.103 Transaction which constitutes separate offense.

A. Notwithstanding any other provision of law, for purposes of this section and ss. 896.101 and 896.102, each individual currency transaction exceeding \$10,000 which is made in violation of the provisions of s. 896.102(1) or each financial transaction in violation of the provisions of s. 896.101(3) which involves the movement of funds in excess of \$10,000 shall constitute a separate, punishable offense.

958. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; 896.104 Structuring transactions to evade reporting or registration requirements prohibited

959. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; VIOLATION OF PUBLIC OFFICES FLORIDA.

A. TFB COMPLAINTS AGAINST TRIGGS, Wheeler AND TURNER

960. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; PART III - CODE OF ETHICS FOR PUBLIC OFFICERS AND Employees.

A. TRIGGS, Wheeler, TURNER, JOHNSON & HOFFMAN

B. TRIGGS CONFLICTS

C. TRIGGS CONFLICTS OVERLOOKED

D. FAILURE TO FILE COMPLAINTS AGAINST TURNER, TRIGGS, Wheeler II

E. SUPREME COURT FAILURE TO PROSECUTE OR ADMIT COMPLAINTS

PROVING CONFLICT - FIVE MEMBERS

F. Whereby:

(1) It is essential to the proper conduct and operation of government that public officials be independent and impartial and that public office not be used for private gain other than the remuneration provided by law. The public interest, therefore, requires that the law protect against any conflict of interest and establish standards for the conduct of elected officials and government employees in situations where conflicts may exist.

(2) It is also essential that government attract those citizens best qualified to serve. Thus, the law against conflict of interest must be so designed as not to impede unreasonably or unnecessarily the recruitment and retention by government of those best qualified to serve. Public officials should not be denied the opportunity, available to all other citizens, to acquire and retain private economic interests except when conflicts with the responsibility of such officials to the public cannot be avoided.

(5) It is hereby declared to be the policy of the state that no officer or employee of a state agency or of a county, city, or other political subdivision of the state, and no member of the Legislature or legislative employee, shall have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature which is in substantial conflict with the proper discharge of his or her duties in the public interest. To implement this policy and strengthen the faith and confidence of the people of the state in their government, there is enacted a code of ethics setting forth standards of conduct required of state, county, and city officers and employees, and of officers and employees of other political subdivisions of the state, in the performance of their official duties. It is the intent of the Legislature that this code shall serve not only as a guide for the official conduct of public servants in this state, but also as a basis for discipline of those who violate the provisions of this part.

(6) It is declared to be the policy of the state that public officers and employees, state and local, are agents of the people and hold their positions for the benefit of the public. They are bound to uphold the Constitution of the United States and the State Constitution and to perform efficiently and faithfully their duties under the laws of the federal, state, and local governments. Such officers and employees are bound to



observe, in their official acts, the highest standards of ethics consistent with this code and the advisory opinions rendered with respect hereto regardless of personal considerations, recognizing that promoting the public interest and maintaining the respect of the people in their government must be of foremost concern.

961. That Plaintiffs state on information and belief, defendants have violated;112.313 Standards of conduct for public officers, employees of agencies, and local government attorneys

A. Flechaus and Boca PD - Flechaus misleads Iviewit with SEC and other nonsense and derails investigation - Can Boca PD investigate or are they now conflicted? Have they instituted an internal affairs investigation?

B. That Plaintiffs state on information and belief, whereby they have engaged in the: (6) MISUSE OF PUBLIC POSITION.--No public officer, employee of an agency, or local government attorney shall corruptly use or attempt to use his or her official position or any property or resource which may be within his or her trust, or perform his or her official duties, to secure a special privilege, benefit, or exemption for himself, herself, or others. This section shall not be construed to conflict with s. 104.31.

(7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP

(a) No public officer or employee of an agency shall have or hold any employment or contractual relationship with any business entity or any agency which is subject to the regulation of, or is doing business with, an agency of which he or she is an officer or employee, excluding those organizations and their officers who, when acting in their official capacities, enter into or negotiate a collective bargaining contract with the state or any municipality, county, or other political subdivision of the state; nor shall an officer or employee of an agency have or hold any employment or contractual relationship that will create a continuing or frequently recurring conflict between his or her private interests and the performance of his or her public duties or that would impede the full and faithful discharge of his or her public duties.

(8) DISCLOSURE OR USE OF CERTAIN INFORMATION

No public officer, employee of an agency, or local government attorney shall disclose or use information not available to members of the general public and gained by

reason of his or her official position for his or her personal gain or benefit or for the personal gain or benefit of any other person or business entity.

(VI) Any person having the power normally conferred upon the positions referenced in this sub-subparagraph.

b. "Appointed state officer" means any member of an appointive board, commission, committee, council, or authority of the executive or legislative branch of state government whose powers, jurisdiction, and authority are not solely advisory and include the final determination or adjudication of any personal or property rights, duties, or obligations, other than those relative to its internal operations.

c. "State agency" means an entity of the legislative, executive, or judicial branch of state government over which the Legislature exercises plenary budgetary and statutory control.

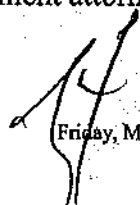
3. No member of the Legislature, appointed state officer, or statewide elected officer shall personally represent another person or entity for compensation before the government body or agency of which the individual was an officer or member for a period of 2 years following vacation of office. No member of the Legislature shall personally represent another person or entity for compensation during his or her term of office before any state agency other than judicial tribunals or in settlement negotiations after the filing of a lawsuit.

4. No agency employee shall personally represent another person or entity for compensation before the agency with which he or she was employed for a period of 2 years following vacation of position, unless employed by another agency of state government.

5. Any person violating this paragraph shall be subject to the penalties provided in s. 112.317 and a civil penalty of an amount equal to the compensation which the person receives for the prohibited conduct.

(16) LOCAL GOVERNMENT ATTORNEYS

(c) No local government attorney or law firm in which the local government attorney is a member, partner, or employee shall represent a private individual or entity before the unit of local government to which the local government attorney provides legal services. A local government attorney whose contract with the unit of local



government does not include provisions that authorize or mandate the use of the law firm of the local government attorney to complete legal services for the unit of local government shall not recommend or otherwise refer legal work to that attorney's law firm to be completed for the unit of local government.

962. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; 112.3173 Felonies involving breach of public trust and other specified offenses by public officers and employees; forfeiture of retirement benefits.

3. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate Bribery in connection with the employment of a public officer or employee;

4. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate felony specified in chapter 838, except ss. 838.15 and 838.16;

5. That That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate the committing of an impeachable offense; and

6. That That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate the committing of any felony by a public officer or employee who, willfully and with intent to defraud the public or the public agency for which the public officer or employee acts or in which he or she is

employed of the right to receive the faithful performance of his or her duty as a public officer or employee, realizes or obtains, or attempts to realize or obtain, a profit, gain, or advantage for himself or herself or for some other person through the use or attempted use of the power, rights, privileges, duties, or position of his or her public office or employment position.

963. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; Title X PUBLIC OFFICERS, Employees, AND RECORDS.

964. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; Ch 112 PUBLIC OFFICERS AND EMPLOYEES: GENERAL PROVISIONS.

965. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; CH 838 - BRIBERY; MISUSE OF PUBLIC OFFICE.


966. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 838.022 Official misconduct.

A. TRIGGS - Wheeler - Proskauer

B. Whereby:

(1) It is unlawful for a public servant, with corrupt intent to obtain a benefit for any person or to cause harm to another, to:

(a) Falsify, or cause another person to falsify, any official record or official document;



- (b) Conceal, cover up, destroy, mutilate, or alter any official record or official document or cause another person to perform such an act; or
- (c) Obstruct, delay, or prevent the communication of information relating to the commission of a felony that directly involves or affects the public agency or public entity served by the public servant.

967. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; CH 839 - OFFENSES BY PUBLIC OFFICERS AND Employees.

968. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 839.13 Falsifying records.

969. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; 839.26 Misuse of confidential information.

970. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; title XLVI Ch 777 PRINCIPAL; ACCESSORY; ATTEMPT; SOLICITATION; CONSPIRACY.

971. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 777.011 Principal in first degree.

A. Whereby, whoever commits any criminal offense against the state, whether felony or misdemeanor, or aids, abets, counsels, hires, or otherwise procures such offense to be committed, and such offense is committed or is attempted to be committed, is a principal in the first degree and may be charged, convicted, and punished as such,



whether he or she is or is not actually or constructively present at the commission of such offense.

972. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; Title XLVI Ch 777 sec 777.03 Accessory after the fact.

A. Whereby:

(1)(a) Any person not standing in the relation of husband or wife, parent or grandparent, child or grandchild, brother or sister, by consanguinity or affinity to the offender, who maintains or assists the principal or accessory before the fact, or gives the offender any other aid, knowing that the offender had committed a felony or been accessory thereto before the fact, with intent that the offender avoids or escapes detection, arrest, trial or punishment, is an accessory after the fact.

If the felony offense committed is a capital felony, the offense of accessory after the fact is a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. (b) If the felony offense committed is a life felony or a felony of the first degree, the offense of accessory after the fact is a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. (c) If the felony offense committed is a felony of the second degree or a felony of the third degree ranked in level 3, 4, 5, 6, 7, 8, 9, or 10 under s. 921.0022 or s. 921.0023, the offense of accessory after the fact is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. (d) If the felony offense committed is a felony of the third degree ranked in level 1 or level 2 under s. 921.0022 or s. 921.0023, the offense of accessory after the fact is a misdemeanor of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. (3) Except as otherwise provided in s. 921.0022, for purposes of sentencing under chapter 921 and determining incentive gain-time eligibility under chapter 944, the offense of accessory after the fact is ranked two levels below the ranking under s. 921.0022 or s. 921.0023 of the felony offense committed. Attempts, solicitation, and conspiracy.



- (1) A person who attempts to commit an offense prohibited by law and in such attempt does any act toward the commission of such offense, but fails in the perpetration or is intercepted or prevented in the execution thereof, commits the offense of criminal attempt, ranked for purposes of sentencing as provided in subsection (4).
- (2) A person who solicits another to commit an offense prohibited by law and in the course of such solicitation commands, encourages, hires, or requests another person to engage in specific conduct which would constitute such offense or an attempt to commit such offense commits the offense of criminal solicitation, ranked for purposes of sentencing as provided in subsection (4).
- (3) A person who agrees, conspires, combines, or confederates with another person or persons to commit any offense commits the offense of criminal conspiracy, ranked for purposes of sentencing as provided in subsection (4).
- (4)(a) Except as otherwise provided in ss. 104.091(2), 370.12(1), 828.125(2), 849.25(4), 893.135(5), and 921.0022, the offense of criminal attempt, criminal solicitation, or criminal conspiracy is ranked for purposes of sentencing under chapter 921 and determining incentive gain-time eligibility under chapter 944 one level below the ranking under s. 921.0022 or s. 921.0023 of the offense attempted, solicited, or conspired to. If the criminal attempt, criminal solicitation, or criminal conspiracy is of an offense ranked in level 1 or level 2 under s. 921.0022 or s. 921.0023, such offense is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.
- (c) Except as otherwise provided in s. 893.135(5), if the offense attempted, solicited, or conspired to is a life felony or a felony of the first degree, the offense of criminal attempt, criminal solicitation, or criminal conspiracy is a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (d) Except as otherwise provided in s. 104.091(2), s. 370.12(1), s. 828.125(2), or s. 849.25(4), if the offense attempted, solicited, or conspired to is a:
1. Felony of the second degree;
 2. Burglary that is a felony of the third degree; or

3. Felony of the third degree ranked in level 3, 4, 5, 6, 7, 8, 9, or 10 under s. 921.0022 or s. 921.0023, the offense of criminal attempt, criminal solicitation, or criminal conspiracy is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(e) Except as otherwise provided in s. 104.091(2), s. 370.12(1), s. 849.25(4), or paragraph (d), if the offense attempted, solicited, or conspired to is a felony of the third degree, the offense of criminal attempt, criminal solicitation, or criminal conspiracy is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(f) Except as otherwise provided in s. 104.091(2), if the offense attempted, solicited, or conspired to is a misdemeanor of the first or second degree, the offense of criminal attempt, criminal solicitation, or criminal conspiracy is a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(5) It is a defense to a charge of criminal attempt, criminal solicitation, or criminal conspiracy that, under circumstances manifesting a complete and voluntary renunciation of his or her criminal purpose, the defendant:

(a) Abandoned his or her attempt to commit the offense or otherwise prevented its commission;

(b) After soliciting another person to commit an offense, persuaded such other person not to do so or otherwise prevented commission of the offense; or

(c) After conspiring with one or more persons to commit an offense, persuaded such persons not to do so or otherwise prevented commission of the offense.

973. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate FLORIDA TRADE SECRETS ACT.

974. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; Title XXXIX COMMERCIAL RELATIONS Ch 688 UNIFORM TRADE SECRETS ACT.

975. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; FLORIDA TITLE XXXIII REGULATION OF TRADE, COMMERCE, INVESTMENTS, AND SOLICITATIONS.

976. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; Ch 495 REGISTRATION OF TRADEMARKS AND SERVICE MARKS.

977. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 495.121 Fraudulent registration.

978. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate ; Title XXXIII Ch 495.

979. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 495.131 Infringement

980. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; Title XXXIII Ch 495 sec 495.151 Injury to business reputation; dilution.

A. Whereby, every person, association, or union of workers adopting and using a mark, trade name, label or form of advertisement may proceed by suit, and all courts having jurisdiction thereof shall grant injunctions, to enjoin subsequent use by another of the same or any similar mark, trade name, label or form of advertisement if

it appears to the court that there exists a likelihood of injury to business reputation or of dilution of the distinctive quality of the mark, trade name, label or form of advertisement of the prior user, notwithstanding the absence of competition between the parties or of confusion as to the source of goods or services.

981. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; Title XXXIII Ch 495 sec 495.161 Common-law rights

Nothing herein shall adversely affect or diminish the rights or the enforcement of rights in marks acquired in good faith at any time at common law.

982. That Plaintiffs state on information and belief, cites; 559.791 False swearing on application; penalties

A. Any license issued by the Department of Business and Professional Regulation which is issued or renewed in response to an application upon which the person signing under oath or affirmation has falsely sworn to a material statement, including, but not limited to, the names and addresses of the owners or managers of the licensee or applicant, shall be subject to denial of the application or suspension or revocation of the license, and the person falsely swearing shall be subject to any other penalties provided by law.

983. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; FLORIDA PROTECTION OF TRADE SECRETS.

984. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate sec 812.081 Trade secrets; theft, embezzlement; unlawful Copying; definitions; penalty

985. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with



each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; 812.13 Robbery.

(1) "Robbery" means the taking of money or other property which may be the subject of larceny from the person or custody of another, with intent to either permanently or temporarily deprive the person or the owner of the money or other property, when in the course of the taking there is the use of force, violence, assault, or putting in fear.

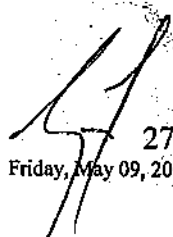
986. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 812.155 Hiring, leasing, or obtaining personal property or equipment with the intent to defraud; failing to return hired or leased personal property or equipment.

987. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate (1) OBTAINING BY TRICK, FALSE REPRESENTATION, ETC.

988. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; CH 815 - COMPUTER-RELATED CRIMES.

989. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 815.01 "Florida Computer Crimes Act".

990. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 815.04 Offenses against intellectual property.


277
Friday, May 09, 2008 @ 2:04:17 PM

991. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 815.045 Trade secret information.

992. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 815.06 Offenses against computer users.

993. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 815.07.

994. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 831.03 Forging or counterfeiting private labels; possession of reproduction materials.

995. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 831.04 Penalty for changing or forging certain instruments of writing.

996. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 831.04 Penalty for changing or forging certain instruments of writing.

997. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate FLORIDA – FORGERY.

998. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 831.01 Forgery.

- A. FORGED PATENT DOCUMENTS
- B. FORGED INSURANCE DOCUMENTS AIG & GENRE
- C. FORGED BOOKS TO SEC OF STATE OF FLORIDA & DELAWARE
- D. FORGED TRANSACTION DOCUMENTS FOR INVESTMENT MONIES
- E. FORGED SIGNATURES

999. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 831.02 Uttering forged instruments.

1000. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 831.03 Forging or counterfeiting private labels; possession of reproduction materials.

1001. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 831.06 Fictitious signature of officer of corporation.

Including but not limited to in the execution of;

- A. INVESTMENT DOCUMENTS
- B. INSURANCE APPLICATIONS
- C. FINANCIAL DOCUMENTS, INCLUDING INCOME STATEMENTS
- D. CORPORATE SHELLS

1002. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown,

participate in a conspiracy to violate; FLORIDA CH 817 - FRAUDULENT PRACTICES
- PART I - FALSE PRETENSES AND FRAUDS.

1003. That That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; CHAPTER 817 - SEC 817.02 Obtaining property by false personation.

1004. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; 817.025 Home or private business invasion by false personation.

1005. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 817.03 Making false statement to obtain property or credit.

A. FRAUDULENT INCOME STATEMENTS AND OTHER INVESTMENT DOCUMENTS

B. FALSE STATEMENTS AND RESUMES TO INVESTORS AND WACHOVIA AND SHAREHOLDERS.

C. FRAUDULENT BUSINESS PLANS AND RECORDS TRANSMITTED TO SBA TO SECURE FUNDS AND COMPLIANCE

D. ALL INVESTORS WERE GIVEN FALSE STATEMENTS REGARDING RUBENSTEIN WHICH CAUSED INVESTMENT BASED ON SUCH FALSE STATEMENTS. TRANSFERRED FALSE INFORMATION TO ALL INVESTORS, SBA AND FINANCIAL INSTITUTIONS TO SCORE CREDIT AND FINANCE.

1006. That Plaintiffs cite on information and belief, sec 817.031 Making false statements.


280
Friday, May 09, 2008 @ 2:04:17 PM

1007. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 817.034 Florida Communications Fraud Act.

1008. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 817.05 False statements to merchants as to financial condition.

1009. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 817.06 Misleading advertisements prohibited.

1010. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 817.061 Misleading solicitation of payments prohibited.

1011. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 817.15 Making false entries, etc., on books of corporation.

A. Lewin - Proskauer - Utley - Reale - Hersch - E. Lewin - Kasser -

1012. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 817.155 Matters within jurisdiction of Department of State; false, fictitious, or fraudulent acts, statements, and representations prohibited; penalty; statute of limitations.



1013. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 817.19 Fraudulent issue of certificate of stock of corporation.

1014. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 817.20 Issuing stock or obligation of corporation beyond authorized amount.

1015. That Plaintiffs cite on information and belief, sec 817.21 Books to be evidence in such cases.

A. On the trial of any person under ss. 817.19 and 817.20 the books of any corporation to which such person has access or the right of access shall be admissible in evidence.

1016. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 817.234 False and fraudulent insurance claims.

1017. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 817.562 Fraud involving a security interest.

A. CROSSBOW & DISTREAM - SECURED CREDIT - ATTEMPTED TRANSFER.

B. TRANSACTIONS WITH IVIEWIT COMPANIES

C. TRANSACTIONS WITH THE SBA

1018. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown,

participate in a conspiracy to violate; sec 817.566 Misrepresentation of association with, or academic standing at, post secondary educational institution.

1019. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 817.567 Making false claims of academic degree or title.

1020. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; FLORIDA PERJURY. CHAPTER 837 – PERJURY.

1021. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 837.02 Perjury in official proceedings.

In Florida the following perjuries have occurred, including but not limited to,

- A. Labarga court depositions
- B. Rubenstein deposition perjury & Rubenstein Sworn Statements to Judge Jorge Labarga, conflict and constitute perjury
- C. Wheeler perjured deposition and/or perjured statements to the TFB that contradicts sworn statements to the TFB.
- D. Triggs perjured statements made on behalf and in defense of Wheeler to the TFB - Conflict of interest - Aiding and abetting Wheeler.
- E. Utley Perjury & Contradictions of other testimony of Wheeler and Dick.
- F. Lewin - Borderline perjury - “erasing memory” comment by Lewin in deposition is remarkable.

1022. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 837.021 Perjury by contradictory statements.

A. Wheeler, Rubenstein & Utley variety of statements in deposition are all false and contradictory to evidence. For example Utley deposition contradicts his own resume submitted to financial institutions, Wheeler and Triggs admit contradiction of statements in response to bar inquiry. Rubenstein has serious problems. The Rubenstein deposition was conducted via telephone in a FL court proceeding with him in NY. Tapes available upon request.

1023. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 837.05 False reports to law enforcement authorities.

1024. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 837.06 False official statements

- A. Triggs & Wheeler make false statements to the TFB
- B. Rubenstein makes false statements to Labarga and 1st DDC
- C. SB make false statement with Selz regarding representation of Iviewit Companies in Labarga court.
- D. False statements are tendered to Labarga with intent on suing shadow companies.
- E. Utley, Reale, Intel/R3D, Hersch - Make false statements to Florida Bankruptcy Court.

1025. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; FLORIDA STATE TAX LAW.

1026. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; CHAPTER 220 - INCOME TAX CODE.

- A. Falsified tax records,

- B. Lost tax records,
- C. Hijacked records,
- D. Transaction in stealing investment funds and monies is believed to not have been reported properly.

1027. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; 220.21 Returns and records; regulations.

1028. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate 220.211 Penalties; incomplete return.

1029. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; 220.22 Returns; filing requirement.

1030. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate 220.221 Returns; signing and verification.

1031. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; 220.23 Federal returns.

1032. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; PART X TAX CRIMES 220.901 Willful and fraudulent acts.

- A. Any taxpayer who is subject to the provisions of this chapter and who willfully fails to file a return or keep required books and records, files a fraudulent return,

willfully violates any rule or regulation of the department, or willfully attempts in any other manner to evade or defeat any tax imposed by this chapter or the payment thereof, is, in addition to other penalties, guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

1033. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 220.905 Aiding and abetting.

A. Any person who aids, abets, counsels, or conspires to commit any of the acts described in s. 220.901 or s. 220.903 shall be subject to fine or imprisonment to the same extent as the perpetrator of such act.

1034. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; THEFT, ROBBERY AND MISAPPROPRIATION AND CONVERSION OF FUNDS.

1035. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; FLORIDA LAW SEC 812.081 TRADE SECRETS; THEFT, EMBEZZLEMENT; UNLAWFUL COPYING; DEFINITIONS; PENALTY.

1036. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate 812.172 Intent.

1037. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; 812.175 Enforcement; civil fine.

1038. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with

each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; 812.014 Theft.

1039. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; 812.016 Possession of altered property.

1040. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; 812.019 Dealing in stolen property.

1041. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; FRAUD.

1042. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; FLORIDA LAW - Title XXXVI BUSINESS ORGANIZATIONS.

1043. That Plaintiffs state on information and belief, defendants have violated Ch 607 Corporations sec 607.0129 Penalty for signing false document.

1044. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; 607.1402 Dissolution by board of directors and shareholders; dissolution by written consent of shareholders.

A. Board of Directors Implicated: including but not limited to, Proskauer, Wheeler, Rubenstein, Joao, MLG, Dick, Foley, Boehm, Becker, Lewin, Kane, Powell, Buchsbaum, Warner, Shaw, Utley, Miller, Prolow, & Shewmaker.

B. Not implicated Board members: Epstein, Plaintiff Bernstein, S. Bernstein, Anderson, Colter, and Thagard.

1045. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 607.0129 Penalty for signing false document.

A. A person who signs a document she or he knows is false in any material respect with intent that the document be delivered to the Department of State for filing is personally liable to any person who to her or his detriment reasonably relied on the document or information contained therein and is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.083.

1046. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 607.830 General standards for directors.

1047. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 607.830 Director conflicts of interest.

1048. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 607.0834 Liability for unlawful distributions.

1049. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 607.0841 Duties of officers.

A. Whereby, each officer has the authority and shall perform the duties set forth in the bylaws or, to the extent consistent with the bylaws, the duties prescribed by the board of directors or by direction of any officer authorized by the bylaws or the board of directors to prescribe the duties of other officers.

1050. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with

each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; sec 607.0901 Affiliated transactions.

DELAWARE STATE CRIMES

1051. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; DELAWARE §521 CONSPIRACY.

1052. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; CH 5 SPECIFIC OFFENSES Subch I Inchoate Crimes §521 Conspiracy § 531 Attempt to commit a crime.

1053. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; § 871 Falsifying business records.

1054. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; §891 Defrauding secured creditors.

1055. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; 909 Securing execution of documents by deception.

1056. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; VIOLATIONS OF DELAWARE CORPORATE LAWS.

1057. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with

each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; 102. Contents of certificate of incorporation § Amendment effective Aug. 1, 2004, included; see 74 Del. Laws, c. 32.

1058. That Plaintiffs state on information and belief, cites; 224. Form of records
A. Any records maintained by a corporation in the regular course of its business, including its stock ledger, books of account, and minute books, may be kept on, or by means of, or be in the form of, any information storage device, or method provided that the records so kept can be converted into clearly legible paper form within a reasonable time. Any corporation shall so convert any records so kept upon the request of any person entitled to inspect such records pursuant to any provision of this chapter. When records are kept in such manner, a clearly legible paper form produced from or by means of the information storage device or method shall be admissible in evidence, and accepted for all other purposes, to the same extent as an original paper record of the same information would have been, provided the paper form accurately portrays the record. (8 Del. C. 1953, § 224; 56 Del. Laws, c. 50; 57 Del. Laws, c. 148, § 15; 72 Del. Laws, c. 343, § 14.)

1059. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; Merger or consolidation of domestic corporations and limited liability company.

1060. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; 253. Merger of parent corporation and subsidiary or subsidiaries.

1061. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; 257 Merger or consolidation of domestic stock and nonstock corporations.

1062. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; 372 Additional requirements in case of change of name, change of business purpose or merger or consolidation.

INTERNATIONAL CRIMES

1063. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate international laws and trade treaties in the commissioning of the IP crimes.

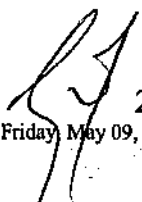
1064. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; FRAUD UPON THE JAPANESE PATENT OFFICES (JPO).

1065. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; FRAUD UPON THE EUROPEAN PATENT OFFICES (EPO).

1066. That Plaintiffs state on information and belief, defendants, did knowingly, unlawfully, and intentionally combine, confederate, conspire and agree together with each other, and with other co-conspirators whose names are both known and unknown, participate in a conspiracy to violate; ECONOMIC ESPIONAGE ACT TITLE 18 - PART I - CHAPTER 90 § 1831 Economic espionage.

COUNT ONE
ARTICLE 1, SECTION 8, CLAUSE 8 OF THE CONSTITUTION OF THE
UNITED STATES, FIFTH AMENDMENT TO THE CONSTITUTION OF THE
UNITED STATES, AND FOURTEENTH AMENDMENT TO THE
CONSTITUTION OF THE UNITED STATES

1067. This is an action for violations of Constitutional rights within the jurisdiction of this Court.


291
Friday, May 09, 2008 @ 2:04:17 PM

1068. Plaintiffs repeat and reallege each and every allegation contained in paragraph "1" through "¹⁰⁶⁶___", as though fully set forth herein.

1069. The conspiratorial actions of the defendants in sabotaging IP applications through fraud and theft, and the ensuing white washing of attorney complaints by the defendants and other culpable parties both known and unknown with scienter, thereby continuing the violation of Plaintiffs inventive rights is contrary to the inventor clause of the Constitution of the United States as stated in Article 1, Section 8, Clause 8, and the due process clauses of the Fifth Amendment to the Constitution of the United States, and Fourteenth Amendment to the Constitution of the United States. These acts also were done, including but not limited to, as illustrated in the filing of false federal and international patent oaths and stand as crimes against the United States and its agencies including the USPTO and crimes against foreign patent offices through violations of trade treatises.

1070. As a result of the defendants' acts, Plaintiffs now suffer and will continue to suffer irreparable injury and monetary damages, and that Plaintiffs are entitled to damages sustained to date and continuing in excess of at least ONE TRILLION DOLLARS (\$1,000,000,000,000) as well as punitive damages, costs and attorney's fees.

COUNT TWO
15 U.S.C.A. §§ 1 AND 2

1071. This is an action for violations of antitrust laws within the jurisdiction of this Court.

1072. Plaintiffs repeat and reallege each and every allegation contained in paragraph "1" through "¹⁰⁶⁶___", as though fully set forth herein.

1073. The conspiratorial actions of the defendants in sabotaging IP applications through fraud, and the ensuing white washing of attorney complaints by defendants and other culpable parties both known and unknown with scienter, thereby continuing the violation of Plaintiffs proprietary IP rights creates an illegal monopoly and restraint of trade in the market for video and imaging encoding, compression, transmission, and decoding by, including but not limited to, the IP pools of MPEGLA LLC, upon information and belief, a Colorado limited liability company and sponsor of multimedia IP pools, Intel, NDA, other contract violators and others.

1074. As a result of the defendants' acts, Plaintiffs now suffer and will continue to suffer irreparable injury and monetary damages, and that Plaintiffs are entitled to damages sustained to date and continuing in excess of at least ONE TRILLION DOLLARS (\$1,000,000,000,000) as well as punitive damages, costs and attorney's fees.

COUNT THREE

TITLE VII OF THE CIVIL RIGHTS ACT OF 1964 (AS AMENDED)

1075. This is an action for violations of civil rights within the jurisdiction of this Court.

1076. Plaintiffs repeat and reallege each and every allegation contained in paragraph "1" through 1066, as though fully set forth herein.

1077. The conspiratorial actions of the defendants in sabotaging IP applications through fraud, denying property rights of the IP, the ensuing white washing of attorney complaints by the defendants and other culpable parties both known and unknown with scienter, creating an illegal monopoly and restraint of trade, thereby denies Plaintiffs' the opportunity to make and enforce contracts, to sue, be parties, give evidence, and the entitlement to the full and equal benefit of all laws and proceedings for the security of persons violates Title VII of the Civil Rights Act of 1964 (as amended).

1078. As a result of the defendants' acts, Plaintiffs now suffer and will continue to suffer irreparable injury and monetary damages, and that Plaintiffs are entitled to damages sustained to date and continuing in excess of at least ONE TRILLION DOLLARS (\$1,000,000,000,000) as well as punitive damages, costs and attorney's fees.

COUNT FOUR

RACKETEERING AND CORRUPT ORGANIZATIONS ACT 18 U.S.C. § 1961 THROUGH 18 U.S.C. § 1968

1079. This is an action for violations of the Racketeering and Corrupt Organizations Act within the jurisdiction of this Court.

1080. Plaintiffs repeat and reallege each and every allegation contained in paragraph "1" through 1066, as though fully set forth herein.

1081. The conspiratorial actions of the defendants in sabotaging IP applications through fraud, the ensuing white washing of attorney complaints by defendants and other culpable parties with scienter, allowing an illegal monopoly and restraint of trade, and denying Plaintiffs' the opportunity to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of

persons, the actions of defendants constitute a criminal enterprise comprising various combinations that provided for the receipt of unwarranted income from this pattern of racketeering, perhaps the collection of an unlawful debt in this pattern of racketeering, and that the defendants and other culpable parties both known and unknown conspired to do so with scienter.

1082. As a result of the defendants' acts, Plaintiffs now suffer and will continue to suffer irreparable injury and monetary damages, and that Plaintiffs are entitled to damages sustained to date and continuing in excess of at least ONE TRILLION DOLLARS (\$1,000,000,000,000) as well as punitive damages, costs and attorney's fees.

COUNT FIVE
LEGAL MALPRACTICE & NEGLIGENCE

1083. This is a supplemental action for other civil claims pursuant legal malpractice and negligence to the state laws of New York, Florida, and Delaware and other regions unknown at this time.

1084. Plaintiffs repeat and reallege each and every allegation contained in paragraph "1" through ¹⁰⁸⁶ , as though fully set forth herein.

1085. The conspiratorial actions of defendants and other culpable parties both known and unknown that are licensed to practice law and acted as lawyers or law firms for the Iviewit Companies for purposes of representing Iviewit Companies or Plaintiffs named herein have through the crimes committed herein caused massive liabilities to Iviewit Companies and Plaintiffs.

1086. That pursuant to such employment, the defendants and other culpable parties both known and unknown who are licensed to practice law or law firms owed duties to ensure that the rights and interests of Plaintiffs were protected.

1087. The defendants and other culpable parties both known and unknown neglected that reasonable duty of care in the performance of legal services and accounting services with scienter in that they, including but not limited to:

- A. Failed to take reasonable steps to ensure that the IP of Plaintiffs was protected; and,
- B. Failed to complete work regarding copyrights and trademarks; and,

- C. Engaged in unnecessary and duplicate corporate and other work resulting in billing for unnecessary legal and accounting services believed to be in excess of One Million Dollars (\$1,000,000.00); and,
- D. By redacting information from the billing statements regarding services provided so to as to give the appearance that the services provided by defendants in general and Proskauer in particular were limited in nature, when in fact they involved various aspects of IP protection; and,
- E. By knowingly representing and agreeing to accept representation of clients in conflict with the interests of Plaintiffs with scienter, without either consent or waiver by Plaintiffs.
- F. By engaging in a series of crimes that violated local, state, federal and international law, as well as, an almost entirety of ethical violations of their respective professions to succeed in converting their clients properties to the benefit of themselves and loss to client Plaintiffs.
- G. That the negligent actions of defendants and other culpable parties with scienter resulted in, and was, the proximate cause of loss to Plaintiffs.

1088. As a result of the defendants' acts, Plaintiffs now suffer and will continue to suffer irreparable injury and monetary damages, and that Plaintiffs are entitled to damages sustained to date and continuing in excess of at least ONE TRILLION DOLLARS (\$1,000,000,000,000) as well as punitive damages, costs and attorney's fees.

COUNT SIX
BREACH OF CONTRACTS

1089. This is a supplemental action for other civil claims of breach of contract pursuant to the state laws of New York, Florida, and Delaware and other regions unknown at this time.

1090. Plaintiffs repeat and reallege each and every allegation contained in paragraph "1" through 1066, as though fully set forth herein.

1091. The defendants and other culpable parties both known and unknown with scienter breached their contracts with Plaintiffs, by failing to uphold their contracts and other binding agreements, including but not limited to, NDA's, legal retainers, contracts, accounting service arrangements, letter of understandings, investment documents and any

other form of binding contract by and between defendants and Iviewit Companies both known and unknown that have damaged the Iviewit Companies and Plaintiffs.

1092. That such action on the part of the defendants and other culpable parties with scienter constitute breaches of contracts by and between Plaintiffs and the defendants and other culpable parties both known and unknown.

1093. That as a direct and proximate result of such conduct on the part of the defendants and other culpable parties both known and unknown with scienter, Plaintiffs have been damaged by defendants and other culpable parties both known and unknown failure to perform the contracted for services.

1094. As a result of the defendants' acts, Plaintiffs now suffer and will continue to suffer irreparable injury and monetary damages, and that Plaintiffs are entitled to damages sustained to date and continuing in excess of at least ONE TRILLION DOLLARS (\$1,000,000,000,000) as well as punitive damages, costs and attorney's fees.

COUNT SEVEN
TORTUOUS INTERFERENCE WITH ADVANTAGEOUS BUSINESS
RELATIONSHIPS

1095. This is a supplemental action for civil claims of Tortuous Interference with Advantageous Business Relationships pursuant to the state laws of New York, Florida, and Delaware and other regions unknown at this time.

1096. Plaintiffs repeat and reallege each and every allegation contained in paragraph "1" through ^{10/6/06} "10", as though fully set forth herein.

1097. That as a direct and proximate result of such conspiratorial conduct on the part of the defendants and other culpable parties both known and unknown with scienter, Plaintiffs who were engaged in technology licensing and other business contracts when the above mentioned events described in the Factual Allegations section caused a total loss of business relationships both with current and prospective investors and clients and all those other business contracts of Plaintiffs, as without knowledge as to the fate of the IP it became impossible to license or secure investment based on the IP, damaging Iviewit Companies and Plaintiffs.

1098. As a result of the defendants' acts, Plaintiffs now suffer and will continue to suffer irreparable injury and monetary damages, and that Plaintiffs are entitled to



damages sustained to date and continuing in excess of at least ONE TRILLION DOLLARS (\$1,000,000,000,000) as well as punitive damages, costs and attorney's fees.

COUNT EIGHT

NEGLIGENT INTERFERENCE WITH CONTRACTUAL RIGHTS

1099. This is a supplemental action for other civil claims of negligent interference with contractual rights pursuant to the state laws of New York, Florida, and Delaware and other regions unknown at this time.

1100. Plaintiffs repeat and reallege each and every allegation contained in paragraph "1" through ¹⁰⁶⁶ "___", as though fully set forth herein.

1101. As a result of the defendants' conspiratorial acts, Plaintiffs now suffer and will continue to suffer irreparable injury and monetary damages, due to Negligent Interference with Contractual Rights and that Plaintiffs are entitled to damages sustained to date and continuing in excess of at least ONE TRILLION DOLLARS (\$1,000,000,000,000) as well as punitive damages, costs and attorney's fees.

COUNT NINE

FRAUD

1102. This is an action for fraud within the jurisdiction of this Court. This is also a supplemental action for other civil claims of fraud pursuant to the state laws of New York, Florida, and Delaware and other regions unknown at this time.

1103. Plaintiffs repeat and reallege each and every allegation contained in paragraph "1" through "___", as though fully set forth herein.

1104. The defendants and other culpable parties both known and unknown with scienter committed fraud on Plaintiffs, by participating in fraud to steal Iviewit Companies IP, damaging both Iviewit Companies and Plaintiffs.

1105. That the defendants and other culpable parties with scienter committed fraud not only Plaintiffs but on local, federal, state and international authorities in their scheme to steal Plaintiffs technologies and deprive the Iviewit Companies shareholders of their royalties and stock interests.

1106. That such conspiratorial action and many other conspiratorial actions enacted in the efforts to steal Plaintiffs IP, on the part of the defendants and other culpable parties both known and unknown with scienter constitute fraud defendants and

other culpable parties both known and unknown to deprive shareholders and inventors of their rights.

1107. That as a direct and proximate result of such conduct on the part of the defendants and other culpable parties both known and unknown with scienter, Plaintiffs have been damaged by massive fraud committed by the conspiratorial actions of the defendants and other culpable parties.

1108. That, similarly, Plaintiffs have executed NDA's, referenced herein through url's, with some five hundred (500) persons and strategic alliance partners who benefited from disclosures of Plaintiffs IP including disclosures of how to make, use, and vend such IP, all of whom now conduct the unauthorized use of such IP in violation of the NDA's and or the confidentiality clauses of their strategic alliance contracts and other binding contracts, damaging the Plaintiffs and Iviewit Companies.

1109. As a result of the defendants' acts, Plaintiffs now suffer and will continue to suffer irreparable injury and monetary damages, and that Plaintiffs are entitled to damages sustained to date and continuing in excess of at least ONE TRILLION DOLLARS (\$1,000,000,000,000) as well as punitive damages, costs and attorney's fees.

COUNT TEN

BREACH OF FIDUCIARY DUTIES AS DIRECTORS AND OFFICERS

1110. This is a supplemental action for other civil claims of breach of fiduciary duties as directors and officers pursuant to the state laws of New York, Florida, and Delaware and other regions unknown at this time.

1111. Plaintiffs repeat and reallege each and every allegation contained in paragraph "1" through "106", as though fully set forth herein.

1112. Defendants that served as either Directors and/or Officers of the Iviewit Companies have violated, including but not limited to, the following state laws: Delaware, Florida and California in their obligations as Directors and Officers of Iviewit Companies and have damaged the Iviewit Companies and Plaintiffs from such actions.

1113. That defendants, including but not limited to, Utley, Wheeler, Rubenstein, Joao, Hersch, Buchsbaum, Miller, Kasser, Warner, Powell, Prolow, and Proskauer, conspired to deprive, and in fact did deprive, Iviewit Companies and Plaintiffs of their rights to the technologies developed by Iviewit Companies as described herein above.

1114. Plaintiffs allege through the conspiratorial actions of defendants that were Officers and/or Directors both known and unknown, misappropriated and converted funds and properties of others for themselves as described herein and damaging the Ivieuit Companies and Plaintiffs.

1115. Plaintiffs allege through the conspiratorial actions of defendants that were Officers and/or Directors both known and unknown, concocted a disingenuous scheme to inflate Ivieuit Companies revenues, outside the bounds of generally accepted accounting principles, and in an effort to defraud Ivieuit Companies investors and Plaintiffs.

1116. As a result of the defendants' acts, Plaintiffs now suffer and will continue to suffer irreparable injury and monetary damages, and that Plaintiffs are entitled to damages sustained to date and continuing in excess of at least ONE TRILLION DOLLARS (\$1,000,000,000,000) as well as punitive damages, costs and attorney's fees.

COUNT ELEVEN
OTHER CIVIL STATE OF NEW YORK, STATE OF FLORIDA, AND STATE OF
DELAWARE CLAIMS OF PAR. 1 TO PAR. 1066

1117. This is a supplemental action for other civil claims pursuant to the state laws of New York, Florida, and Delaware and other regions unknown at this time.

1118. Plaintiffs repeat and reallege each and every allegation contained in paragraph "1" through ¹⁰⁶⁶__, as though fully set forth herein.

1119. Certain defendants described herein were employed by Ivieuit Companies for purposes of representing Ivieuit Companies to obtain multiple patents and oversee foreign filings for the inventions including the provisional filings for the technologies as described herein and failed intentionally causing damages to Ivieuit Companies and Plaintiffs.

1120. Defendants owed a duty under the state laws of New York, Florida, and Delaware to ensure that the rights and interests of Ivieuit Companies and inventors were protected, and protected to the extent that such experts in the field would undertake such engagement according to the requisite standard of care in the states of New York, Florida, and Delaware and further at the USPTO.

1121. Defendants failed to take reasonable steps to ensure that the inventions of Ivieuit Companies and inventors were protected damaging the Ivieuit Companies and Plaintiffs.



1122. Defendants knowingly and willfully failed to complete work regarding copyrights, patents, trade secrets and trademarks causing damage to the Iviewit Companies and Plaintiffs.

1123. Defendants engaged in unnecessary and duplicate corporate and other work resulting in billing for unnecessary legal services believed to be in excess of Four Hundred Thousand Dollars (\$400,000.00).

1124. Defendants, including but not limited to, Proskauer, Rubenstein, Joao, Foley, Dick, Boehm, Becker and MLG by redacting and replacing information from the billing statements regarding services provided, giving the appearance that the services provided by Proskauer, Foley, BSTZ, MLG were limited in nature, when in fact they involved various aspects of invention protection.

1125. Defendants, including but not limited to, Proskauer, Rubenstein, Joao, Foley, Dick, Boehm, Becker and MLG by knowingly representing and agreeing to accept representation of clients in conflict with the interests of Iviewit Companies and inventors, without either consent or waiver by Iviewit Companies or inventors.

1126. The negligent actions of defendants respectively resulted in the proximate cause of loss to Plaintiffs through loss of Iviewit Companies and inventions and subsequent royalties.

1127. As a result of the defendants' acts, Plaintiffs now suffer and will continue to suffer irreparable injury and monetary damages, and that Plaintiffs are entitled to damages sustained to date and continuing in excess of at least ONE TRILLION DOLLARS (\$1,000,000,000,000) as well as punitive damages, costs and attorney's fees.

COUNT TWELVE

MISAPPROPRIATION AND CONVERSION OF FUNDS

1128. This is a supplemental action for misappropriation and conversion of Iviewit Companies funds in violation to the state laws of Florida, Delaware and New York.

1129. Plaintiffs repeat and reallege each and every allegation contained in paragraph "1" through ^{10th} , as though fully set forth herein.

1130. That through the actions of defendants, investment funds were absconded with and other funds due, such as royalties for the inventions which have all been misappropriated and converted as described herein.

1131. As a result of the defendants' acts, Plaintiffs now suffer and will continue to suffer irreparable injury and monetary damages, and that Plaintiffs are entitled to damages sustained to date and continuing in excess of at least ONE TRILLION DOLLARS (\$1,000,000,000,000) as well as punitive damages, costs and attorney's fees.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully requests that the Court enter judgment and an Order:

I. First Cause of Action: At least ONE TRILLION DOLLARS (\$1,000,000,000,000) as well as punitive damages, costs and attorney's fees; Interest and prejudgment interest on the amount described above, calculated at the prevailing rate; and

II. Second Cause of Action: At least ONE TRILLION DOLLARS (\$1,000,000,000,000) as well as punitive damages, costs and attorney's fees; Interest and prejudgment interest on the amount described above, calculated at the prevailing rate; and

III. Third Cause of Action: At least ONE TRILLION DOLLARS (\$1,000,000,000,000) as well as punitive damages, costs and attorney's fees; Interest and prejudgment interest on the amount described above, calculated at the prevailing rate; and

IV. Fourth Cause of Action: At least ONE TRILLION DOLLARS (\$1,000,000,000,000) as well as punitive damages, costs and attorney's fees; Interest and prejudgment interest on the amount described above, calculated at the prevailing rate; and

V. Fifth Cause of Action: At least ONE TRILLION DOLLARS (\$1,000,000,000,000) as well as punitive damages, costs and attorney's fees; Interest and prejudgment interest on the amount described above, calculated at the prevailing rate; and

VI. Sixth Cause of Action: At least ONE TRILLION DOLLARS (\$1,000,000,000,000) as well as punitive damages, costs and attorney's fees; Interest and prejudgment interest on the amount described above, calculated at the prevailing rate; and

VII. Seventh Cause of Action: At least ONE TRILLION DOLLARS (\$1,000,000,000,000) as well as punitive damages, costs and attorney's fees; Interest and prejudgment interest on the amount described above, calculated at the prevailing rate; and

VIII. Eighth Cause of Action: At least ONE TRILLION DOLLARS (\$1,000,000,000,000) as well as punitive damages, costs and attorney's fees; Interest and prejudgment interest on the amount described above, calculated at the prevailing rate; and



IX. Ninth Cause of Action: At least ONE TRILLION DOLLARS (\$1,000,000,000,000) as well as punitive damages, costs and attorney's fees; Interest and prejudgment interest on the amount described above, calculated at the prevailing rate; and

X. Tenth Cause of Action: At least ONE TRILLION DOLLARS (\$1,000,000,000,000) as well as punitive damages, costs and attorney's fees; Interest and prejudgment interest on the amount described above, calculated at the prevailing rate; and

XI. Eleventh Cause of Action: At least ONE TRILLION DOLLARS (\$1,000,000,000,000) as well as punitive damages, costs and attorney's fees; Interest and prejudgment interest on the amount described above, calculated at the prevailing rate; and

XII. Twelfth Cause of Action: At least ONE TRILLION DOLLARS (\$1,000,000,000,000) as well as punitive damages, costs and attorney's fees; Interest and prejudgment interest on the amount described above, calculated at the prevailing rate.

OTHER RELIEFS

XIII. Plaintiffs pray for injunctive relief to prevent the unauthorized use of the video scaling techniques and image scaling techniques as depicted in the graphical description submitted according to proof at trial, the image overlay system as depicted in the graphical description submitted according to proof at trial, the combination of video scaling and image overlay system as depicted in the graphical description submitted according to proof at trial, and the remote control of video cameras through communications networks as depicted in the graphical description submitted according to proof at trial by all those, including but not limited to: (i) decoding and display devices including but not limited to decoders, chipsets, and microprocessors; (ii) transmission networks, including but not limited to cable head-ends, satellite head-ends, and IPTV head-ends; and (iii) encoding schemes, or, alternatively, an assignment of all such contracts and license agreements by the offending parties to Plaintiffs. To summarize, Plaintiffs advise the Court that the granting of this prayer for relief, effectively, halts the transmission of and viewing of video as we know it, or alternatively, assign all such contracts to Plaintiffs.

XIV. Plaintiffs pray for this Court to appoint a federal monitor to oversee the day-to-day operations of the 1st DDC, 2nd DDC, TFB, USPTO, FBI, U.S. Attorney, etc. and VBA for an indefinite period of time; and



XV. Plaintiffs pray for attorney's fees and costs, pursuant to 42 U.S.C. § 1988 and 42 U.S.C. 2000e-5; and

XVI. Plaintiffs pray for a declaratory judgment stating that defendants willfully violated Plaintiffs rights with scienter secured by federal, state laws, and international treaties as alleged herein; and

XVII. Plaintiffs pray for further injunctive relief: an injunction requiring defendants to correct all present and past violations of federal and state law as alleged herein; to allow the Plaintiffs to continue in the position from which the defendants, including Cover Up Participants and other culpable parties illegally white washed their complaints with scienter; to enjoin the defendants from continuing to act in violation of federal and state law as alleged herein; and to order such other injunctive relief as may be appropriate to prevent any future violations of said federal and state laws; and awarding Plaintiffs damages in the amount of all royalties, professional services revenues, and any and all other compensation denied or lost to Plaintiffs by reason of the foregoing; and

XVIII. Plaintiffs pray for an Order granting such other legal and equitable relief as the Court deems just and proper that includes, but is not limited to an Order to bring representation for the U.S. Federal agencies including but not limited to the USPTO, the SBA; mandamus for the aforementioned Federal agencies to join this complaint.

XIX. That Plaintiffs' pray for civil remedies and requests this Court to request the Attorney General to institute proceedings under the RICO claims. In the interim, and pending final determination thereof, Plaintiffs pray that this Court may at any time enter such restraining orders or prohibitions, or take such other actions, including the acceptance of satisfactory performance bonds, as it shall deem proper. Plaintiffs, shareholders and patent interest holders of Iviewit Companies have been injured in business and property by reason of a violation of section 18 U.S.C. 1962 and prays for recovery of treble damages, costs of the suit, and reasonable attorney's fee.

XX. Plaintiffs pray this Court grant maximum relief under Sec. 1966 to expedite actions in the civil action instituted herein in the United States in this Court, and asks the Attorney General to file with the clerk of this Court a certificate stating that in his opinion the case is of general public importance. A copy of that certificate be furnished immediately by such clerk to the chief judge or in his absence to the presiding

district judge of the district in which such action is pending. Further, upon receipt of such copy, such judge shall designate immediately a judge of that district to hear and determine action.

XXI. That Plaintiffs' pray for relief under TITLE 18 PART I CH 96 Sec 1968 RICO CIVIL INVESTIGATIVE DEMAND, WHEREFORE, under Sec 1968. Plaintiffs pray for this Court to begin civil investigative demand whereby asking the Attorney General to see reason to believe defendants are in possession, custody, or control of documentary materials relevant to this racketeering investigation, and prior to the institution of a civil or criminal proceeding thereon, issue in writing, and cause to be served upon all such defendants a civil investigative demand requiring all such persons and entities produce such materials for examination stating the nature of the conduct constituting the alleged racketeering violation which is under investigation and the provision of law applicable thereto; and describing the class or classes of documentary material produced thereunder with such definiteness and certainty as to permit such material to be fairly identified; and state that the demand is returnable forthwith or prescribe a return date which will provide a reasonable period of time within which the material so demanded may be assembled and made available for inspection and copying or reproduction; and identify the custodian to whom such material shall be made available; require the production of any/all documentary evidence which would be privileged from disclosure if demanded by a subpoena duces tecum issued by a court of the United States in aid of a grand jury investigation of such alleged racketeering violation.

XXII. Plaintiffs pray for this Court to further prevent and restrain violations of Iviviewit Companies and Plaintiffs inventions of 18 U.S.C. 1962 by issuing appropriate immediate orders including but not limited to ordering any person to divest himself of any interest, directly and indirectly in any enterprise, imposing reasonable restrictions on the future activities of or interests of any persons, including but not limited to prohibiting any person from engaging in the same type of endeavor as the enterprise engaged in, the activities of which effect interstate and foreign commerce and ordering dissolution and reorganization of any enterprise making the provision for the rights of innocent persons.

XXIII. Plaintiffs pray for maximum relief under TITLE 18 PART I CH 96 Sec 1964 RICO Civil remedies.

XXIV. Plaintiffs pray for the Need for Preliminary Relief. In the absence of preliminary relief, consumers will be deprived of their choice of technologies and consumers and the public will be deprived of the benefits of competition during the pendency of this action. Relief at the conclusion of this case cannot remedy the damage done to consumers and the public during the interim. In addition, the damage to competitors and competition during the pendency of this case that would occur in the absence of preliminary relief cannot practically be reversed later.

XXV. Plaintiffs pray for claim for relief: Unlawful Exclusive Dealing and Other Exclusionary Agreements in Violation of § 1 of the Sherman Act.

XXVI. Plaintiffs pray for claim for relief: Unlawful Tying and Bundling in Violation of § 1 of the Sherman Act Third Claim for Relief: Monopolization of the Pools.

XXVII. Plaintiffs pray for relief for Systems Market in Violation of § 2 of the Sherman Act. Claim for Relief: Attempted Monopolization of the video and imaging technologies of Iviewit Companies.

XXVIII. Plaintiffs pray for maximum relief from this Court under TITLE 15 CH 1 Sec 26 INJUNCTIVE RELIEF FOR PRIVATE PARTIES.

XXIX. Plaintiffs pray of this Court for maximum relief under TITLE 17 CH 5 SEC 503 Remedies for infringement: Impounding and disposition of infringing articles.

XXX. Plaintiffs pray of this Court for maximum relief under Title 17 CH 5 Sec 504 Remedies for infringement.

XXXI. Plaintiffs pray of this Court for maximum relief under Title 17 CH 5 Sec 505 Remedies for infringement.

XXXII. Plaintiffs pray this Court for maximum civil remedies and criminal penalties which under this section Laws not in Title 35, United States Code 18 U.S.C. 1001.

XXXIII. Plaintiffs pray of this Court for maximum relief under Title 17 CH 13 Sec 1329 Relation to design patent law.

XXXIV. Plaintiffs pray of this Court for maximum relief under Title 17 CH 13 Sec 1330 Common law and other rights unaffected.

XXXV. Plaintiffs pray of this Court for maximum civil remedies and criminal penalties, which under this section Laws not in Title 35, United States Code 18 U.S.C. 2071.

XXXVI. Plaintiffs pray of this Court for maximum relief in addition under Title 18 PART I CH 90 Sec 1837 Applicability to conduct outside the United States.

XXXVII. Plaintiffs pray of this Court for maximum civil relief and additional relief under Title 15 CH 22 Trademarks Sec 1116 Injunctive relief.

XXXVIII. Plaintiffs pray of this Court for maximum relief under TITLE 15 CH 22 SUBCH III Sec 1117 - Recovery for violation of rights.

XXXIX. Plaintiffs pray of this Court for maximum relief under Title 15 CH 22 SubCH III Sec 1120 Civil Liability for False or Fraudulent Registration.

XL. Plaintiffs pray this Court grant maximum relief under Title 15 CH 22 SubCH III Sec 1125 False Designations of Origin, False Descriptions, and Dilution Forbidden.

XLI. Plaintiffs pray of this Court for maximum relief under Title 15 CH 22 SubCH III Sec 1126 False designations of origin, false descriptions, and dilution forbidden.

XLII. Plaintiffs pray this Court grant maximum relief under Title 18 Part I CH 63 Sec 1345 - Injunctions against fraud.

XLIII. Plaintiffs pray this Court grant an expedited hearing due to the delays caused by conflicts and the urgency required in the matters before the USPTO and that this Court issue injunctions or other equitable relief to prevent further loss of IP rights inapposite the constitutional protection afforded inventors.

XLIV. Plaintiffs pray for this Court to award Plaintiffs, shareholders and patent interest holders of Iviewit Companies monetary damages.

XLV. Plaintiffs pray for this Court to award Plaintiffs, shareholders and patent interest holders attorney fees and other litigation costs,

XLVI. Plaintiffs pray for this Court to award Plaintiffs, shareholders and patent interest holders punitive damages.

XLVII. Plaintiffs pray for this Court to grant a jury trial for issues so triable in this Court.



XLVIII. Plaintiffs pray for this Court to grant compensatory damages from the defendants.

XLIX. Plaintiffs pray for this Court to grant permanent injunctive relief barring the unauthorized use by any third parties of the Iviewit Companies inventions or, alternatively, assign all such contracts to Plaintiffs, until all criminal investigations have concluded and freeze any actions on all Iviewit Companies inventions both in the United States and abroad through international treaties to prevent further violation of Article 1, Section 8, Clause 8 of The Constitution of the United States and any other state, federal and international laws.

STATE PRAYERS FOR RELIEF

L. Plaintiffs pray this Court grant maximum relief under S 460.70 Provisional remedies.

LI. Plaintiffs pray this Court grant maximum relief under S 460.80 Court ordered disclosure.

LII. Plaintiffs pray this Court grant maximum relief under Ch 772 Civil Remedies for Criminal Practices 772.104 Civil cause of action.

LIII. Plaintiffs pray this Court grant maximum relief under Title XLV Torts - Ch 772 Civil Remedies for Criminal Practices 772.11.

LIV. Plaintiffs pray this Court grant maximum relief under Title XLV Torts - Ch 772 Civil Remedies for Criminal Practices - 772.185 Attorney's fees taxed as costs.

LV. Plaintiffs pray this Court grant maximum relief under 895.05 Civil remedies Florida.

LVI. Plaintiffs pray this Court grant maximum relief under 895.06 Civil investigative subpoenas.

LVII. Plaintiffs pray this Court grant maximum relief under 895.07 RICO lien notice Florida.

LVIII. Plaintiffs pray this Court grant maximum relief under 895.08 Term of RICO lien notice.

LIX. Plaintiffs pray this Court order injunctive relief under; Title XXXIX Commercial Relations Ch 688 Uniform Trade Secrets Act 688.003 Injunctive relief.

LX. Plaintiffs pray this Court grant maximum relief under Title XXXIX.

LXI. Plaintiffs pray this Court grant maximum relief under Commercial Relations Ch 688 Uniform Trade Secrets Act 688.004 Damages.

LXII. Plaintiffs pray this Court grant maximum relief under sec 812.035 Civil remedies.

LXIII. Plaintiffs pray this Court order specific performance of SB under their breached binding LOU which acted as a legal service agreement, so as to prevent further damages from occurring from these breaches, whereby all parties involved, including representative insurance carriers and state agencies affected may all suffer increased damages without such patent counsel services and perhaps the costs for representation before this Court, as SB should have provided such counsel as necessary to prosecute or provided such legal service funds under their LOU. Whereby this relief can be instituted immediately saving the Plaintiffs and this Court attorney costs. Further, this Court, the EPO, the JPO, the USPTO, Moatz and the Commissioner of Patents would be greatly served by patent counsel being instituted in place of the current inventors acting as Pro Se patent counsel, where Moatz has urged Plaintiff Bernstein to attempt to secure counsel, before such highly specialized tribunal whereby Inventors are not knowledgeable or proficiently versed in such law so as to adequately represent Ivewit Companies and inventors, perhaps additional reason for Pro Bono counsel by this Court or to enforce the SB LOU.

LXIV. Plaintiffs pray for this Court to Order defendants that have professional titles in any capacity to follow strict adherence to insurance reporting laws, including but not limited to, malpractice reporting and liability and contingent liability reporting. That these matters have tremendous liability if proven true and insurance fraud would only endanger the Plaintiffs and the public at large if liabilities and compliance in insurance laws are not adhered too by defendants.

LXV. Plaintiffs pray this Court grant maximum relief under Title 18 Part I CH 90 Sec 1834 Criminal forfeiture.

LXVI. Plaintiffs pray this Court grant maximum relief under Title 18 Part I CH 79 Sec 1623 - False declarations before grand jury or court.

LXVII. Plaintiffs pray this Court grant maximum relief under Title 17 CH 5 Sec 508.


308
Friday, May 09, 2008 @ 2:04:17 PM

LXVIII. Plaintiffs pray this Court grant maximum relief under Title 17 CH 5 Sec 509 Seizure and forfeiture.

LXIX. Plaintiffs pray this Court grant maximum relief under Title 17 CH 5 Sec 512 Limitations on liability relating to material online.

LXX. Plaintiffs pray this Court grant maximum relief under Title 18 Part I CH 95 Racketeering SEC 1956 Laundering of monetary instruments Plaintiffs pray for maximum liability for civil penalties.

LXXI. Plaintiffs pray this Court grant maximum relief under Title 15 Chapter 1 Sec 6a - Conduct involving trade or commerce with foreign nations.

LXXII. Plaintiffs pray this Court grant maximum relief under Title 15 Chapter 1 Sec. 14 - Sale, etc., on agreement not to use goods of competitor.

LXXIII. Plaintiffs pray this Court grant maximum relief under S 468-b. Clients' security fund of the state of New York.

LXXIV. Plaintiffs pray this Court grant maximum relief under New York's S 476-b. Injunction to restrain defendant from unlawful practice of the law.

LXXV. Plaintiffs pray this Court grant maximum relief under 360-m. Remedies.

LXXVI. Plaintiffs pray this Court grant maximum relief under Florida Title XXXIII Ch 495 sec 495.141 Remedies.

JURY TRIAL IS DEMANDED

Plaintiffs demand a trial by jury on all claims so triable.

Attorney for Petitioners

Eliot I. Bernstein, Pro se

39 Little Avenue

Red Bluff, Cal. 96080

Tel.: (530) 529-4410

By: 

Eliot I. Bernstein

Attorney for Petitioners

Eliot I. Bernstein, Pro se

39 Little Avenue

Red Bluff, Cal. 96080

Tel.: (530) 529-7410

By: 

Eliot I. Bernstein

P. Stephen Lamont, Pro se


35 Locust Avenue

Rye, N.Y. 10580

Tel.: (914) 217-0038

By: 

P. Stephen Lamont

309 (2) 
497

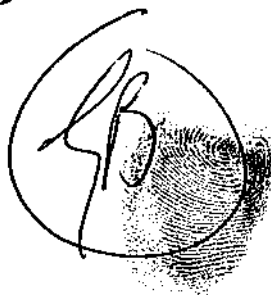
P. Stephen Lamont, Pro se
35 Locust Avenue
Rye, N.Y. 10580
Tel.: (914) 217-0038

*Informally
Assigned*
SL

By: _____
P. Stephen Lamont

SL

Intentionally
Blank



AFFIDAVIT OF SERVICE

I hereby certify that a true and correct copy of the foregoing will be served per this Courts Order by the United States Marshall in due course by delivery of the foregoing to Pro Se desk of this Court, to the aforementioned defendants.

P. Stephen Lamont, Pro se

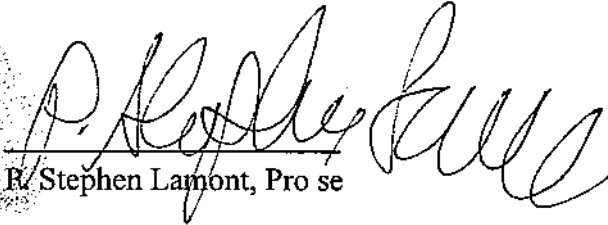


Eliot I. Bernstein, Pro se

EB

AFFIDAVIT OF SERVICE

I hereby certify that a true and correct copy of the foregoing was furnished by facsimile this th day of May 2008, to the aforementioned defendants.


R/ Stephen Lamont, Pro se

Eliot I. Bernstein, Pro se

312(2)

APPENDIX A – IP INTEREST HOLDERS

Shareholder/Patent Interest Holder Patent Unit

Interests

Eliot I. and Candice Bernstein and Children
Caroline Prochotska Rogers, Esq. and
Geoffrey Rogers and Children
Silent Owners
Simon L. and Shirley Bernstein
Kenneth Anderson
Small Business Administration
Joshua Ennio Zander Bernstein formerly
The Joshua Bernstein 1999 Trust
Jacob Noah Archie Bernstein formerly The Jacob Bernstein
1999 Trust
Daniel Elijsha Abe Ottomo Bernstein
James Osterling
James Armstrong
Guy Iantoni
Jill Iantoni
Andrew Dietz
Ed Butler
Kevin Roach
Barry & Stacey Becker
David & Annika Bernstein
Tony Chirino
Alan McKittrick
Daniel Preston
Joseph Ryan
Beverly Billotti
Donna Dietz
Patricia Daniels
Bettie Stanger
Lisa Friedstein
Zakirul Shirajee
Jude Rosario
Mitchell Welsch
Joan Stark
Jeffrey and Lisa Friedstein and Children
Brett Howard
Anthony Frenden
Anthony Giordano
Jack Scanlan
Misty Morgan
Ginger Stanger
Joel Gonsalves

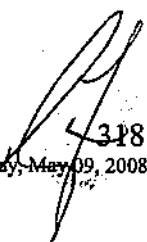
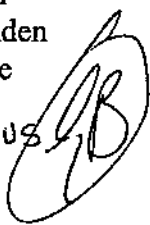
Gregory Gonsalves
Thaddeus and Judy Gonsalves and Children
Bettie Stanger
Robert Feigenbaum
Joseph Fischman
Sherri Frazier & Children
Lorna and Christopher Grote
Molly and Todd Hale
Rafeal Hollywood
Karen & Kevin Kiley
Beth and Frederick Klein
Amanda Leavitt
Daniel Preston
David and Pamela Simon and Children
Theodore Bernstein and Children
Matthew Simpson
Crystal and Lucas Simpson
William and Michelle Slaby
Michael and Nikki Stomp
Jane Valence
Robert and Kari Veneer and Children
Dorothy Winters
Mitch Zamarin
Rocket Cargo Employee Pool
Air Apparent Employee Pool
Anderson Howard Employee Pool
Mark W. Gaffney, Esq.
James Jackoway, Esq. and Michele Mulrooney Jackoway, Esq. and Children
Richard Rosman, Esq.
Anthony Lewinter, Esq.
David Colter
Kevin Lockwood
Alan Young
Tidal 4
Tidal 4
Tidal 4
Tidal 4
Steve Sklar
Alanis Morissette
Happy Feet Living Trust
Mitchell Welsch
Mitchell Welsch
Heche Trust
Lauren Lloyd Living Trust
Scott Welch
Spencer and Dana Rogers and Children

Paul Stanger
Dana Stanger
Jeffrey and Kimberly Stanger and Children
Rose Palermo and Tony Castro and Children
Debbie Washington
Lisa Deleo
Gina Moss
Stacey Ellis
Tuvia School
Douglas Chey
John & Rebecca Calkins
Chris Terri
Corri Perkiss
Brian Fritz
Paul Miller
Robert Roberman
Frank Burnham
Lyle McCullough
Christine & James Goldstein
Sherry Stomp
Harmony Rousseaux
Sal Gorge
James Cohen
Monte Freidkin
Dr. Marcel & Florence Horowitz
Severyn Ashkenazy
Flip and Leanne McCirrick
Adam Simon, Esq.
Alec B. Abbott
Amber Cordero
Barney Allison, Esq.
Beverly Milligan
Bieler @ Bieler Bros. Records
Bill Dusha
Blayne Lequeux
Blaze Benham
Bleemusic Inc.
Blue Fiddle Records
Brian Street
Bruce Warren
Buddy Morra, CPA
C. Allen Productions
Carolyn Newman
Iviewit Charitable Giving Fund (Thought Journal) 0.5897%
Charles Chavez
Charles Michael Moore

Chris & Cori Dittner
Chris Smith
Crush Music Media Management
Dale Grimes
Diversafest LLC [DFEST]
Doc McGee
Don Peake
Edward Garber
Eric Nixon
Evolution Promotions
Flecktones Tours LLC
Frank & Renee Gonzales
Fueled By Ramen Inc.
Gaillet
Gary Nathanson
Gary Nielsen
Gary Pettus & 3 Doors Down
Hard Head Management
Hassan Miah
Heidi Krauel
I Hate Kate
In DeGoot
Indivision Management
Irell & Manella
Irene Bernstein
Irving Rosen
James Cohen
Jamie Ollivier
Jeff Roe
Jenna Cowman
Jennifer Brandon
Jeremey Wall
Jeremy Yuricek
Jessica Verzaal
JMAX
Joe Garlipp
Joe Reynolds & Shiny Toy Guns
John & Edmund Campion
John & Gregg Davis (on behalf of Marvin & Barbara Davis)
John E. Cookman Jr.
John Galvin
John Simon
John Stillman
John Stuart
Jon Jacobs
Jon K. Hirschtick

Karen & Brian Utke
Karen & Laurie Cohen
Kim Staley
Larry Holfer
LCD Soundsystem
Leah Hanes
Lesli Arbuthnot
Leslie Abbagliato
Less than Jake
Lisa DeLeo
Lisa Hagen
Lisa Hendricks
Lori Barrenneck
Lori Kennedy
Lou Supowitz
Louis Pfeffer
Lynn & Francis Stanger
Mark Bernstein
Mark Noyes
Matt and Michelle Doyle
Matt Phillips
Maxemillion Gaspari
McDonough Management
Megan Crawford
Melissa Gluzband
Merritt & Sophia Howard Charity
Michael J. Seibert
Milano Music Management
Mitchell Gorman
Mohammad Ahmed
Noble Engle
Paul Lypaczewski
Pay Up Management / Idolz Maker
Penelope Ashkenazy
Rebel Waltz
Redjem Bouhenguel
Rob Siefken
Robert and Robin Bader
Robert Guccione
Robert Krokower
Russell James
Ryan Magnussen
Sanctuary
Sara Courtney Baker
Sarah Kershaw
Seamus Lyte

Shenell Smith
Sherri Nixon
Sonny Abelardo
Special Team Music
Stanley & Charlotte Bernstein
Stephen Bernstein
Stephen Schleicher
Steve Gold
Steve Nance-Poor
Steven Sutherland
Stew Westphal
STP Employee Fund
Sumair Mitroo
Susie Marino
Ted Leonsis
The Pocket Recordings
Thomas Sanford
Tim Clark
Timothy Kaye
Tom Ames
Villam Artists
Vincent Bank
Vinnie Liu
Wayne Leavitt
William George
William McFarland
World Audience
Yona Nadelman
Zach Katz
Minoux Zardouz
Gregory B. Thagard
George DiBedart
David Colter
Stephen Verona
Charles Brunelas
P. Stephen Lamont
Courtney Jurcak
Tammy Raymond
Matthew Mink
Misty Morgan
Anthony Frenden
Jennifer Kluge
Jack Scanlan
Steve Nevius



PRELIMINARY STATEMENT	10
JURISDICTION AND VENUE.....	12
PARTIES	13
OTHER INTERESTED PARTIES.....	46
FACTUAL ALLEGATIONS.....	49
CRIME ORGANIZATIONAL CHART - MAIN CONSPIRATORIAL ENTERPRISE	
.....	49
CRIME ORGANIZATIONAL CHART - COVER UPS FOR THE MAIN	
CONSPIRATORIAL ENTERPRISE.....	67
PREFACE.....	69
CERTAIN DEFENDANTS FOUND TO HAVE CONSPIRED TO STEAL IP PRIOR	
TO ATTEMPTING SAME ON PLAINTIFFS, BEGINNING POSSIBLY AT THE	
IBM CORP.....	72
PROSKAUER & MLG THE FIRST ON THE SCENE OF THE INVENTIONS.....	74
MPEGLA, LLC.....	76
INTEL CORP., REAL 3D, INC., LOCKHEED MARTIN, SILICON GRAPHICS AND	
RYJO.....	78
HUIZENGA HOLDINGS INCORPORATED	81
TIEDEMANN INVESTMENT GROUP	82
NDA & CONTRACTS	82
THE FIRST SIGNS OF IP FRAUD & CRIMES	83
FOLEY AND LARDNER.....	84
ARTHUR ANDERSEN (“AA”), AUDIT INSTIGATED BY CROSSBOW	
VENTURES ON BEHALF OF THEIR LOANS AND THE SBA LOANS THEY	
SECURED, THAT EXPOSES EVEN MORE CRIMES BEING COMMITTED IN	
THE IVIEWIT COMPANIES CORPORATE MATTERS.....	87
THE FOLEY LARDNER FRAUDULENT IP APPLICATIONS	88
THE DEATH THREAT ON PLAINTIFF BERNSTEIN FAMILY	89
THE DISENGAGING OF IVIEWIT COMPANIES PROFESSIONALS AND	
MANAGEMENT.....	91
STOLEN IP & STOLEN FUNDS – BOCA RATON POLICE DEPARTMENT	91
ENRON CREDITORS RECOVERY CORPORATION (FORMERLY ENRON	
CORPORATION) & BLOCKBUSTER INC.....	93
LEARNING OF ILLEGAL LEGAL ACTIONS - THE PROSKAUER CIVIL	
BILLING LAWSUIT & INVOLUNTARY BANKRUPTCY	93
THE FRAUDULENT FEDERAL BANKRUPTCY FILED.....	95
THE PROSKAUER CIVIL BILLING LAWSUIT	96
THE LABARGA CIRCUS COURT & THE SB BREACH OF THEIR	
LOU/RETAINER	97
CHRISTOPHER & WEISBERG, P.A.,.....	105
THE CONSPIRACY THAT ALMOST WAS - THE ALMOST PERFECTED IP AND	
CORPORATE SHELL CRIMES	105
HOUSTON & SHAHADY, P.A.,.....	108
FURR & COHEN, P.A.,.....	109

SACHS SAXS & KLEIN, P.A.,	109
BSTZ UNCOVERING FURTHER FRAUD.....	109
ROGERS HIRES GREENBERG TRAUIG TO CONDUCT AN IP AUDIT	118
USPTO OED INVESTIGATES AND MOVES TO SUSPEND IP BASED ON FINDING FRAUD IN PRIOR COUNSELS IP DOCKETS.....	119
USPTO OED - FORMAL INVESTIGATIONS OF ATTORNEYS.....	121
SECOND CONSPIRACY BY IVIEWIT COMPANIES INVESTMENT BANKER CROSSBOW VENTURES AND DISTREAM	121
THE COVER-UP CONSPIRACIES.....	126
THE FLORIDA COVER UP CONSPIRACIES TFB AND THE FSC	126
STATE OF FLORIDA	138
OFFICE OF THE STATE COURTS ADMINISTRATOR, FLORIDA	138
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION.....	139
THE NEW YORK COVER UP CONSPIRACIES.....	139
THE 1 ST DDC & THE FIRST DEPARTMENT COURT	139
SECOND DEPARTMENT COURT & 2 ND DDC	148
THE KAYE CONNECTION TO THE ENTIRE NEW YORK COURT AND NEW YORK DISCIPLINARY.....	153
STATE OF NEW YORK COMMISSION OF INVESTIGATION,	154
LAWYERS FUND FOR CLIENT PROTECTION OF THE STATE OF NEW YORK	155
FORMER ATTORNEY GENERAL OF THE STATE OF NEW YORK & FORMER GOVERNOR OF THE STATE OF NEW YORK ELIOT SPITZER & OFFICE OF THE ATTORNEY GENERAL OF THE STATE OF NEW YORK.....	155
STATE OF NEW YORK	155
THE OFFICE OF COURT ADMINISTRATION OF THE UNIFIED COURT SYSTEM.....	156
THE VIRGINIA BAR CONSPIRACY.....	156
SUMMARY OF STATE BAR ACTIONS AND DISCIPLINARY ACTIONS.....	158
COMMONWEALTH OF VIRGINIA	159
BOCA RATON POLICE DEPARTMENT	159
CITY OF BOCA RATON FLORIDA.....	160
EPO	160
YAMAKAWA.....	160
HOW HIGH DOES IT GO? THE POSSIBLE CONSPIRACY TO COMMIT TREASON AGAINST THE UNITED STATES - PATENTGATE	161
PETITION 1 & 2 FEINSTEIN.....	161
NITA LOWEY TO JOHN DINGELL TO JUDICIARY COMMITTEE.....	161
DOJ OIG, FBI, FBI OPR AND THE CASE OF THE MISSING FILES AND INVESTIGATORS.....	161
LAWS VIOLATED	162
FEDERAL LAWS VIOLATED	162
RICO STATEMENT FORM QUESTIONS AND ANSWERS.....	179

RICO STATEMENT FORM.....	180
NEW YORK STATE CRIMES	239
FLORIDA STATE CRIMES.....	259
DELAWARE STATE CRIMES.....	289
COUNT ONE ARTICLE 1, SECTION 8, CLAUSE 8 OF THE CONSTITUTION OF THE UNITED STATES, FIFTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES, AND FOURTEENTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES	291
COUNT TWO 15 U.S.C.A. §§ 1 AND 2.....	292
COUNT THREE TITLE VII OF THE CIVIL RIGHTS ACT OF 1964 (AS AMENDED).....	293
COUNT FOUR RACKETEERING AND CORRUPT ORGANIZATIONS ACT 293 18 U.S.C. § 1961 THROUGH 18 U.S.C. § 1968.....	293
COUNT FIVE LEGAL MALPRACTICE & NEGLIGENCE.....	294
COUNT SIX BREACH OF CONTRACTS.....	295
COUNT SEVEN TORTUOUS INTERFERENCE WITH ADVANTAGEOUS BUSINESS RELATIONSHIPS	296
COUNT EIGHT NEGLIGENT INTERFERENCE WITH CONTRACTUAL RIGHTS.....	297
COUNT NINE FRAUD	297
COUNT TEN BREACH OF FIDUCIARY DUTIES AS DIRECTORS AND OFFICERS	298
COUNT ELEVEN OTHER CIVIL STATE OF NEW YORK, STATE OF FLORIDA, AND STATE OF DELAWARE CLAIMS OF PAR. __ TO PAR. __ .	299
COUNT TWELVE MISAPPROPRIATION AND CONVERSION OF FUNDS... 	300
PRAYER FOR RELIEF.....	301
OTHER RELIEFS	302
STATE PRAYERS FOR RELIEF	307
JURY TRIAL IS DEMANDED.....	309
AFFIDAVIT OF SERVICE.....	312
APPENDIX A – IP INTEREST HOLDERS	313

