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IN THE

Supreme Court of the United States

ELIOT I. BERNSTEIN AND P. STEPHEN LAMONT,

Petitioner,

v.

THE FLORIDA BAR, et al.,*

Respondents.

On Petition for Writ of Certiorari

to the Florida Supreme Court

APPLICATION FOR AN EXTENSION OF TIME WITHIN WHICH TO FILE A PETITION FOR A WRIT OF CERTIORARI TO THE FLORIDA SUPREME COURT

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COUNSEL OF RECORD- In Forma Pauperis

Petitioner, Eliot I. Bernstein, respectfully requests a 60-day extension of time, to and including January 1, 2005, within which to file a petition for a writ of certiorari to review the decision of the Florida Supreme Court ("FSC") in Eliot I. Bernstein and P. Stephen Lamont v. The Florida Bar (Case SC04-1078). The denial of the petition for all writs jurisdiction of the FSC was entered on January 12, 2005, attached Exhibit "A". On April 25, 2005. The court denied Petitioner's Motion for Clarification, Rehearing, and Certification, attached Exhibit "B".

Unless extended, the time for filing this petition for a writ of certiorari will expire on December 2, 2004.

The jurisdiction of this Court is invoked under 28 U.S.C. §1257(a).

Reasons for Requesting an Extension of Time

EVICTION PROCEEDINGS MAY LEAVE PETITIONER WITHOUT A HOME

1. This extension request is ironically inapposite the Petitioners urgent need for immediate relief from this Court as time is otherwise of the essence to Petitioner because Petitioners' intellectual property rights protected under U.S. Const. Art. I, § 8, cl. 8, as further explained herein, are soon to be permanently lost. Notwithstanding, this extension is necessary to enable Petitioner to attempt respond to a questionable eviction[1] proceeding that commenced on (Service Date) and was seriptously withdrawn on July 13, 2005 attempt to retain non-conflicted counsel; and if unsuccessful to prepare as Pro Se Petitioner the best possible filing to this Court. The history of the proceedings leading up to this filing demonstrates that Petitioners' actions in the courts and bar associations have been repeatedly stymied and blocked by

[1] Petitioner was being evicted in the County Circuit Court, in and for Palm Beach County, Florida - Uniform Case No. 502005CC007455XXXXMB from his place of residence with his disabled wife and his three small children. The eviction proceeding is highly suspect and after learning of this filing were dropped entirely by the opposing parties. Rent has always been timely paid and no complaints against Petitioner have ever been filed, Petitioner and family in fact have been model patrons of the community. The gravamen of the previous property manager and prior owner's complaint involves Petitioners repeated complaint about a malfunctioning HVAC, mold and rodent infestations. Responding to a request from a named party on the residential lease, Shirley Bernstein's request for an energy audit, Florida Power and Light ("FPL") found the heating, ventilation and air-conditioning unit ("HVAC") to be leaking sufficient amounts of water and later reports from independent third parties (some hired by the Petitioner) show further Freon and Radon leaks and causing dangerous black mold and radioactive substances to emanate from the unit and disperse throughout the home. These factors have detrimentally affected the health of Petitioner, Petitioners infant son, two small children and spouse, which has caused serious respiratory problems for all occupants including the infant coughing to vomiting and the coughing up of blood in the sputum of Petitioner. Responding to Petitioners request for a mold study, the Health Department Indoor Air Quality Division ("IAQD") found similar problems as FPL regarding excessive leaking of water causing toxic growths and where they mandated that the property be cured of such problems resulting from the defective HVAC and rodent infestations. After receiving such state reports and recommendations to cure and utility company reports showing the defects, Plaintiff ignored such reports, denied the problems existed and in an attempt to harass Petitioner further and force eviction, then filed a classic retaliatory eviction. The putative attorneys and their agents have demonstrated a pattern of behavior to deny Petitioner due process granted under the his Fifth and Fourteenth Amendment rights, and cause harm through abuse of process and other methods during the timeframe Petitioner has been filing charges with, including but not limited to, the USPTO authorities, federal and state law enforcement agencies, state bar associations, attorney disciplinary authorities, the Inspector General Office of the Small Business Administration and Commerce Department, international authorities and now this Court, this action is another example of legal abuse of process.

the main protagonists - several large national law firms in a continuing attempt to evade culpability for the intellectual property thefts which comprise the matters underlying this case before this Court.

TIME TO FIND NON-CONFLICTED REPRESENTATION BEFORE THIS COURT

2. Petitioner seeks extension this extension to retain counsel that is not conflicted with any of the parties involved with these matters. The job is daunting due to the number of lawyers and legal institutions which are adversarial to Petitioner. The law firms, lawyers and their agents who have been accused of intellectual property thefts and crimes against federal, state and international agencies, have acted to deny Petitioner and Petitioner company shareholders due process in Florida, resulting in this filing, but also with the state Supreme Court disciplinary agencies in New York and civil courts in Florida. Petitioner's case not only challenges the FSC decisions but is also against The Florida Bar and the conduct of the Justices of the FSC implicating the actions of these putative lawyers and certain members of the courts. Where at once it is almost implausible to conceive that such high ranking members of the courts and disciplinary agencies could be involved, it should be more transparent when one views these high ranking members of the courts and their agencies having direct affiliations and conflicts with Proskauer, the main accused. Individuals related to or who are members of Proskauer have directly or indirectly been involved in the derailing of the complaints at the disciplinary departments, the bar associations and the court.

3. Members of several of the law firms and several Proskauer partners implicated are currently under investigation by the Commissioner of Patents ("Commissioner"), see Exhibit "C" at the United States Patent & Trademark Office ("USPTO") for charges of fraud by respondents who previously were the intellectual property and corporate counsel to Petitioner, against not only Petitioner and Petitioner companies' shareholders but of crimes against foreign nations, the United States, and several governmental agencies such as: the USPTO, the United States Copyright Office, the federally backed Small Business Administration, state supreme courts of Florida, New York and Virginia and their affiliated attorney disciplinary departments and state departments in Florida and Delaware. The Director of the Office of Enrollment and Discipline ("OED") of the USPTO, Harry I. Moatz ("Moatz") has

commenced a formal investigation[2] of these attorneys. The investigation is ongoing. On information and belief, the USPTO may only grant three extensions of time each for a period of ninety days. Certain extensions are soon to lapse, which would cause further permanent loss of Petitioners' rights under U.S. Const. Art. I, § 8, cl. 8. Yet Petitioner, not by choice but by circumstance, must delay this filing. Petitioner has come to be financially ruined due to the actions of his former counsel which has been charged with crimes, Exhibit "D" including theft of approximately two million dollars (U.S. $2,000,000.00) currently under investigation by the Boca Raton, Fla. Police Department and with the SEC, the Federal Bureau of Investigation and recently the Inspector General Office of the federally backed Small Business Administration. Conflicts of interest and abuses of public offices by the accused law firms and lawyers in complaints both civil and disciplinary have caused Petitioner to further exhaust personal funds in exposing the crimes. Further, due to the delays caused by the conflicts and abuses of public office that have led to a denial of due process in every legal fora the claims have been made, Petitioner has been further denied access to the legal system for legitimate fear of certain lawyers and agents of those lawyers and for now lack of funds. Where due to the conflicts now with the highest courts in two states, it is also hard to find lawyers in those states willing to undertake cases against the state bar associations; considering Petitioners lack of funds and the disdainfulness of representing a party against the state bar associations; in which one is a member. Petitioner has been forewarned of these challenges. When Petitioner found the conflicts in Florida and presented them to lead counsel for Flabar, John Anthony Boggs ("Boggs"), Boggs stated that Petitioner did not stand a chance against Flabar with the

[2] It is of interest to note that with ongoing investigation by the Commissioner of the USPTO, the USPTO OED Director Moatz and federal and state investigators ongoing, that without any investigation, the state bar and state attorney disciplinary departments have attempted to exculpate the very same attorneys under investigation and where no formal investigation has ever been undertaken by such bar associations and disciplinary agencies. The decisions to dismiss the complaints on the guilty attorneys, through review **(not investigation)**, has led to the uncovering of further conflicts of interest and improprieties in those departments handling the attorney misconduct charges and such uncovering came when Moatz who maintains the patent bar, asked what the status of the cases at the state bars was. Petitioner confronted the state bars to assess the progress of their efforts and once confronted with such information of a patent office investigation; the state bars immediately began a series of attempts to bury and dismiss the complaints and refused to call Moatz to coordinate investigations. As suspect as this was, this led to the unearthing of the conflicts that had remained concealed for almost two years and exposed that the complaint process had gone nowhere where evidence was presented to these bars of attorneys committing crimes against the United States and foreign nations.

FSC and that Petitioner would be hard pressed to find anyone to represent Petitioner and Petitioner companies' shareholders in the state of Florida against Flabar and their members.

4. Petitioner acknowledges that finding acceptable counsel may be difficult as the long saga of Petitioners experience with counsel in the entire nexus of underlying events continues with "White Shoe" law firms accused; who represented Petitioner in his inventions and companies, and now position in conflict and abuse of public office at every level Petitioner seeks legal redress all with the goal of preventing the charges from being heard. Further, these conflicts now place Petitioner in conflict with state supreme courts and their disciplinary agencies that have been corrupted through the conflicts of certain of their members who acted in violation of law to deny Petitioner access to the complaint process against the accused putative attorneys.

5. Challenges to these law firms and their partners were summarily dismissed in a suspect Florida state court proceeding in Proskauer Rose LLP v. Iviewit Technologies, Inc., Iviewit.com, Inc. and Iviewit Holdings, Inc., Case No. CA 01-04671 AB ("Litigation") In the Circuit Court of the Fifteenth Judicial Circuit in and for Palm Beach County, Florida. In that matter, Petitioner was denied a trial, denied a counter complaint that exposed crimes against the Federal government and finally denied counsel[3]. Finally, it has recently been learned due to the patent suspensions, that certain of the companies sued by Proskauer in the Litigation were shadow companies formed illegally by Proskauer to mirror in name Petitioner companies and where the stolen patents were being funneled. This lawsuit, which Petitioner did not know the companies were in until notified by investors, appears to have been on companies owned by Proskauer that have stolen patents in them and the lawsuits came when Proskauer

[3] Petitioner was represented by two law firms at the time of a scheduled trial; the trial was cancelled without notice to Petitioner or Petitioner Counsel who showed up for trial to an empty courtroom. At the rescheduling hearing both counselors petitioned for, and were granted dismissal by the judge on statements that the other would represent Petitioner at the upcoming trial. Even though Petitioner counsel was legally obligated to represent Petitioner at trial through a binding Letter of Understanding and legal retainer, see Exhibit "L", counsel's petition for withdrawal was granted by the judge. With no ability to secure counsel on such short notice and the judge refusing an extension of time, Petitioner lost the case based his inability to retain replacement counsel almost overnight and subsequently a default judgment was entered? This case is now under federal authority's scrutiny as it has recently been discovered that the companies actually sued not Petitioner companies' but were identically named companies actually owned by certain of the law firms involved and it is believed the stolen intellectual properties were fraudulently transferred to these unauthorized companies?

was fired with cause as counsel, in their attempt to bury the shadow companies and gain claim to the patents. A similar action in a Federal Bankruptcy Court was instigated by Proskauer former management Brian Utley, Michael Reale, Raymond Hersch and a subcontractor employed through Intel, RYJO, and where this action appears against bogus companies set up by Proskauer which appear, based on information and belief from conversations with the patent department, also contained stolen patents.

6. In the legal redress sought at the state attorney misconduct agencies, the disciplinary charges filed by Petitioner against the accused, were derailed in Florida and New York, yet conveniently, the arbiters who acted directly in the disciplinary charges against themselves should have reclused themselves as being in conflict of interest with the accused attorneys and did not. Even after being caught in conflict, these agencies in both New York and Florida have blocked formal complaints from being docketed as required procedurally and they have refused to accept formal written filed complaints against those caught in conflict and violation of their public offices. These are further violations of attorney conduct rules, state laws, violations of the constitutions of Florida, New York and the United States, as the bar associations were created by the state constitutions to protect consumers of legal services and provide oversight its membership. Obviously the ongoing failures to docket and accept complaints against attorneys to provide formal procedures to consider complaints against attorneys that have violated the laws and rules of conduct and public office denies Petitioner the protections these organizations were established to enforce. It is because members of Proskauer, individuals related to it and others hold the highest of positions at these state bars and disciplinary agencies, in effect, these vary agencies have acted more like attorney protection agencies than consumer protection agencies. All of these factors further denied Petitioner due process in violation of his Fifth and Fourteenth Amendment rights under The Constitution, his rights under Florida and New York state constitutions, and thus such hijacking of Petitioners' rights to due process and procedure led to losses of Petitioners constitutionally protected rights under U.S. Const. Art. I, § 8, cl. 8. to his inventions. Such losses could have been prevented had fair and impartial due process been had as ensured under the United States, Florida and New York constitutions and certainly had action been taken by these disciplinary bodies under conflict free

scenarios, it would have prevented certain further loss and damages caused upon Petitioner. These crimes by individuals cloaked as attorneys and public officers, perverted the legal system to not only steal inventions from inventors, but to now protect against prosecution of such heinous crimes, through conflicted individuals who maintain high level positions inside such esteemed institutions as the state Supreme Courts, the disciplinary agencies, civil courts and have perhaps penetrated other law enforcement efforts.

7. By way of example these conflicts have penetrated and influenced due process in all of the following actions in Florida:

i. The Florida Bar ("Flabar") including the executive offices of President, Kelly Overstreet Johnson ("Johnson"), Johnson is associated with the main protagonist's brother, James Wheeler ("J. Wheeler"), at a small Florida law firm, Broad & Cassel. Johnson is a direct report to J. Wheeler and therefore should have precluded her involvement in the disciplinary process and caused here recusal. Petitioner learned of Wheeler's conflict after submitting countless submissions directly to Johnson. Johnson failed to disclose this obvious conflict while accepting Petitioner Flabar complaint submissions on Wheeler for several months.

ii. At Flabar, another Proskauer partner Matthew Triggs ("Triggs"), abused his public office at the FSC agency Flabar in directly representing his partner Christopher Clark Wheeler ("Wheeler") charged in a disciplinary action instigated by Petitioner companies with Flabar, a FSC created agency existing under the Florida Constitution. Triggs, a member of the Flabar Grievance Committee was precluded from representing anyone in a Florida bar grievance for a period of one year after his term of office. Triggs violated this prohibition in representing Wheeler prior to the expiration of his one year proscription. Triggs simultaneously handled the civil Litigation as counsel for Proskauer, the Wheeler and Proskauer and as such, also should not have represented Wheeler in a disciplinary proceedings as Petitioner filed a complaint against Triggs for abuse of his public office. Not surprisingly, the Triggs complaint was refused by Flabar it can be found in the original petition with FSC.

iii. Wheeler, who has recently arrested on a Felony Driving Under the Influence with Injury Charge (Del Ray Beach Police Department docket number FLO 500400), Exhibit ”E”, also knowingly selected Triggs, his partner, to represent him in violation of Florida attorney rules of conduct, as Wheeler knew Triggs was precluded from such representation in a blackout period.

iv. Due to the discovery of conflicts at FSC and then FSC’s refusal to accept filed charges against Triggs and Wheeler for conflict and abuse of public office, Petitioner went directly to FSC and filed a Petition that became the basis for FSC case no. SC04-1078[4] that additionally had the Triggs complaint attached. Due to the fact that after conflict was discovered and affirmed by Flabar, Flabar attempted to hurriedly destroy the complaint file on Wheeler and Triggs, to obstruct justice into the investigation of the conflicts and destroy the evidence necessary to prosecute the conflicts of their insured members.

v. The FSC issued orders to prevent the destruction of the file and then later requested a response to Petitioners petition which included charges of conflict of interests and abuses of public office of several of the members of Flabar. Flabar’s response addressed the court and parties incorrectly, see attached Exhibit “F”, so as to make the response unintelligible and further failed to respond to any of the claims asserted in the petition they were ordered to respond to. FSC then ruled against Petitioner and further tried to deny hearing the case further and attempted to evade prosecution of the confirmed conflicts and deny Petitioner due process. Petitioner was then denied his rights under the Florida Constitution to file complaints formally against members of Flabar for their conflicted involvement. The Justices of FSC violated their judicial cannons and the laws and Constitution of Florida by failing after direct written request to disclose possible conflicts of interest and seek with the Judicial Qualifications

[4] The FSC forced the petition filed to change from the complainants that filed at Flabar the complaint against Wheeler, to a petition that the excluded the original complainants (Iviewit Technologies, Inc. and all affiliates) as Petitioners citing an administrative ban on a corporation being represented by Pro Se counsel. Certainly this ban was not intended for situations where circumstances prevented counsel from being obtained conflict free and certainly was not intended to deny representation by any party where circumstances prevented counsel from being trusted. It is of importance to note that where FSC forced Iviewit to drop out of the Petition citing such Pro Se ban against corporate Pro Se representation, that the First Department in New York did allow the Petition filed there against Krane, Rubenstein and Joao to be heard with petitioners comprised of the Iviewit Companies being represented by Pro Se counsel.

Commission ("JQC") approval prior to further actions as there were conflict issues with the insurance policy maintained by that Supreme Court on their bar members and officers and since truly they were conflicted if they were members of the Flabar, the opposing party. Florida law requires justices who are confronted with conflict to disclose publicly.

vi. It was not until the Triggs conflict was unearthed and confirmed by Flabar, see Exhibit "G", that the relationship with Johnson to the Wheeler family was discovered. Johnson immediately refused acceptance of further filings from Petitioner upon being confronted with the Triggs' conflicts and her professional and personal relationship conflicts with the Wheeler family.

8. Petitioner similarly found a Proskauer related control and derailment of his complaints in New York. Again we find Proskauer attorneys controlling the entire process. By way of example these conflicts have penetrated and influenced due process in all of the following actions in New York:

i. The New York State Bar Association ("NYSBA") and Supreme Court of New York Appellate Division: First Departmental Disciplinary Committee ("DDC"), including NYSBA former President, Steven C. ("Krane"), who is also a member of the DDC and directly handled the complaints with the DDC, against Proskauer, Kenneth Rubenstein ("Rubenstein") a Proskauer partner and even against himself. Krane represented his Proskauer partners and himself, while maintaining conflicting roles at the NYSBA and the DDC in both disciplinary creation and enforcement positions having direct bearing on the complaints. All this, without a whisper of potential conflict and when confronted and caught by Clerk of the First Department, Catherine O'Hagan Wolfe, who knew of Krane's roles with the department, in diametric opposition to his written statement he was proverbially "busted".

ii. The New York Supreme Court of Appeals ("NYSCA") was contacted regarding these matters and copies were sent to the justices of that court including Chief Judge, Judith S. Kaye ("Kaye"), where at the time it was not known that she had conflict with Krane, Proskauer, Petitioner and Petitioner companies Iviewit. Where it will be shown that conflict now elevates directly to Chief Judge of New York, Judith S. Kaye ("Kaye") and her husband Stephen Kaye ("S. Kaye") a Proskauer intellectual property partner and her relationship with Krane who formerly acted as her law clerk. Kaye and Krane

should have recused themselves from the onset as they are conflicted in a multiplicity of ways in these matters. Perhaps, New York cannot be conflict free when Kaye and Krane have the most significant and influential roles in both the courts and disciplinary departments. Kaye has conflict in, including but not limited to, all of the following: Krane a Proskauer intellectual property department partner was a former law clerk to Kaye, Kaye is married to S. Kaye (a Proskauer intellectual property partner), and Kaye, due to her marriage to a Proskauer partner, is an owner of Petitioners companies as Petitioner issued Proskauer Iviewit founding shares of stock in exchange for intellectual property and corporate legal services.

iii. Illustrative of how the disciplinary process has been hijacked in New York, after discovering Krane's conflicts, the Supreme Court of New York Appellate Division: First Department ("First Department") ordered an investigation of Krane, Rubenstein and Joao, Exhibit "H". The Supreme Court of New York Appellate Division: Second Department Disciplinary Committee ("Second DDC") refused to follow the court order for investigation and instead dismissed the complaint based on a review of the file and did not investigate the underlying matters as ordered, see attached Exhibit "I". The reviewer, Chief Counsel of the Second DDC, Diana Maxfield Kearse ("Kearse") after affirming that she failed to investigate as court ordered, stated she was not under the jurisdiction of the First Department court order. Then surprisingly upon being asked if she had conflict with Krane or Kaye, admitted to Petitioner and Petitioner counsel, that she had conflict with Krane and Kaye. More shocking is that Kearse then refused to disclose her admitted conflicts of interest in writing, notwithstanding a formal written request by Petitioner and Petitioner companies that she stated she would respond to upon a formal written request. The only logical conclusion is that Kearse, acting after being caught in conflict, attempted to exculpate Krane, Rubenstein and Joao without investigation, without first disclosing her conflicts and therefore further created a greater preponderance of impropriety. Kearse then failed to accept complaints filed against her and the Chairman of the Second DDC, Lawrence DiGiovanna ("DiGiovanna"), for their conflicts and actions, even though the procedural rules and New York law and Constitution require complaints to be formerly docketed and disposed of according to defined procedures.

iv. Lastly, in a underhanded and highly unethical attempt to dispose of the matters at Second Department DDC, the Clerk, James Pelzer ("Pelzer") and the Presiding Justice, A. Gail Prudenti ("Prudenti") of the Supreme Court of New York Appellate Division: Second Department ("Second Department"), attempted to bury and dismiss the complaints against Krane, Rubenstein, Joao, and now, Kearse and DiGiovanna, Exhibit "J". As neither Pelzer nor Prudenti are a part of the disciplinary process at Second Department DDC that the Justices ordered to investigate the matters, neither Pelzer nor Prudenti has any authority under procedure or law in the Second Department DDC to review or opine on the complaints or make disposition, and this seems completely absurd that they would make an attempt to defy the court ordered investigation of First Department and challenge the Justices who had concurred after due deliberation to formally "investigate" Krane, Joao and Rubenstein. Had such five justices wanted a second review of the existing file that had never been investigated, as the Clerk's baseless in law or procedure letter claims, certainly after due deliberation and review of the evidence against Krane, they would not have issued orders requiring a formal "investigation". Pelzer and Prudenti have no basis in law or procedure in the disciplinary process to be involved in the disposition of the complaints filed at the Second DDC and it is simply another shameless attempt to exculpate the culpable and derail Petitioner from fair and impartial due process of the complaints against Proskauer partners and others and fend off actions against members of the Second Department DDC and now Second Department members Pelzer and Prudenti[5].

9. Perhaps the inability of Petitioner to have his complaints even considered in New York stems from insidious professional affiliations and personal relationships that conflict with public offices directly involved in the matters and where the two most powerful members of the court and disciplinary are Proskauer related, fair and impartial due process in New York may not be possible. Proskauer is the first

[5] Actions against Pelzer and Prudenti have been delayed since Second Department DDC has already refused formal complaints against Kearse and DiGiovanna inapposite of law and the constitutional rights of Petitioner. Petitioner awaits authorities notified on the crimes to take action and provide a forum for the complaints to be formally filed, docketed and disposed of according to law and procedure. Where as long as Proskauer conflicted agents maintain control of the departments, there appears to be no sense in continuing further complaints without fair and impartial due process ensured through legal actions of law enforcement.

White Shoe firm that represented Petitioner; its intellectual property department became formed only after meeting inventor Petitioner and learning of his processes. That Proskauer now control patent pools which act as a barrier to market to Plaintiff's products through a criminal enterprise commonly referred to as MPEGLA, LLC as and Proskauer now derives direct benefits from MPEGLA, LLC and without Plaintiff technologies MPEGLA, LLC and their pool would be virtually worthless. MPEG has bundled and tied Plaintiff product to their patent pool license which Rubenstein and Proskauer control. This was learned in Rubenstein's deposition in the civil Litigation. When confronted with this relation to MPEG Rubenstein under deposition in the civil Litigation astonishingly claimed he did not know Petitioner, constituting perjury, walked out of his deposition and was then ordered back to answer the questions he previously refused to respond to under deposition. With the trial thrown prior to being able to re-depose Rubenstein, it has since been learned, on information and belief, that while Rubenstein acted as Petitioner lead intellectual property attorney (patents, trademarks, copyrights and trade-secrets) and also an Iviewit Shareholder and Iviewit Board Member (Advisory), he was also lead counsel for MPEGLA LLC, now the largest infringer of the inventions. Upon acquiring Rubenstein, Proskauer then acquired control of the pools Rubenstein created. Accordingly, Proskauer enjoys economic benefits directly derived from the theft of Petitioner technology and blocks Petitioner from market, of course while attempting to steal the inventions quietly out the back door for later full monetization. Any affiliation to Proskauer, or its intellectual property department should have forced recusal of any member even remotely involved in the disciplinary process and yet it is instead found they are again and again controlling the process directly and indirectly without any disclosure of their conflicts, and further efforts to conceal them once caught.

10. Since successful prosecution of complaints against Wheeler, Rubenstein, Joao, Krane, S. Kaye and Proskauer, could lead to lengthy federal sentences for both S. Kaye and Krane and lead to certain catastrophic financial ruins for Proskauer and their partners, the conflicts are overwhelming but the only way to avoid the preponderance of evidence and witnesses against them.

11. With all due deference in regard to this Court's schedule, Petitioner prays this Court to hear this case as soon as possible once filed, as Petitioners' invention rights are close to being permanently lost

due to the above referenced actions of the putative attorneys and judicial officials. These losses of rights will occur as soon as three weeks both nationally and internationally. Any such permanent loss of Petitioners' rights as an inventor or otherwise would be directly attributable to the putative lawyers, the legal systems failure to take actions against its own members and allow conflicts to prevail, the legal systems involvement in causing such loss from corrupted patent attorneys, to corrupted bar members acting in violation of public offices, to denial of Petitioners' rights to file complaints against members of the legal community and to an obstruction of justice by justice. These factors make it impossible for Petitioner to assert claims, in any venue he goes, to protect the intellectual properties and his constitutional rights in those states. According to legal procedures and our system of jurisprudence the most compelling example is the usurpation of Petitioners civil action against the main protagonist in the Florida state courts and where such loss of rights due to denial of his legal rights, could not be fairly heard without conflict all the way to the Supreme Court blocking him at every turn.

12. That Petitioner also prays this Court to immediately cause to be secured all files from all parties involved in these actions and all associated actions involving the state bars of Florida, New York and Virginia and the FSC. As Petitioner understands, due to the FSC court ruling they have allowed Flabar the right to destroy the files. Where upon request of the Motion for Rehearing, Certification and Clarification, Petitioner asked that court to seek approval from the Judicial Qualifications Commission that such destruction before appeal to this Court was heard could constitute charges of obstruction against them. The files may be destroyed at will by Flabar and thus would comprise critical evidence pertinent to this action in this Court and this Courts ability to review all the facts. Securing the files of all of the follwing:

- Steven C. Krane & Proskauer Complaint #2004.1883 First Department DDC
    - Transferred for conflict and appearance of impropriety to:
- Steven C. Krane & Proskauer Complaint #T-1689-04 Second Department DDC
- Kenneth Rubenstein & Proskauer Complaint #531/03 First Department DDC
    - Transferred for conflict and appearance of impropriety to:

- Kenneth Rubenstein & Proskauer Complaint #T-1688-04 Second Department DDC
- Raymond Joao, Proskauer[6] & MLGWS Complaint #531/02 First Department DDC
    - Transferred for conflict and appearance of impropriety to:
- Raymond Joao, Proskauer[7] & MLGWS Complaint #T-1690-04 Second Department DDC
- Diana Maxfield Kearse Complaint #TBD Second Department DDC
    - Kearse refused docketing a formal written complaint against herself filed with her at her request,
- Lawrence DiGiovanna Complaint #TBD Second Department DDC
    - Kearse refused docketing a formal written complaint against DiGiovanna sent to her at her request,
- Christopher C. Wheeler Complaint #2003-51 109 15(C) Flabar
- Christopher C. Wheeler #2 Complaint #TBD Flabar
    - Flabar and FSC refuse docketing formal written complaint where the charges were separate from Wheeler's first complaint and for additional conflicts, conflicts again confirmed by Flabar in writing, yet refusal to docket the charges.
- Matthew Triggs Complaint #TBD Flabar
    - Flabar and FSC refuse docketing formal written complaint even though they confirm conflicts with Petitioner and violations of his public office position with Flabar
- Judge Jorge Labarga Docket No. 03352 Judicial Qualifications Commission
- Thomas Cahill Inquiry # First Department
    - Transferred to special investigator Martin Gold
- Florida Supreme Court Case SC04-1078 FSC

[6] Raymond Joao was represented to Petitioner as a Proskauer intellectual property partner at first, along with Rubenstein, when at that time they were both still with Meltzer Lippe Goldstein Wolfe & Schlissel ("MLGWS"). Shortly thereafter, only Rubenstein transferred to Proskauer with all other members of MLGWS except Joao?

[7] Raymond Joao was represented to Petitioner as a Proskauer intellectual property partner at first, along with Rubenstein, when at that time they were both still with Meltzer Lippe Goldstein Wolfe & Schlissel ("MLGWS"). Shortly thereafter, only Rubenstein transferred to Proskauer with all other members of MLGWS except Joao?

- Including CD-Rom Submissions

- Krishna Narine No docket # Pennsylvania Bar
- Andrew Barroway No docket # Pennsylvania Bar
- William J. Dick Docket #04-888-1004 Virginia Bar
  - Where Virginia Bar refuses to advance the complaints or return phone calls regarding this matter, upon being notified of the conflicts in Florida and New York and perjured statement made Dick to that tribunal in his response. In the Iviewit rebuttal to the response, evidence of the perjuries were presented. Also based on an intellectual property docket submitted by Dick on behalf of Foley & Lardner to that tribunal, upon review of the IP docket, Moatz noted that certain information regarding the owners of those patents was false.

13. Petitioner acknowledges the importance of this matter as it calls into question our entire system of jurisprudence. These matters involve Petitioners' attorneys who in stealing the intellectual properties have and continue to derail disciplinary proceedings, only involving more and more innocent people to get involved attempting to cover up the matters and causing Petitioners' rights Under Article 1, Sec, Clause 8 to be further lost.

14. The backlash from a failure to hear this matter would be a loss of faith by inventors in patent lawyers, the USPTO, the state supreme court bar and disciplinary associations and the legal system as a whole, and could cause a loss of public confidence in such sacred establishments. Where a collapse in the integrity of the patent system could have catastrophic effects on commerce in this country and abroad as inventors fearing no protection in the United States would be forced to patent their inventions in other foreign nations and where foreign inventors may not patent for fear of this calamity in the United States.

15. Petitioner asks this Court to invoke any powers it may have to protect all of the intellectual properties both in the United States and foreign nations from lapse while it determines a course of action, and where the foreign filings were made from the United States Patent Cooperation Treatise ("PCT") that controls the process of those applications. These patents and other intellectual properties and the rights

associated with them now have significance on foreign relations. In fact, where foreign nations have also had fraud committed upon them through treatises, this could have profound effects on international trade and commerce and the value these treatises have in protecting inventors rights' in foreign nations and foreign inventors' rights to their inventions filed in the United States.

16. Where so much is at stake and time is of the essence in preventing certain loss of constitutionally protected inventor Petitioner rights, Petitioner begs this Court take such extension of time to find a way to make exception to long established rules of original jurisdiction and find a means to handle the entirety of these matters without turning such matters over to other lower courts, especially back to states where Petitioner is in direct conflict with the Supreme Courts and the state bar associations. Further, such delays of sending these matters elsewhere to be adjudicated could further cause loss of inventors' constitutional rights. Due to time constraints herein defined, to file in lower courts and then possibly be forced through the appeal process could take so long as to cause entire loss of inventors' rights protected under The Constitution. In determining the merits of this case for acceptance and acting as the only Court that can handle the breadth of the legal issues and the threat to the United States government, the legal system and international treatise and relations it may have been for situations like the instant matter that had the rights of the inventors placed in U.S. Const. Art. I, § 8, cl. 8. and the creation of lower courts placed after in U.S. Const. Art. I, § 8, cl. 9. It may have been for matters where free commerce was at stake and all private and public sectors worked to deny inventors of their inventions, that the forefathers placed these matters with this Court, Petitioner and the accused. Without lower courts even created yet, conceivably with foresight, the forefathers may have seen not only big business working against the inventor but public institutions and where Petitioner can show almost every government agency and private company in the world using his inventions.

17. After conversations with the Clerk of this Court, Petitioner was told he could use for exhibit the website www.iviewit.tv for this petition and it therefore stands as Exhibit "K". The site contains pertinent evidence and documentation of much of the filings with the state courts and disciplinary bodies, as well as, information on the ongoing status of federal, state and international investigations. On the

homepage is a link for SUPREME COURT EXHIBIT 1 and contains a wealth of data, further time will allow for an updated status to be prepared and more complete documentation to be assimilated and uploaded, including information on recently undertaken investigations by the SBA Inspector General's office and others.

A 60-day extension of time is requested to permit full consideration of the practical and legal ramifications of the decision of the Supreme Court of Florida and further attempt to find unbiased counsel and housing, and, if a petition for certiorari is authorized, this extra time to prepare and print it in light of the extreme burdens of the situations described herein shall be sufficient. As Petitioner will also use for exhibit the website www.iviewit.tv it will provide further time to post those most recent documents and updates and where Petitioner has also requested the Federal Bureau of Investigation handling the ongoing investigation into these matters, to see if a secure government server could be created to make sure there is no interferences with the website and its documents, Petitioner still is awaiting a return call regarding such.

Respectfully submitted,

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COUNSEL OF RECORD In Forma Pauperis

DATED: July , 2005

EXHIBIT “A” – RULING ON PETITION FOR ALL WRITS JURISDICTION

EXHIBIT “B”
PETITIONER'S MOTION FOR CLARIFICATION, REHEARING, AND CERTIFICATION, ATTACHED

EXHIBIT “C” – PATENT OFFICE SUSPENSION AND REQUEST FOR SUSPENSION

EXHIBIT “D” - LIST OF INVESTIGATIONS AND FEDERAL STATE AND INTERNATIONAL CRIMES COMMISSIONED IN THEFT OF IVIEWIT INTELLECTUAL PROPERTIES

EXHIBIT - ”E”
CHRISTOPHER CLARK WHEELER – POLICE BLOTTER FELONY DRIVING UNDER THE INFLUENCE WITH INJURY CHARGE (DEL RAY BEACH POLICE DEPARTMENT DOCKET NUMBER FLO 500400)

EXHIBIT “F” – THE FLORIDA BAR RESPONSE TO PETITIONERS PETITION IN SCO4-1078

EXHIBIT “G” – JOHN ANTHONY BOGGS LETTER FROM THE FLORIDA BAR CONFIRMING TRIGGS CONFLICT

EXHIBIT ”H”- SUPREME COURT OF NEW YORK APPELLATE DIVISION: FIRST DEPARTMENT ORDER FOR INVESTIGATION OF FORMER PRESIDENT OF THE NEW YORK BAR STEVEN C. KRANE AND ATTORNEY’S KENNETH RUBENSTEIN AND RAYMOND JOAO FOR CONFLICTS OF INTEREST AND THE APPEARANCE OF IMPROPRIETY

EXHIBIT “I” – DIANA KEARSE LETTER STATING NO INVESTIGATION BASED ON REVIEW INAPPOSITE FIRST DEPARTMENT COURT ORDER

EXHIBIT “J” – SUPREME COURT OF NEW YORK APPELLATE DIVISION: SECOND DEPARTMENT LETTER WRITTEN WITHOUT LEGAL AUTHORITY AND WITHOUT FORMAL PROCEDURE

EXHIBIT “K”

THE ENTIRETY OF THE WEBSITE WWW.IVIEWIT.TV AND ALL EXHIBITS AND DOCUMENTS CONTAINED THEREIN PERTAINING TO THESE MATTERS. THE MAIN SUPREME COURT EXHIBIT AND SUB EXHIBITS CAN BE FOUND BY CLICKING ON THE LINK ON THE HOME PAGE APPROPRIATELY TITLED
US SUPREME COURT – EXHIBIT 1

EXHIBIT “L” – SCHIFFRIN & BARROWAY LLP & IVIEWIT BINDING LETTER OF UNDERSTANDING AND LEGAL RETAINER