

Script for Eliot Bernstein
SDNY Bankruptcy Court with Silicon Graphics
May 8, 2009

Goodmorning Your Honor Sir, May I speak for a moment please.

First I would again like to apprise this Court that I am under a Medical Treatment Plan and will remain under such for 10 months or more and that this Plan has been filed with the US District Court of Shira Scheindlin and the US Second Circuit Court of Appeals. Because of these medical issues I am not able to stay available for long periods of time, speaking is difficult and as it is facial reconstructive surgery and I wish to make this as brief as possible this morning. I have my business advisor on the line with me and he will also be adding information on my behalf and may answer questions if ok with the court.

1. I will be submitting a formal written motion for a Rule 2004 investigation herein and if necessary my present motion should be converted to an Adversary proceeding if needed.
2. I then must respectfully ask the US Trustee and this Court Hon. Judge Martin Glen that based upon the hundreds of companies and financial entities involved in these matters to Affirm that No Conflicts of Interest exist including all attorneys for all parties who under attorney conduct codes must run such coi checks.
3. All proceedings should be Stayed pending outcome of an Investigation by the US Trustee and I refer the US Trustee to his counterparts within the Dept of Justice including but not limited to Inspector General Glenn Fine, H. Marshall Jarrett, and also refer the Trustee to the US Attorney's Office based upon the referral by Judge Shira Scheindlin and related matters. The US Trustee is also referred to Harry Moatz of the OED of the US PTO, the Commissioner of Patents and further referred to the FBI herein based upon Fraud on the US Patent Office and layers of conflicts of interest.
4. The Application to Employ Davis Polk filed with this Court makes it clear that Multiple layers of Conflicts exist in these very proceedings given Davis Polk simultaneously representing Lockheed Martin and SGI both owners of Real 3d and Davis Polk representing other Companies under NDA with myself such as Deutsche Telekom. Until these conflicts are addressed, this case may not proceed and the Sale and Bidding is not proper.
5. There should be full discovery and disclosure dating back to 1998-1999 and it is unclear from the filings at Pacer what Patents and Intellectual properties are even at issue.
6. This court should issue an Order prohibiting the destruction of any documents, evidence and related information herein.
 1. Elena Ramirez - SGI counsel was made aware of Iviewit lawsuit and patent infringement and then files bk without disclosing such?
 2. Ramirez did you know from Intel, did they contact you when they were notified, either recently or several years ago?

7. I intend to submit full written requests on all of these issues and seek leave for same.

Thank you for time, effort and consideration of my issues and have a good weekend Your Honor Sir.

Ropes and Gray

First – has Ropes and Gray, who has video patents possibly that may or may not be related run a

conflict check, if not I ask their testimony be stricken until such time
The BK is a fraud
Dismissed by Schiendlin while referring us to US Attorney. Recently,
Don't want proof of claim in bk want bk