

1 was doing work, Mr. Rubenstein was doing work for 121

2 Iviewit?

3 A. I'm not aware -- other than
4 referring Iviewit to Meltzer, Rubenstein never
5 did any work for Iviewit.

6 Q. Okay. So Rubenstein's sole role,
7 from what you understand, is he referred Iviewit
8 to the Meltzer Law Firm in New York?

9 A. Yes.

10 Q. Was he ever part of an advisory
11 board member or was he an advisory board member
12 to Iviewit? And we're talking about
13 Mr. Rubenstein.

14 A. I have never used him as an advisory
15 board member?

16 Q. Are you aware of whether or not he
17 ever attended any board meetings with the
18 directors of Iviewit?

19 A. He never attended a board meeting.
20 I've never met the man.

21 Q. In regard to meetings with Proskauer
22 Rose, did you have any meetings with Proskauer
23 Rose concerning their retainer by Iviewit?

24 A. Only in the final weeks of Iviewit's
25 presence in Boca Raton.

CLICK HERE
TO SEE
UTLEY
PERJURE
HIMSELF,
SENDING
RUBENSTEIN
PATENT
MATERIALS
AS ADVISOR
TO BOARD

1 engagement agreement refers to the parent company 138
2 of Iviewit.

3 Q. Well, let's go to my next question
4 on this whole thing, and that is, with regard to,
5 with regard to the approval by the board of
6 directors, we've talked prior about the board of
7 directors and Ken Rubenstein, was Ken
8 Rubenstein -- you've previously stated that he
9 didn't have any role with regard to the company,
10 no active role?

11 A. That's correct.

12 Q. And I hate to bounce back and forth
13 to you about this, he was never, like, an advisor
14 or consultant or anything like that; he was just
15 someone who was Proskauer Rose's person who did
16 work on IP?

17 A. Yeah, I can't speak to the
18 discussions that may have taken place between
19 Mr. Wheeler and Mr. Rubenstein, but --

20 Q. I'm not asking you to. I'm just
21 saying from what you know because obviously this
22 deposition testimony is given on your own
23 personal knowledge.

24 A. Yes. He played no active role in
25 the company other than having directed the

1 company to work with Meltzer and this gentleman 139
2 Rolf as the patent attorney.

3 Q. And that was his totality of his
4 role from what you know?

5 A. Yes.

6 Now, let me parenthetically add,
7 that I do understand and know that it was Eliot's
8 desire to see him involved in an advisory role.

9 Q. Okay.

10 A. But that was never, that was never
11 consummated.

12 Q. Okay. Did you ever want him to act
13 in an advisory role?

14 A. I did not take any position on that.

15 Q. Okay. Did you ever represent that
16 he should be in an advisory role?

17 A. No.

18 Q. Okay. So you really didn't have any
19 opinion on what Mr. Rubenstein should or should
20 not be doing with Iviewit?

21 A. Right.

22 Q. Okay. Did you have any discussions
23 or correspondence at all with Rubenstein and
24 Raymond Joao, I think it is? Is that how you
25 pronounce it, J-O-A-O?

CLICK HERE TO
SEE UTLEY
PERJURE
HIMSELF AS HE
SENDS SBA
LOAN
COMPLIANCE
DOCUMENTS TO
CROSSBOW
VENTURES WITH
RUBENSTEIN
LISTED AS
ADVISOR TO THE
BOARD.