

PROSKAUER ROSE LLP

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N. Kenneth Rubenstein, a partner in Proskauer's New York office

The response demonstrates that no amount of proof will satisfy Messrs. Lamont and Bernstein. By way of example, both Messrs. Lamont and Bernstein stand fast on their claim that Mr. Wheeler misrepresented that Mr. Rubenstein was a partner of Proskauer before he joined the firm. They do so in the face of Mr. Rubenstein's own deposition testimony that he joined the firm almost 6 months prior to Iviewit first stepping in Proskauer's door. How could Mr. Wheeler have misrepresented that Mr. Rubenstein was a partner at Proskauer when at the time he first met Mr. Bernstein, Mr. Rubenstein was a Proskauer partner (and had been for months)? Ignoring that, Messr. Lamont and Bernstein contend that, because they were told to find information about Mr. Rubenstein from his former firm's website, there must have been a fraud perpetrated upon them. We have since confirmed with Proskauer's human resources department that Mr. Rubenstein was correct when he testified that he joined Proskauer in June 1998 -- his actual start date was June 22, 1998.

What we said in our initial response remains true today. The bar complaint is an ill-advised litigation tactic by the desperate officers of a failing dot.com.¹ It is telling that the latest Iviewit submissions make numerous references to the litigation, all the while contending that the litigation is "wholly irrelevant" to their bar complaint.²

For purposes of brevity, we are not going to respond to each and every one of the alleged conspiratorial plots and unsupported accusations described in Iviewit's thousand-plus page submission. While we deny each and every allegation, we will discuss a few of the points brought up by Messrs. Lamont and Bernstein to highlight the fact that none of the claims made in the bar complaint have any factual support. Should you desire a further response regarding any topic or issue referenced in those thousand-plus pages, please let me know and I will be happy to respond.

ALTHOUGH IN FOOTNOTE 2 TRIGGS ATTEMPTS TO EXPLAIN THE PERJURED PRIOR STATEMENTS OF WHEELER AND WHY HIS DEPOSITION WAS DIFFERENT THAN HIS PRIOR STATEMENTS TO THE FLORIDA BAR, IT IS A MEANINGLESS ATTEMPT, SINCE THE TWO FALSE STATEMENTS UNDER OATH VIOLATE FEDERAL LAW TITLE 18 PART I CH 79 Sec 1623 - False declarations before grand jury or court and FLORIDA LAW S 210.10 Perjury in the second degree, S 210.15 Perjury in the first degree, and 210.20 Perjury; pleading and proof where inconsistent statements involved.

¹ Iviewit even challenges our description of it as a failed "dot.com," yet its primary operating company is Iviewit.com, Inc.

² We do note that Iviewit has pointed out a misstatement in our April 7, 2003 submission to you, based on the deposition testimony of Mr. Wheeler taken in the litigation between Proskauer and Iviewit. In his deposition, Mr. Wheeler stated that he did not advise Iviewit of the fact that he assisted Mr. Utley, years prior, in forming a corporation for him prior to Mr. Utley's employment with Iviewit. In my letter to you dated April 7, 2003, I erroneously advised you that Mr. Wheeler discussed this representation with Iviewit. Having had a chance to discuss the issue with Mr. Wheeler, I can confirm that his deposition testimony as to that issue is correct. He did not discuss the issue with Iviewit. I apologize for this oversight. Importantly, however, we are unaware of any ethical obligation that would have required Mr. Wheeler to volunteer such information.