



Americans For Innovation

... and against intellectual property theft

Constitutional rights are not negotiable

Attention: This Search indexes this AFI blog, AFI Scribd, Donna Kline Now!, Origins of Facebook's Technology and LeaderDocs.

Google™ Custom Search



Thursday, June 13, 2013

Was Chief Justice Roberts blackmailed into supporting Obamacare by his Leader v. Facebook misconduct?

[Enlarge banner image](#)



President Obama and Cooley Godward LLP stop at nothing to protect 47 million "likes" on Facebook; Did Eric Holder instruct Magistrate Leonard Stark to violate Leader's constitutional rights on May 14, 2010; Chief Justice Roberts failed to disclose his relationship to Facebook's attorneys

Contributing Writers | AMERICANS FOR INNOVATION | Updated Jun. 30, 2013 | PDF



Judge Leonard P. Stark "liked" Facebook investments in lockstep with Chief Justice John Roberts

All five *Leader v. Facebook* federal judges hold Fidelity investments. Facebook Director James W. Breyer and his Accel Partners LLP is the common denominator. Facebook insiders, most notably Breyer, dumped over \$6 billion on Day 3 of the IPO under the smoke screen of the supposed NASDAQ gliche, before the price crashed. Breyer has collaborated for

New, Jun. 28, 2013:

Undermined Checks & Balances Between Executive & Judicial Branches re. Inventors

Ex-Federal Circuit clerks organized to exert influence **inside** the Patent Office; explains abrupt reversal in unprecedented 3rd reexam of Leader's patent

A greatly expanded **Faces of the Facebook Corruption** is now available for download. It is chockfull of research links to help streamline investigations. It includes revelations of more *Leader v. Facebook* corruption and scandal within the U.S. Patent Office. Investigators have also uncovered a Federal Circuit fifth column of patent judges called AFLCTACAF (Association of Former Law Clerks and Technical Assistants for the United States Court of Appeals for the Federal Circuit) that enables its Patent Office members to exert continuous, undue and unaccountable influence over inventors and patent policy. Get **Faces of Facebook Corruption** here: [Scribd](#) | [DocStoc](#) | [Google](#) | [LeaderDocs](#)

News Flash, Jun. 26, 2013: On May 29, Facebook's Best Friend, Federal Circuit Clerk of Court Jan Horbaly, one of the prime movers in the *Leader v. Facebook* judicial corruption scandal, retired unexpectedly. LAIPLA reacted with subdued praise, citing *Leader v. Facebook* as a possible catalyst. Keep pounding folks! Tellingly, both Horbaly and Supreme Court Clerk William K. Suter have retired since the *Leader v. Facebook* appeal. Of course, just more mere coincidences in the pantheon of *Leader v. Facebook* coincidences. [More](#)



News Flash, Jun. 25, 2013: Patent

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Leader v. Facebook Background

1. Brief Summary (PDF)
2. Backgrounder (PDF)
3. Facebook Secrets (PDF)
4. Instagram-scam? (PDF)
5. USPTO-gate? (PDF)
6. Zynga-gate? (PDF)
7. Insider Trading (PDF)
8. Disciplinary Complaints (PDF)
9. Federal Circuit Cover-up? (PDF)
10. Congressional Briefings
11. Prominent Americans Speak Out
12. Petition for Writ of Certiorari
13. Two Proposed Judicial Reforms
14. S. Ct. for Schemers or Inventors?
15. Attorney Patronage Hijacked DC?



16. Dr. A's Friend of the Court Briefs
17. Justice Denied | Battle Continues
18. FB Robber Barons Affirmed by S. Ct.
19. Judicial Misconduct WALL OF SHAME
20. Corruption Watch - "Oh what webs we weave, when first we practice to deceive"
21. Facebook | A Portrait of Corruption
22. White House Meddling
23. Georgia! AM 1080 McKibben Interview
24. Constitutional Crisis Exposed

Popular Posts

[Boycott NCAA March Madness? Copyright-gate](#)

[Leader v. Facebook judicial misconduct exposes a constitutional crisis](#)

[A Cocksure Facebook?](#)

a decade with Robert Ketterson, a Fidelity Managing Partner who oversees Fidelity tech investing. They even own companies together. They worked hand in hand setting policy for U.S. venture investing almost a decade ago at the National Venture Capital Association. Remarkably, since then Breyer has turned to dissing U.S. venture investing in favor of Chinese investing. His elusive father, James P. Breyer, runs IDG Capital Partners out of Beijing. [46] More conducive to IP theft and corrupt financing?



Is American innovation and the rule of law being *hacked* to pieces by these people—from their new Chinese bird's nest, aided by U.S. judges?

[CLICK HERE FOR MORE ON THIS STORY.](#)

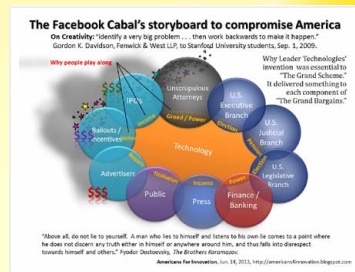
Office FOIA officer **Kathryn W. Siehndel** failed to disclose to a requester that she worked for White & Case LLP, one of Facebook's attorneys currently involved in the politically-motivated 3rd patent reexamination scandal. Three Facebook attorneys, Heidi Keefe, Mark Weinstein and Samuel O'Rourke worked for White & Case LLP with Siehndel. Keefe and Weinstein went to Cooley Godward LLP and brought Facebook with them. O'Rourke went to work for Facebook (as an **evidence destroyer**, we believe). **Keefe / White & Case is counsel of record on reexam #1.** In other words, Siehndel's former employer represents Facebook against Leader, yet Siehndel pretended to be unbiased. This is yet more proof of the moral profligacy of the Facebook cabal. More to come.

FOIA fraud at USPTO (Executive Branch)

New Jun. 21, 2013 Tar & Feathers
Faces of the Facebook Corruption

A must-read compendium of the people driving the Facebook corruption. New evidence shows Patent Office judges likely complicit also. No base was left uncovered by these villains, in our opinion. Produced by **Tar & Feathers**, corruption fighters sarcastically suggesting old methods for stopping systemic corruption (since the Constitution doesn't move these people). [More](#)

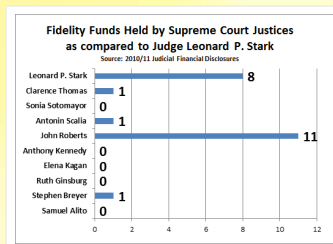
New Jun. 23, 2013
Patent Office & Federal Circuit Duplicity.
 RADER ON Jan. 25, 2012 (during *Leader v. Facebook*): "the future of my country depends upon our economy's ability to innovate, and the future of our ability to innovate depends upon our devotion to intellectual property laws... Director Kappos [Obama appointee from IBM] and I will work on that" More Orwellian deception and erosion of impartiality. Note swearing in of two Rader clerks as patent judges, Judge **George Best** and Judge **Jacqueline Wright Bonilla**. The fox's guards at the hen house? RADER: "my country?" How about "our country" Judge Rader? Is he making *his* country at the expense of ours? Freudian?[50] [More](#)



Chief Justice John Roberts mentors Facebook's attorneys

Editorial: The scandals just keep coming. One wonders if the law schools at Harvard, Yale, Columbia and GW cancelled Ethics, U.S. Constitution and Human Decency 101 during the years that these people attended. Or, maybe their mamas just didn't raise them right. Who knows? Anyway...

In 1992, Chief Justice Roberts



mentored Facebook's attorney, Thomas G. Hungar. Roberts also collaborated with another Gibson Dunn LLP attorney, Theodore B. Olson. None of these conflicting relationships were disclosed in *Leader v. Facebook*. Hungar's participation compromised

[The Real Facebook - A Portrait of Corruption](#)

[Leader v. Facebook Wall of Shame](#)

[White House scandal spreads to Leader v. Facebook](#)

[Supreme Court ushers in the tech robber baron Age?](#)

[Advertising executive calls on social media advertisers to license from Leader Technologies voluntarily](#)

[Was Chief Justice Roberts blackmailed into supporting Obamacare by his Leader v. Facebook misconduct?](#)

[Leader v. Facebook \[Justice\] Denied](#)

Editorials

- [1. DC Bar refuses to investigate attorney misconduct in Leader v. Facebook - Unwillingness of DC attorneys to self-police may explain why Washington is broken, Dec. 30, 2012](#)
- [2. Will the U.S. Supreme court support schemers or real American inventors? Facebook's case dangles on a doctored interrogatory. Eighteen \(18\) areas of question shout for attention, Dec. 27, 2012](#)
- [3. Two Policy Changes That Will Make America More Democratic \(and less contentious\), Dec. 21, 2012](#)

Our Mission

American citizens must fight abuse of the constitutional right for authors and inventors to enjoy the fruits of their inventions, as a matter of matter of basic property rights and sound public policy. Otherwise, instead of innovation, creativity, genius, ideas, vision, courage, entrepreneurship, respect, property, rejuvenation, morals, ethics, values, renewal, truth, facts, rights, privacy, solutions and judicial faithfulness,

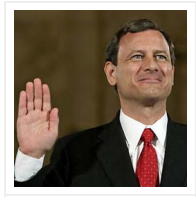
... our society and economy will be dragged down (and eventually destroyed) by copying, infringement, thievery, counterfeiting, hacking, greed, misinformation, exploitation, abuse, waste, disrespect, falsity, corruption, bribery, coercion, intimidation, doublespeak, misconduct, lies, deception, attorney dark arts, destruction, confusion, dishonesty, judicial chicanery and lawlessness.

If we do not speak up, impeach derelict judges and imprison corrupt attorneys, we cannot possibly hope to start fixing the current ills in our society. Without justice and respect for private property, democracy has no sure foundation.

Current Editorial Focus



We are an opinion blog that advocates for strong intellectual property rights. We welcome commenters and contributors. The *Leader v. Facebook* patent infringement case first came to our attention after learning that the trial judge, Leonard P. Stark, U.S. District Court of Delaware, ignored his jury's admission that they had no evidence to support their on-sale bar verdict, but the judge supported it anyway.



Jun. 10, 2013 Supreme Court Chief Justice John G. Roberts was massively conflicted in *Leader v. Facebook*

New judicial financial disclosures reveal that the Chief Justice failed to disclose mountains of Facebook conflicts in Leader v. Facebook—companies with dubious ties to the Kremlin, U.S. bailout, and direct ties to Michael Rhodes, Facebook's attorney (Cooley Godward LLP).[42]

[CLICK HERE FOR MORE ON THIS STORY.](#)

New evidence implicates The White House in obstruction of justice

(Jun. 9, 2013)—AFI readers / investigators have just uncovered more ties between The White House and the growing *Leader v. Facebook* judicial corruption scandal. [Click here to read the Comment.](#) Previously suppressed and censored court documents have just surfaced that prove the Federal Circuit itself was represented by Facebook's attorney, Thomas G. Hungar, Gibson Dunn LLP *BEFORE* the *Leader* appeal to the Federal Circuit.

OBSTRUCTION OF JUSTICE
Federal Circuit's Own Attorneys Withheld 28 Zuckerberg Hard Drives in *Leader v. Facebook*

Facebook's Cooley Godward LLP man "advising" Justice Dept. implicates The White House

Document 1: Excerpts from... Deposition of Michael F. McGowan, Facebook Forensic Expert, Paul D. Ceglia v. Mark E. Zuckerberg, Jul. 19, 2012, 1:10-cv-00569-RIA (W.D.N.Y. 2010).

Document 2: Excerpts from... Submission by Amicus Curiae Federal Circuit Bar Association in Support of Neither Party regarding Plaintiffs-Appellees' Motion for Recusal of Chief Judge Randall R. Rader, Aug. 3, 2010, Ass'n for Molecular Pathology v. US Patent and Trademark Office, 653 F.3d 1329 (Fed. Cir.).

Document 3: Judge Evan J. Wallach's sponsor Terence P. Stewart, Vice President, FEDERAL CIRCUIT BAR ASSOCIATION, 1620 I Street, N.W., Suite 900, Washington, DC 20006 (202) 466-3923

Document 4: Judge T. Bull, GIBSON, DUNN & CRUTCHER LLP, 1050 Connecticut Ave., N.W., Washington, DC 20036-5306 (202) 955-8300

Document 5: Judge Kimberly A. Moore's client Facebook attorney Edward R. Reines, Weil Gotshal & Manges LLP, 201 Redwood Shores Pkwy., Redwood Shores, CA 94065 (650) 802-3000

Document 6: Counsel for Defendants-Appellants Thomas G. Hungar, Counsel for Amicus Curiae Federal Circuit Bar Association

Document 7: Judge Pauline K. Rader's advocate

Document 8: Judge Richard A. Posner's client Facebook attorney

Document 9: Judge Richard A. Posner's client Facebook attorney

Document 10: Judge Richard A. Posner's client Facebook attorney

Document 11: Judge Richard A. Posner's client Facebook attorney

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The judicial misconduct has deteriorated from there, replete with two of the three judges on the Federal Circuit appeal panel, Judges Alan D. Lourie and Kimberly A. Moore, holding Facebook stock that they did not disclose to the litigants, and later tried to excuse through a quick motion slipped in at the last minute by the Clerk of Court, Jan Horbaly, and his close friends at The Federal Circuit Bar Association. (The DC Bar subsequently revealed that Mr. Horbaly is not licensed to practice law in Washington D.C.)

The judges ignored [shocking new evidence](#) that Mark Zuckerberg withheld 28 hard drives of 2003-2004 evidence from *Leader Technologies* that could prove actual theft (and therefore claims even more serious than infringement). In addition, Facebook's appeal attorney, Thomas G. Hungar of Gibson Dunn LLP, has close personal ties to just about every judicial player in this story. The misconduct appears to reach into the U.S. Patent Office through abuse of the reexamination process by Facebook. We will stay focused on *Leader v. Facebook* until justice is served, but we also welcome news and analysis of intellectual property abuse in other cases as well.

Welcome to Donna Kline Now! Readers



AFI has been supporting Donna and is now picking up the main *Leader v. Facebook* coverage (she will continue coverage as well).

Anonymous Posts Are Welcomed! Blogger has more posting constraints than

Donna's WordPress, but we will continue to welcome anonymous posts. Simply send us an email at amer4innov@gmail.com with your post. Once the moderator verifies that your email address is real, your comment will be posted using your real name or handle, whatever you wish, like John Smith or Tex.

Blog Archive

[Blog Archive](#)

The Code of Conduct for U.S. Judges^[12] dictated disclosure of conflicts and disqualifications by the judges. Instead, the judges just faked impartiality as their man Hungar argued for Facebook. Click here: [Document 1](#),^[41] [Document 2](#)^[38] (see "Obstruction of Justice" illustration for context—[click to enlarge](#)).

The documents also prove that Gibson Dunn, the Federal Circuit's law firm, *suppressed* the evidence of 28 Zuckerberg hard drives in *Leader v. Facebook*. Facebook's other attorneys, Cooley Godward LLP, told *Leader's* attorneys that the hard drives were lost. These circumstances are scandals within scandals. The Federal Circuit's duplicity in allowing Hungar to appear before them in *Leader v. Facebook* is scandalous enough. Worse, that appearance also identified Cooley Godward LLP, whose Man in the White House, Donald K. Stern, advises President Obama on Justice Department matters. Stern would have advised on the Leonard P. Stark and Evan J. Wallach appointments to federal courts, which is also scandalous. Stern is former chief legal counsel to Massachusetts Governor Michael Dukakis, who ran unsuccessfully for President against George H.W. Bush in 1988. He then became a U.S. Attorney, which makes him a contemporary of another U.S. Attorney associated with this scandal, namely Preet Bharara, formerly with Gibson Dunn. Bharara is currently prosecuting Paul Ceglia in *U.S. v. Ceglia* over dubious criminal claims involving Zuckerberg and Ceglia from 2003 (the year of the theft of *Leader Technologies'* source code).

New! Jun. 17, 2013. The last week saw remarkable changes from two attorneys and firms associated with the *Leader v. Facebook* case and President Obama. Donald K. Stern from Cooley Godward LLP jumped ship to a small Boston law firm in a transparent attempt to distance himself from Cooley Godward LLP and Obama. Then, "Amber H. Rovner" of Weil Gotshal, who filed a motion for the Federal Circuit Bar Association to absolve the Federal Circuit judges of their conflicts of interest in *Leader v. Facebook*, changed her name to "Amber L. Hagy." This move would prevent her name from appearing in searches associated with her involvement as "Amber H. Rover" in *Leader v. Facebook*, the Federal Circuit and Judge Kimberly A. Moore (Weil Gotshal was Judge Moore's former client—a conflict not disclosed to Leader Technologies). See Table below, Feb. 22, 2011.

The evidence is now pointing to a compromised-in-toto Federal Circuit court whose motives for protecting Facebook were many, and included (1) boosting the judges' stock portfolios in the Facebook IPO; (2) protecting President Obama's 47 million "likes" on Facebook in the run-up to the election and beyond; (3) preserving the Facebook cabal's global virtual currency plan via Facebook Credits; (4) protecting the tens of billions of winnings in their Facebook IPO "pump and dump" stock scheme; (5) protecting the ability to spy on Facebook users unobstructed; (6) legitimizing Facebook's hundreds of bogus patent applications filed for them by Fenwick & West LLP (Leader's former attorney); (7) concealing pay-to-play judge nominations, and (8) concealing cooperation with foreign powers, among others.

To be investigated further are the uncanny facts that: (1) while the Zuckerberg's 28 hard drives were being concealed from Leader Technologies (and Stark was blocking further Leader discovery after he allowed Facebook to add the on-sale bar claim), on Jun. 4, 2010 [Mark Zuckerberg revealed his wierd "Illuminati" symbol](#) to *New York Times* editor Kara Swisher, and (2) within a few months, after the *Leader v. Facebook* whitewash by newly-appointed Judge Leonard P. Stark, President Obama held an [all hands on deck meeting of his Silicon Valley techies](#). Zuckerberg was, like, his wing man, dude. (Feb. 17, 2011). Evidently, the sovereignty of the Constitution and America's data was being placed into the President's personal control in that toast.

BREAKING NEWS

Corruption Watch List

1. Leonard P. Stark, Kimberly A. Moore and Evan P. Wallach lied to Congress about how they would handle conflicts of interest
2. Judge Kimberly A. Moore has spouse associations with Facebook principals
3. Federal Circuit court records have been cleansed to obscure massive conflicts among all the judges and the court itself
4. Judge Evan J. Wallach held Facebook stock too; this means ALL THREE JUDGES HELD



Code of Conduct for United States Judges

"CANON 2: A JUDGE SHOULD AVOID IMPROPRIETY AND THE APPEARANCE OF IMPROPRIETY IN ALL ACTIVITIES"

Gallery of Judicial Misconduct?



Judge Leonard P. Stark, U.S. District Court of Delaware, trial judge in *Leader Techs, Inc. v. Facebook, Inc.*, 770 F. Supp. 2d 686 (D.Del. 2011). Judge Stark heard his jury foreman admit that the jury made the on-sale bar decision *without any evidence other than speculation*, and yet he supported that verdict anyway. Just months before trial, Judge Stark allowed Facebook to add the on-sale bar claim after the close of all fact discovery and blocked Leader from preparing its defenses to this new claim. Judge Stark allowed the claims despite Leader's prophetic argument that the action would confuse the jury and prejudice Leader. ([Read](#))



FACEBOOK STOCK.

- 5. Wallach's wife, Dr. Katherine Tobin, is tight with the Obama administration and Harry Reid. She too has plenty of motivation to protect Obama's 47 million "likes"
- 6. Facebook's attorney Thomas G. Hungar, Gibson Dunn LLP, also represented the Federal Circuit and was not disqualified
- 7. Judge Moore's former client, Weil Gotshal LLP, also represented the Federal Circuit Bar against Leader, and she did not recuse
- 8. **The Leader v. Facebook panel was an ambush; all three judges held Facebook stock and were conflicted out the wazoo**

New, 6/6/13: All three Leader v. Facebook Federal Circuit judges held stock in Facebook during the proceedings.

(May 24, 2013) — Investigators have uncovered deep ties between the Obama administration and Facebook's attorneys Cooley Godward Kronish LLP ("Cooley"). These ties should invalidate the Leader v. Facebook courts for bias, collusion and maybe RICO (if you tell someone else to do your dirty work, you are just as guilty).[1]

Consider the cover-up of four deaths at the Benghazi embassy the State Department; the targeting of the Tea Party by the IRS; the secret wiretapping of The Associated Press approved by Justice Department magistrate judge. And now, consider the corruption of the SEC and Justice Department to protect 47 million "likes" on Facebook.

Flippancy telegraphs a governmental cancer

These scandals expose an arrogant administration that stops at nothing to get its way. On Wednesday, when former IRS Commissioner Douglas Shulman was asked by the House Oversight Committee why he made 118 visits to the White House, he cited an Easter Egg hunt.[2] This flippancy telegraphs a governmental cancer.

"Drip, drip, drip."

In such a cancerous ethical environment, bribing judges to hide Facebook's theft of the technology that runs Facebook is just another day at the office. They expect Leader Technologies and its investors, whom they've cheated, to get over it, like a bad cold. What will be needed to get to the bottom of this corruption? To quote John Boehner this morning: "Drip, drip, drip." [3]

In Leader v. Facebook, Facebook was found guilty on 11 of 11 counts of stealing Leader's technology, and yet Facebook has sidestepped accountability, so far, with Cooley-fabricated evidence. This custom-made evidence has been excused by federal judges ever since.[4]

Now we know why. Attorney General Eric Holder and the Justice Department will direct judges to ignore the law to protect Obama and his friends.[5]

Another federal magistrate judge behaving badly

Another federal magistrate judge, Leonard P. Stark, presided over the Leader v. Facebook trial between July 19 and July 28, 2010. He had

New! May 30: Stand Firm —Obtain Public Financial & Other Records— Root Out This Corruption

Any member of the public may request the **Public Financial Disclosure Reports** of a public official. Fill in the form by hand or on your computer, print it out, and fax or mail it. [Click here to obtain the form.](#)

Freedom of Information Act (FOIA) requests can be made by any citizen. [Click here for the FOIA instructions.](#) Do it. Public accountability demands that Americans pester these agencies until they stop stonewalling. When stonewalled, appeal. Ask your senators and congresspersons for assistance. Don't be put off. They will be haughty. Guaranteed. Be the squeaky wheel. Ask for cost exemption. Your government should not be charging you under the ruse of "efficiency" for records that **you** paid for in the first place.

See [Abraham Lincoln's Gettysburg Address](#), Nov. 19, 1863 ("government of the people, by the people, for the people").

Leader's May 20, 2010 motion [here.](#)) He also permitted the jury to ignore the Pfaff v. Wells Electronics, Inc. test for on-sale bar, even after instructing the jury to use it. (See [that Jury Instruction No. 4.7 here.](#)) He also contradicted his own instruction to Leader to answer Interrogatory No. 9 in the present tense (2009), then permitted the jury to interpret it as a 2002 admission as well. See [his Sep. 14, 2009 Order.](#) Facebook's entire on-sale bar case is based upon this interrogatory. (Editorial: Hardly sufficient to meet the "heavy burden" of the clear and convincing evidence standard.)



Judge Alan D. Lourie, U.S. Court of Appeals for the Federal Circuit, panel judge in Leader Techs v. Facebook, Inc., 678 F.3d 1300 (Fed. Cir. 2012). Judge Lourie stood to benefit financially from undisclosed holdings in Facebook. See [analysis of Judge Lourie's T. Rowe Price holdings re. the Facebook IPO.](#) Judge Lourie also failed to apply his own law-test in Group One v. Hallmark Cards to the evidence. After debunking all of Facebook's evidence on appeal, Judge Lourie created new argument in the secrecy of chambers to support Facebook and prevent the on-sale bar verdict from being overturned—a clear breach of constitutional due process.



Judge Kimberly A. Moore, U.S. Court of Appeals for the Federal Circuit, panel judge in Leader Techs v. Facebook, Inc., 678 F.3d 1300 (Fed. Cir. 2012). Judge Moore stood to benefit financially from undisclosed holdings in Facebook. See [disclosure of substantial holdings in Facebook and Facebook-related stocks.](#) Judge Moore failed to follow the long-



Judge Leonard P. Stark—Lied to Congress about faithfulness to precedent; abused due process; ignored Pfaff test; was rewarded by Obama with judge seat - eight days after trial.

only been assigned to the case one month before trial. He replaced veteran judge [Joseph Farnan](#), a Reagan appointee. We have just learned that Cooley attorney [Donald Stern](#) was advising the Obama Justice Department at the time.[6] Since Cooley's attorneys were representing Facebook in *Leader v. Facebook*, any involvement by a Stern regarding Stark is a [conflict of interest](#) and possibly corrupt.[7]



held precedent for testing on-sale bar evidence in *Pfaff v. Wells Electronics, Inc.*—an evident and intentional omission coming from a former patent law professor. After debunking all of Facebook's evidence on appeal, Judge Moore created new argument in the secrecy of chambers to support Facebook and prevent the on-sale bar verdict from being overturned—a clear breach of constitutional due process.

trial. On-sale bar is polar opposite to their earlier [false marking](#)—which arrogantly claimed that Leader had no invention, but was telling the world they did. In the switcheroo, Facebook was conceding that they were infringing Leader's patent, but this last minute flip-flop now alleged that Leader tried to sell the invention too soon.



Judge Evan J. Wallach, U.S. Court of Appeals for the Federal Circuit, member of the three-judge panel in *Leader Techs v. Facebook, Inc.*, 678 F.3d 1300 (Fed. Cir. 2012). Judge Wallach is not a patent attorney. This begs the question as to why a judge with no knowledge of patent law was assigned to the case. Would anyone ask a dentist to perform brain surgery? The Federal Circuit was specially formed to appoint patent-knowledgeable judges to patent cases. There is no evidence so far in the judicial disclosures that Judge Wallach holds stock in Facebook, although when he was asked on a motion to disclose potential Facebook holdings and other conflicts of interest, he refused along with the other judges. [See Motion to Disclose Conflicts of Interest](#). Judge Wallach continued in silence even after Clerk of Court Horbaly failed to provide him with Dr. Lakshmi Arunachalam's motions (according to his Federal Circuit staffer Valeri White), and yet the Clerk signed an order regarding that motion on Judge Wallach's behalf. [See a full analysis of these events at Donna Kline Now!](#) Judge Wallach also failed to police his court's violation of Leader's Fifth and 14th Amendment constitutional right to due process when he participated in the fabrication of new arguments and evidence for Facebook in the secrecy of judge's chambers after he had just invalidated Facebook's sole remaining item of evidence (using disbelieved testimony as



The Federal Circuit did not apply any well-settled precedents to test whether the Facebook "substantial evidence" was anything but junk.

Junk is not "clear and convincing" evidence.

- NO *Group One v. Hallmark Cards*
- NO *Uniform Commercial Code*
- NO *Restatement (2nd) Contracts*
- NO *Pfaff v. Wells Electronics, Inc.*
- NO *Helifix Ltd. v. Blok-Lok, Ltd.*
- NO *McNeill v. U.S.*
- NO *Allen Engineering Corp. v. Bartell Industries*

Where was Judge Kimberly Moore? A former patent law professor knows better than to ignore this law.

There's more...

www.donnaklinenow.com

Fig. 1 – Well-accepted legal precedents were instructed to the jury, then utterly ignored by Magistrate Leonard P. Stark and the Federal Circuit in *Leader v. Facebook*. Neither Magistrate Judge Leonard P. Stark, nor the Federal Circuit appeals court, nor the U.S. Supreme Court, applied the customary legal tests cited above to determine whether Facebook even had any evidence, much less whether it was clear and convincing.

This is political whitewash by an Obama administration Justice Department that is above the law, uses corrupt law firms like Cooley Godward LLP and employs bag men like Michael Rhodes to do their bidding. Rhodes became counsel over Tesla Motor's \$465 million Obama stimulus DURING the *Leader v. Facebook* case.

- ✓ Judge Leonard P. Stark was rewarded with a judgeship eight (8) days after the trial.
- ✓ All three Federal Circuit judges, Kimberly A. Moore, Alan D. Lourie and Evan J. Wallach were rewarded with a Facebook IPO value boost to their stock portfolios (We have no idea how many in their immediate families invested also. They refused to disclose those "third degree" investments when asked.)
- ✓ Federal Circuit decisions were timed perfectly to Facebook's pre-IPO media needs. Said that was just "coincidence."
- ✓ Federal Circuit clerk staffer for Clerk Jan Horbaly, Valeri White, said the judges did not have time to see motions (that was before her phone number was changed the next

On-sale bar is like the tax code. Nobody understands it. Even the name "on-sale bar" sounds like a judicial honky-tonk, so it's a playground for unscrupulous lawyers. When Judge Leonard Stark failed to use the *Pfaff v. Wells Elecs., Inc.* U.S. Supreme Court gold standard for testing the on-sale claims (along with other well-accepted precedents), experience litigators assumed that the Federal Circuit would fix this mistake of a newbie judge.[8]

Sadly, the borders of this Cooley Godward playground include the Federal Circuit, U.S. Supreme Court and other "high-powered" lawyers like Gibson Dunn LLP, Facebook's appellate lawyers.

Stark blocked Leader from building defenses to the new claim. Leader could have easily presented its source code to prove the allegation was false, but Stark blocked it. Facebook did not put up a single piece of hard evidence. Instead, Stark allowed two pieces of Cooley-doctored evidence at trial. Fragments of evidence are normally not allowed to be presented in court. This so-called evidence became the centerpiece of the judicial misconduct from that point forward.

Facebook offered no expert witnesses, no source code evidence, no testimony from the third parties who supposedly received these

day and she stopped returning calls)

offers, no legal proofs at all. They only had Cooley Godward's snippets of video

taken out of context, and a 60% blanked out questionnaire. Legally speaking, the Facebook decision was a whitewash by Stark; a total outlier.

In an apparent reward for handing Facebook the on-sale bar verdict, [Stark was confirmed](#) on August 5, 2010, [10] just eight days after the *Leader v. Facebook* trial ended.

The timing is just all too unseemly.

ostensible evidence of an opposite). Judge Wallach also failed to police his court when he failed to apply the Supreme Court's *Pfaff v. Wells Electronics, Inc.* test for on-sale bar evidence, which included even the Federal Circuit's own *Group One v. Hallmark Cards, Inc.* test—a test which Judge Lourie should have advised Judge Wallach to follow since Judge Lourie *helped write* that opinion. [Group One test omission analysis.](#)



[Clerk of Court Jan Horbaly](#), U.S. Court of Appeals for the Federal Circuit, clerk who signed all the opinions in *Leader Techs v. Facebook, Inc.*, 678 F.3d 1300 (Fed. Cir. 2012). Clerk Horbaly and his staff obfuscated when the court's ruling was challenged by an *amicus curiae* brief revealing clear mistakes of law and new evidence. [See analysis of the misconduct and misrepresentations within the Federal Circuit Clerk of Court in Leader v. Facebook.](#) Mr. Horbaly failed to disclose his conflicts of interest and close associations with numerous Facebook attorneys and law firms, as well as his close association with one of Facebook's largest



shareholders, Microsoft, who is a Director of The Federal Circuit Bar Association where Mr. Horbaly is an ex officio officer. Additionally, the DC Bar revealed in a written statement that Clerk Horbaly is not licensed to practice law in the District of Columbia. [Editorial: What does that make the Federal Circuit with its location within in a stone's throw of the White House? A self-governing state?]



[Judge Randall R. Rader](#), U.S. Court of Appeals for the Federal Circuit, chief judge responsible for the (mis)conduct of his judges and Clerk of Court in *Leader Techs v. Facebook, Inc.*, 678 F.3d 1300 (Fed. Cir. 2012). Judge Rader failed to manage his court resulting in a likely situation where his judges never even received briefs that they allegedly

JUDICIAL IMPROPRIETY in <i>Leader v. Facebook</i>	
Obama linked to both Facebook Cooley Godward attorney Michael Rhodes and Magistrate Judge Leonard P. Stark	
CODE OF CONDUCT: "avoid impropriety and the appearance of impropriety"	
2008	
Nov. 18, 2008	Leader Technologies sued Facebook for patent infringement of their U.S. Patent No. 7,139,761 . Facebook represented by White & Case LLP (Heidi Keefe, Mark Weinstein) Judge Joseph Farnan stated publicly that he was looking forward to taking the <i>Leader v. Facebook</i> case to trial. See <i>Leader Techs, Inc. v. Facebook, Inc.</i> , 770 F. Supp. 2d 686 (D. Del. 2011).
17 days later	
Dec. 05, 2008	Cooley's Donald K. Stern named advisor to Obama Justice Department (incl. recommendations to fill federal judge seats)
2009	
Apr. 23, 2009	McBee Strategic and Cooley announced a partnership "designed to help clean energy technology companies access public-sector capital." They arranged funding for BrightSource (\$1.6 billion), Solyndra (\$535) and Tesla Motors (\$465 million).
May 2009	Facebook accepts first \$200 million investment from Moscow, Russia-based Yuri Milner , DST Systems , aka Digital Sky Technologies . This is the beginning of the "pump and dump" strategy culminating in the \$100 billion IPO valuation after which the Facebook insiders dumped over \$16 billion on Day 3 of the IPO.
Q2/Q3, 2009	Facebook's Discovery Fraud: Facebook attorneys Heidi Keefe , Mark Weinstein and Jeffrey Norberg lied to Leader Technologies' attorneys. They said that Zuckerberg "lost" all of his documents and files from 2003-2004. In 2012, Facebook experts admitted in <i>Ceglia v. Facebook</i> that 28 Zuckerberg hard drives and Harvard emails were in the possession of Facebook's attorneys the whole time. Those files would prove that Zuckerberg and his PayPal Mafia handlers (Lawrence "Larry" Summers, James W. Breyer, Accel Partners, Ping Li, Jim Swartz, Reid Hoffman, Peter Thiel, Matt Cohler) stole Leader's <i>actual</i> source code with the assistance of Fenwick & West LLP (Gordon K. Davidson), Leader's former counsel. NOTE: Keefe and Weinstein's former employee at White & Case LLP, Samuel C. O'Rourke , silently reappeared as Facebook's inside intellectual property counsel during this discovery period. Pundits suspect that O'Rourke's task was to "scrub" the Zuckerberg evidence that would be fatal to The Grand Scheme. No Facebook press release

was ever issued on O'Rourke's arrival. He just appeared. Several months later on Aug. 31, 2009, he fired White & Case LLP and hired Cooley Godward LLP where Keefe and Weinstein had moved . . . with their Facebook client in tow.

Deposition of Michael F McGowan, Facebook Forensic Expert, *Paul D. Ceglia v. Mark E. Zuckerberg*, 1:10-cv-00569-RJA (W.D.N.Y. 2010), Jul. 19, 2012.

Deposition of Bryan J. Rose, Facebook Forensic Expert, *Paul D. Ceglia v. Mark E. Zuckerberg*, 1:10-cv-00569-RJA (W.D.N.Y. 2010), Jul. 18, 2012.

Aug. 31, 2009 Cooley acquires Heidi Keefe and Mark Weinstein; they bring Facebook as a client to Cooley. Cooley assigns Michael Rhodes as lead trial counsel.

Nov. 20, 2009 McBee Strategic filed a LOBBYING disclosure form with the U.S. Senate and failed to disclose their strategic alliance with Cooley Godward LLP to help companies like BrightSource and Tesla Motors obtain "green" stimulus funds.

<p>What McBee Strategic says about Cooley on Apr. 23, 2009 to the world.</p> <p>McBee Strategic and Cooley Align to Advise Companies Seeking <i>seven months later . . .</i></p> <p><small>McBee Strategic and Cooley Align to Advise Companies Seeking Access to Clean Technology Public Sector Financing</small></p> <p><small>PALO ALTO, CA and WASHINGTON, DC -- (MARKET WIRE) -- 04/23/09 -- McBee Strategic Consulting, one of the fastest growing clean energy consulting firms in Washington, DC, and Cooley Godward French LLP, a leading full-service national law firm with a rapidly expanding clean technology practice, today announced a strategic alliance specifically designed to help clean energy technology companies access public-sector capital. It is estimated there will be more than \$100 billion in public-sector investment in clean energy technologies over the next two years, making public-sector funding one of the greatest opportunities available to companies today, but also a critical and complex challenge.</small></p>	<p>What McBee Strategic does not say about Cooley on Nov. 20, 2009 to the U.S. Senate</p> <p>Lobbying disclosure Form LD-1</p> <hr/> <p>AFFILIATED ORGANIZATIONS</p> <p>13. Is there an entity other than the client that contributes money quarterly period and either actively participates in and/or in v lobbying activities?</p> <p><input checked="" type="checkbox"/> No --> Go to line 14. <input type="checkbox"/> Yes criteria: \$</p>
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2010

Jan. 20, 2010 Leader dismantled Facebook's case in the *Markman Hearing*. Judge Farnan's Opinion took Facebook to the woodshed. (*Markman* is a pivotal hearing after which one of the parties often knows they are going to lose the legal argument.)

Probable panic at The White House & Facebook. THE GRAND SCHEME WAS THREATENED BY FACEBOOK'S INCOMPETENT SHOWING AT THE MARKMAN HEARING.

Obama's tens of millions of Facebook "likes" were threatened, as was his campaign cash cow, as was his 2012 campaign mouthpiece, as was Fenwick & West's hundreds of Zuckerberg patent filings, as was James W. Breyer's grand plan to "pump and dump" Facebook stock, as was Larry Summers' plan for a new global currency using Facebook Credits, etc.

Bottom line, too many interrelated schemes were threatened to let a little thing like American property law and due process rights stand in their way.



Cooley's Donald K. Stern went to work to save THE GRAND SCHEME.

6 days later

Jan. 26, 2010 Judge Farnan surprise announcement to retire to private practice, effective Jul. 31, 2010 (after *Leader v. Facebook* trial).

New, 6/5/12

Judicial Scandal

Feb. 22, 2010

ruled on in favor of Facebook. Judge Rader also failed to disclose his conflicting relationships with a Leader principle with whom he may have had deep professional differences during his time at the Senate Judiciary Committee—his former professor of law at George Washington University Law Center, former Leader director Professor James P. Chandler. [See analysis of Judge Rader's undisclosed conflicts of interest in Leader v. Facebook.](#) Judge Rader also did not stop his judges from creating new arguments and evidence for Facebook in the secrecy of chambers—after they had debunked all of Facebook's evidence on appeal, which is a clear breach of constitutional due process.



[Click here to view a Federal Circuit Leader v. Facebook Conflicts of Interest Map.](#)

[See "Cover-up In Process At The Federal Circuit?" Donna Kline Now! Sep. 17, 2012.](#)

[Leader v. Facebook Legal Research Links](#)

NOTICE: Opinion

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AFI Logo (with text)



AFi Logo (no text)



Corruption Watch List

Faces of Facebook Corruption (PDF):

Here is the cast of characters in *Leader v. Facebook*. We encourage you to report their corrupt activities to this site and others, like [Lawless America](#). Feel free to communicate anonymously in any way in which you are most comfortable. The attempt of these people and their organizations to corrupt American justice and commerce cannot be tolerated. Vigilance. We will expose them. See [Congressional Briefings](#).

Facebook's law firms:

- **Fenwick & West LLP** (Facebook securities and patent law firm; former Leader Technologies counsel; attempted an appearance in *Leader v. Facebook*; did not seek conflicts waiver from Leader prior to representing Facebook)
- **Cooley Godward LLP** (Facebook law firm in *Leader v. Facebook*; McBee Strategic energy stimulus partner; Obama Justice Dept. advisor; former employer to patent judges)
- **Blank & Rome LLP** (Facebook law firm in *Leader v. Facebook*; former employer to patent judges)
- **White & Case LLP** (Facebook law firm in *Leader v. Facebook*; undisclosed former employer to Patent Office)

Code of Conduct for U.S. Judges:

"avoid all impropriety and appearance of impropriety"^[12]

[Matthew J. Moore](#) joined [Latham & Watkins LLP](#) on Feb. 22, 2010. ^[33] Matthew Moore is the husband of Federal Circuit Judge Kimberly A. Moore ([here's his bio](#)). Judge Moore is one of the three-judge panel in *Leader v. Facebook*.

Latham & Watkins LLP's clients include James W. Breyer, Accel Partners LLP, Facebook's second largest shareholder.

Latham & Watkins LLP alumni include SEC Chief Counsel Thomas J. Kim. In 2008 (about one month before the so-called financial crisis), Kim granted Facebook an exemption to the 500-shareholder rule. This exemption opened the floodgates for Facebook's broker Goldman Sachs to raise \$\$\$ billions in dubious investments from Moscow, Russia. This enabled Breyer's "pump & dump" strategy that netted Facebook insiders over \$7 billion on Day 3 of the Facebook IPO alone.

During this time, Judge Moore and her husband Matthew held undisclosed Facebook stock, and were thus enriched by the Facebook IPO. Judge Moore did not disclose her Facebook holdings or disqualify herself from *Leader v. Facebook*. Hindsight says her silence was deafening.

In her Senate confirmation hearing, Kimberly Moore disclosed that she was an expert witness for Weil Gotshal LLP. Therefore, propriety would dictate that she disqualify herself from hearing any cases (1) handled by her husband's former or present employers, Howrey LLP or Latham & Watkins LLP, or (2) cases involving her former client, Weil Gotshal LLP. See [Kimberly A. Moore Senate Confirmation Hearing](#), Jun. 28, 2006, p. 71. ^[35]

Two cases were before Judge Moore in early 2012, *Leader v. Facebook* and *Marine Polymer v. HemCon*. The Federal Circuit court records in both cases are conspicuously incomplete, but enough is available to paint a clear picture of misconduct by both Judge Moore and Clerk of Court Jan Horbaly.

In *Marine Polymer*, Judge Kimberly A. Moore's husband Matthew J. Moore filed an *amicus curiae* (friend of the court) brief for Geico Corporation on Feb. 10, 2012. One can only piece this date together by working backwards from the Decision, then finding a single clerk entry that mentions Geico, but not Matthew Moore. Normally all but sealed documents are available for public review. However, in *Marine Polymer* almost none of the case documents are available. The official statement is "not available for download." In fact, an entry in another part of the docket says the entire record is sealed, which is highly unusual, especially for a case involving high profile companies (Broadcom, Cisco, Dell, Facebook, Google, Hewlett-Packard, SAP and eBay) entering Friend of the Court briefs. Normally companies want

their opinions highly publicized. What is being hidden? We think it is the misconduct of the court in *Leader v. Facebook*.

DOCTORED FEDERAL CIRCUIT COURT RECORDS, AGAIN: The Rules require every attorney who makes an appearance in a case to formally register an appearance with the court. The court docket always lists the names of the attorneys at the beginning of the docket. However, **Matthew J. Moore's entry in *Marine Polymer* has been REMOVED from the docket.**[37] However, we know he made an entry because he is identified in the decision. The evident attempt here is to obscure his association with Judge Kimberly A. Moore and Latham & Watkins LLP, and conceal misconduct, in our opinion. If one were to do a job assessment of Clerk of Court Jan Horbaly, based solely on his clerking in *Leader v. Facebook* and *Marine Polymer*, one would have to conclude that he is utterly incompetent... but, we don't think he's incompetent.

Marine Polymer reveals something equally as startling. Edward R. Reines, Weil Gotshal LLP filed *amicus curiae* briefs for Broadcom, Cisco, Dell, Facebook, Google, Hewlett-Packard, SAP and eBay.

Judge Moore *disqualified* herself in *Marine Polymer* merely because of her relationship to her husband, Matthew. (We surmise. The Clerk even sealed her disqualification filing.)

However, Judge Moore *did not disqualify* herself in *Leader v. Facebook*, even in the face of egregious conflicts, including:

1. She held stock in Facebook via her holdings in Fidelity Contrafund, whose Facebook holdings were notoriously known (in other words, what was good for Facebook was **good for her and hubby**);
2. Her former client, Weil Gotshal LLP, made an appearance adverse to Leader Technologies in *Leader v. Facebook*, an appearance that was never docketed, but is viewable here (in other words, what was good for Weil Gotshal was good for Facebook, and was therefore **good for her and hubby**);[34]
3. Her former client, Weil Gotshal, LLP, was Facebook's attorney in *Marine Polymer* (again, what was good for her former client, was good for Facebook, and was therefore **good for her and hubby**);
4. Her husband, Matthew J. Moore, appeared in the *Marine Polymer* case representing Latham & Watkins LLP in *amicus curiae* interests that were aligned with Facebook (in other words, what was good for Facebook, was good for her former client, and was therefore **good for her and hubby**);
5. Latham & Watkins LLP, her husband's firm, was counsel to James W. Breyer and Accel Partners, Facebook's director and second largest shareholder (in other words, what was good for Facebook, was good for Accel Partners, was good for James W. Breyer, was good for Latham & Watkins LLP, was good for her former client, and was therefore **good for her and hubby**).

Perhaps one infraction in isolation might be forgiven, but together . . .

Freedom of Information Act (FOIA) officer involved in *Leader v. Facebook*

- **Gibson Dunn LLP** (Facebook law firm in *Leader v. Facebook*; undisclosed counsel to the Federal Circuit; undisclosed protégé of Chief Justice John Roberts, Jr.; undisclosed former employer to Preetinder ("Preet") Bharara, U.S. Attorney currently persecuting Paul Ceglia in *U.S. v. Ceglia (Ceglia v. Zuckerberg)*)
- **Orrick Herrington LLP** (longtime Facebook law firm and destroyer of evidence for the cabal in *Winklevoss v. Zuckerberg* and *ConnectU v. Facebook*)
- **Weil Gotschal LLP** (Federal Circuit counsel in *Leader v. Facebook*; Judge Kimberly A. Moore's undisclosed former client)
- **Latham & Watkins LLP** (Facebook Director James W. Breyer's counsel; Judge Kimberly A. Moore's husband, Matthew J. Moore's new law firm)
- **Federal Circuit Bar Association** ("FCBA") (Federal Circuit's bar association; second largest in the U.S.; Facebook's law firms exert much influence in its policy and activity, incl. Fenwick & West LLP, Gibson Dunn LLP, Orrick Herrington LLP, Weil Gotschal LLP; Facebook's large shareholder, Microsoft, is a director; Federal Circuit Clerk of Court Jan Horbaly is an officer; FCBA made an appearance in *Leader v. Facebook* to oppose the *amicus curiae* (friend of the court) motion of Dr. Lakshmi Arunachalam, former Director of Network Architecture at Sun Microsystems, in favor of Leader Technologies and objecting to the evident conflicts of interest within the court itself, her motion was denied, the judges refused to disclose their conflicts which we now know include Facebook and Microsoft stocks)
- **DC Bar Association**

Facebook attorneys & cooperating judges:

- **Gordon K. Davidson** (Fenwick; Facebook's securities and patent attorney; Leader Technologies' former attorney)
- **Christopher P. King** (sometimes Christopher-Charles King, Fenwick)
- **Theodore B. Olson** (Gibson Dunn)
- **Thomas G. Hungar** (Gibson Dunn)
- **Reeve T. Bull** (Gibson Dunn)
- **Heidi Keefe** (Cooley)
- **Michael Rhodes** (Cooley; Tesla Motors)
- **Elizabeth Stameshkin** (Cooley)
- **Donald K. Stern** (Cooley; Justice Dept. advisor)
- **Mark Weinstein** (Cooley)
- **Jeffrey Norberg** (Cooley)
- **Ronald Lemieux** (Cooley)
- **Craig W. Clark** (Blank Rome)
- **Tom Amis** (Cooley / McBee Strategic)
- **Erich Veitenheimer** (Cooley / McBee Strategic)

What judge candidate Kimberly A. Moore promised Congress on Jun. 28, 2006

I will faithfully follow all applicable statutes, court decisions, and policies regarding recusal, including 28 U.S.C. 455. I will be particularly sensitive to any matters involving law firms or companies I previously advised as an expert, as well as any matters involving the Howrey law firm, where my husband is an equity partner. In all circumstances, I will adhere to the Code of Conduct for United States Judges.

What Judge Kimberly A. Moore did on Jul. 16, 2012

Failed to disclose Facebook holdings (re. 28 USC 455)
 Failed to disclose prior work with Weil Gotschal LLP
 Failed to disclose husband's conflicting associations with Facebook in Latham & Watkins LLP

S. HRG. 109-397, Pt 5, p. 74.

These breaches do not even address Judge Moore's promise to be faithful to the U.S. Constitution and legal precedent; which she did not follow by ignoring *Pfaff*, *Carr*, *Group One*, etc.

New! Jun. 6, 2013 - All three judges held Facebook stock during *Leader v. Facebook*:

The Federal Circuit three-judge panel in *Leader v. Facebook* included Judge Evan J. Wallach. Wallach has *absolutely no patent experience*, so why is he presiding over a patent case? Judge Wallach was nominated by Barack Obama. More protection for Obama's 47 million Facebook "likes?" This becomes evident now that proof has emerged that Wallach held Facebook stock, just like Judge Kimberly A. Moore and Judge Alan D. Lourie, during the proceedings. [36] The Wallach Senate confirmation information is on pages pp. III, IV, VII, 1, 6, 7, 9-91. Judge Wallach's wife Dr. Katherine Tobin has been well taken care of by Obama and his allies, but most especially by Senator Harry Reid. What's good for Facebook is good for Harry, and is therefore **good for Wallach and wifey**.

Wallach gave this testimony and was appointed to the Federal Circuit during the *Leader v. Facebook* proceedings. Was his cooperation in The Grand Scheme his price of appointment by Obama, just like Leonard P. Stark?

Just obtained Congressional records prove that all three *Leader v. Facebook* judges held Facebook stock

Evan J. Wallach holds Fidelity Contrafund whose Facebook holdings are notoriously known.

What judge candidate Evan J. Wallach promised Congress on Sep. 11, 2011 (p. 84):

b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

In my present position, I always review a case assigned to me to determine if a potential conflict exists, by adhering to 28 U.S.C. § 455, other relevant statutes, the Code of Conduct for United States Judges, and any applicable policies and procedures of the United States Courts and of the United States Court of International Trade. If a conflict is evident I will recuse myself. If there is a potential for conflict I advise counsel and discuss recusal on the record. If confirmed for this position I will observe the same practice.

Wallach holdings that were big winners in the Facebook IPO (pgs. 89,90):

5.	Fidelity Contrafund (IRA)	B	Dividend	L	T
22.	Microsoft Corp (IRA)	A	Dividend	K	T

Evan J. Wallach

Source: S. HRG. 112-72, PART 4 - HEARING BEFORE THE COMMITTEE ON THE JUDICIARY UNITED STATES SENATE, Evan J. Wallach Confirmation Hearing, 112th Congress, 1st Session, Sep. 7, 2011, Serial No. Serial No. -112-4, Pt. 5, Y.4, 89/2, pp. 16-91 <<http://www.gpo.gov/fdsys/pkg/CHRG-112shrg74979/pdf/CHRG-112shrg74979.pdf>>.

It gets worse folks...

Evan J. Wallach has an extensive professional relationship with Terence

Roel Campos (Cooley; former Commissioner of the U.S. Securities & Exchange Commission at the time of the infamous Facebook 12(g) exemption)

- **Lisa Simpson** (Orrick)
- **Samuel O'Rourke** (Facebook; Cooley-directed)
- **Theodore Ulyot** (Facebook; Cooley-directed)
- **Amber H. Rover**, aka **Amber L. Hagy** aka **Amber Hatfield** (Weil Gotschal LLP; Judge Kimberly A. Moore's former client)
- **Edward R. Reines** (Weil Gotschal)
- **Trish Harris** (DC Bar Association)
- **Elizabeth A. Herman** (DC Bar Association)
- **Elizabeth J. Branda** (DC Bar Association)
- **David Kappos** (former Patent Office Director)
- **Preetiner ("Preet") Bharara** (U.S. Attorney *Ceglia v. Zuckerberg*; formerly of Gibson & Dunn LLP; protects Zuckerberg)
- **Thomas J. Kim** (SEC Chief Counsel)
- Anne Krauskopf (SEC Special Sr. Counsel)
- **John G. Roberts, Jr.** (Chief Justice, U.S. Supreme Court)
- **Jan Horbaly** (Federal Circuit, Clerk of Court)
- **Kimberly A. Moore** (Judge, Federal Circuit)
- **Matthew J. Moore** (Latham & Watkins LLP; husband of Judge Kimberly A. Moore)
- **Evan J. Wallach** (Judge, Federal Circuit)
- **Alan D. Lourie** (Judge, Federal Circuit)
- **Randall R. Rader** (Chief Judge, Federal Circuit)
- **Terence P. Stewart** (Federal Circuit Bar Association)
- **Leonard P. Stark** (Judge, Delaware U.S. District Court)
- **Allen R. MacDonald** (Administrative Judge, U.S. Patent Office)
- **Stephen C. Siu** (Administrative Judge, U.S. Patent Office)
- **Meredith C. Petravick** (Administrative Judge, U.S. Patent Office)
- **James C. Payne** (U.S. Patent Office)
- **Kathryn Siehndel** (FOIA Counsel, U.S. Patent Office)

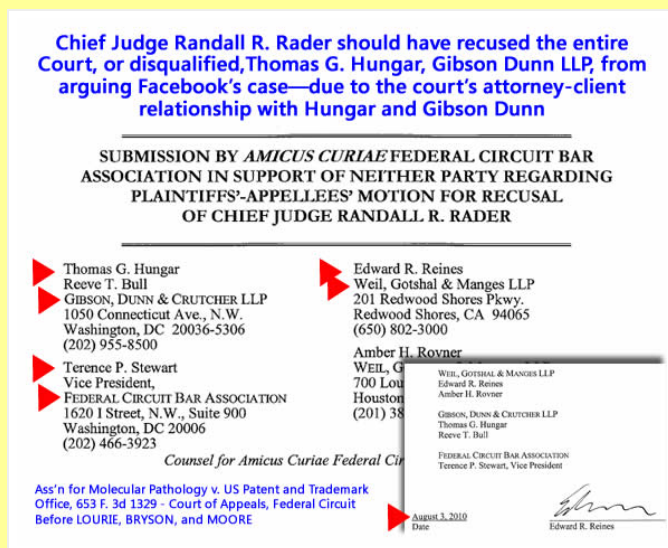
Facebook puppet masters:

P. Stewart.

Stewart argued four cases before Judge Wallach at the Court of International Trade between 2004-2007. The cases were:

1. *NSK LTD. v. US*, 346 F. Supp. 2d 1312 (2004);
2. *SKF USA INC. v. US*, 316 F. Supp. 2d 1322 (2004);
3. *NSK LTD. v. US*, 481 F. 3d 1355 (2007); and
4. *PS CHEZ SIDNEY v. US INTERN. TRADE COM'N.*, 502 F. Supp. 2d 1318 (2007)

By Aug. 3, 2010 (see illustration below), Terence P. Stewart was Vice President of the Federal Circuit Bar Association (FCBA). This placed Stewart in a position to influence Judge Wallach's nomination to the Federal Circuit JUST A MONTH LATER. Ironically, only four days after the *Leader v. Facebook* trial, Edward R. Reines, Weil Gotshal LLP (Judge Kimberly A. Moore's former client), joined Stewart and Thomas G. Hungar, Gibson Dunn LLP, Facebook's appeals counsel in *Leader v. Facebook*, in an *amicus curiae* brief in support of Federal Circuit Judge **Randall R. Rader** fight not to be disqualified from hearing a case.^[38]



The illustration above occurred on August 3, 2010. Now see the same actors two years later in *Leader v. Facebook*. Note that "Amber H. Rovner" of Weil Gotshal LLP has very recently changed her name to "Amber L. Hagy." She also goes by "Amber Hatfield."^[48]

(Note to AFI investigators: Amber H. Rovner is very evidently attempting to distance herself from her longtime association with Weil Gotschel LLP—Judge Kimberly A. Moore's former client. What she has done will prevent her name from appearing in normal searches using her "H. ROVER" middle and last name. Therefore, when you search, be sure to search "Amber H. Rovner" OR "Amber Hatfield" OR "Amber L. Hagy". We have seen this trick before where attorneys in this case change their names to avoid being detected in searches. Fenwick & West LLP's attorney "Christopher P. King" changed his name on Facebook filings to "Christopher-Charles King." This way, his name would not appear anywhere associated to Leader Technologies' U.S. Patent No. 7,139,761, which Christopher P. King does (associated with two Marc Andreessen patents in 2005). This association proves "inequitable conduct"—FRAUD—by Fenwick & West LLP at the U.S. Patent Office—a fact that the Patent Office is ignoring.)

New: Jun. 17, 2013

- **President Barack Obama** (appointed Leonard P. Stark to the judge's seat in Delaware Federal District Court eight days after Stark's court allowed Facebook to get away with jury and court manipulation of an on-sale bar verdict which was attained without a single piece of hard evidence; Barack and Michelle Obama were evidently protecting their 47 million "likes" on Facebook)
- **Lawrence "Larry" Summers** (Harvard President who aided Zuckerberg's light-speed rise to prominence with unprecedented *Harvard Crimson* coverage; Obama bailout chief; Clinton Treasury Secretary; World Bank Chief Economist; "Special Advisor" to Marc Andreessen in **Instagram**; co-creator of the current Russian robber baron economy; close 20-year relationships with protégés Sheryl Sandberg & Yuri Milner; aided in recommendations that *created* the Russian robber baron economy—and Yuri Milner/DST/Asmanov's money used to purchase Facebook stock)
- **James W. Breyer, Accel Partners LLP**; Facebook director; client of Fenwick & West LLP since the 1990's; apparently received technology from other Fenwick clients that was shuffled to Zuckerberg, incl. Leader Technologies' inventions)
- **McBee Strategic** (one of the main "private" arms responsible for doling out the billions in Obama "green energy" stimulus funds; partnered with Cooley Godward LLP)
- **Mike Sheehy** (Cooley-McBee Strategic principal; former National Security Adviser to House Speaker Nancy Pelosi)
- **Nancy Pelosi** (U.S. Congresswoman; appears to be running political cover in the House for Facebook, McBee Strategic, Cooley Godward, Fenwick & West, Breyers, etc.)
- **Harry Reid** (U.S. Senator; Judge Evan J. Wallach patron)
- **Thomas J. Kim** (SEC, Chief Counsel & Assoc. Director) approved Facebook's 500-shareholder exemption on Oct. 14, 2007, one day after it was submitted by Fenwick & West LLP; Facebook used this exemption to sell \$3 billion insider stock to the Russians Alisher Asmanov, Yuri Milner, DST, Digital Sky, Mail.ru which pumped Facebook's pre-IPO valuation to \$100 billion; another Harvard grad, Kim worked at Latham & Watkins LLP which was the chief lobbyist for the National Venture Capital Association in 2002-2004 whose Chairman was . . . James W. Beyer, Accel Partners LLP; in other words Breyer and Kim, both Harvard grads, were associated at the time of the Zuckerberg hacking and theft of Leader Technologies' software code)
- **Ping Li** (Accel Partners, Zuckerberg handler)
- **Jim Swartz** (Accel Partners; Zuckerberg handler)
- **Sheryl Sandberg** (Facebook, Summers protégé; Facebook director)
- **Yuri Milner** (DST aka Digital Sky, Summers protégé; former **Bank Menatep** executive; Facebook director)
- **Alisher Asmanov** (DST aka Digital Sky; Goldman Sachs Moscow partner;

Zoominfo, Jun. 16, 2013
 2013 Amber Hatfield Rovner
 Rovner, Amber H. - People - Weil, Gotshal & Manges
 www.weil.com, 6 Feb 2009 [sachet]

Well Gotshal LLP, Feb. 6, 2009
 Amber H. Rovner
 Owner
 Attorney
 Patent Litigation
 Arbitration - Patent Litigation

Well Gotshal LLP ca. May 2013
 Amber L. Hagy

Law360, Jun. 16, 2013
 Amber H. Rovner (Houston, TX)
 Firm: Weil Gotshal

"Amber H. Rovner" aka "Amber Hatfield" aka "Amber L. Hagy" Weil Gotshal Manges LLP

Note: her recent name change to "Amber L. Hagy" will stop her previous name "Amber H. Rovner" from appearing on data searches associated with **Weil Gotshal**, the **Federal Circuit** or **Leader v. Facebook Judge Kimberly A. Moore** was an expert consultant to Weil Gotshal before becoming a Federal Circuit judge. We're guessing we'll discover that Amber was involved in those cases. Judge Moore did not disclose this conflict of interest. This circumstance is strong motivation for Weil Gotshal and the Federal Circuit to bury this connection to hide their misconduct. Thanks to AFI investigators for uncovering this information which is very damning to the Federal Circuit and Facebook's conduct.

More sins of the Federal Circuit

Update Jun. 18, 2013—As expected, AFI researchers have discovered a direct connection between Amber H. Rovner, Weil Gotshal LLP, and Judge Kimberly A. Moore.

In her Senate Confirmation, Moore disclosed that Weil Gotshal LLP was her client and identified a case, *In Seagate Tech LLC v. Cornice, Inc.* (D.Del. 04-418(SLR)). It turns out that at least two of the Weil Gotshal patent litigation partners on that case, namely **Jason D. Kipnis & Adrian Percer**, work with **Amber H. Rovner**, a.k.a. **Amber L. Hagy** a.k.a. **Amber Hatfield**, currently. This conflict meant that Judge Moore had a solemn duty to speak up about the conflict. [49] The rule in colloquial terms is, if it walks like a duck, and talks like a duck . . . recuse. Judge Moore clearly cheated lady justice and Leader Technologies' shareholders who counted on her to judge rightly. She pumped her Fidelity stock portfolio instead.

Appeal from the United States District Court for the District of Delaware in
 Case No. 08-CV-0862, Judge Leonard P. Stark.

Leader Technologies, Inc. v. Facebook, Inc.

THE FEDERAL CIRCUIT BAR ASSOCIATION'S
 REQUEST FOR REISSUE OF ORDER AS PRECEDENTIAL
 PURSUANT TO FEDERAL CIRCUIT RULE 32.1(e)

<p>▶ Terence P. Stewart President FEDERAL CIRCUIT BAR ASSOCIATION 1620 I Street, N.W., Suite 900 Washington, DC 20006 (202) 466-3923</p>	<p>▶ Edward R. Reines WEIL, GOTSHAL & MANGES LLP 201 Redwood Shores Parkway Redwood Shores, CA 94065 (650) 802-3000</p>
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Counsel for Federal Circuit Bar Association

WEIL, GOTSHAL & MANGES LLP
 Edward R. Reines
 FEDERAL CIRCUIT BAR ASSOCIATION
 Terence P. Stewart, President

▶ Sept 11, 2012
 Date


 Edward R. Reines

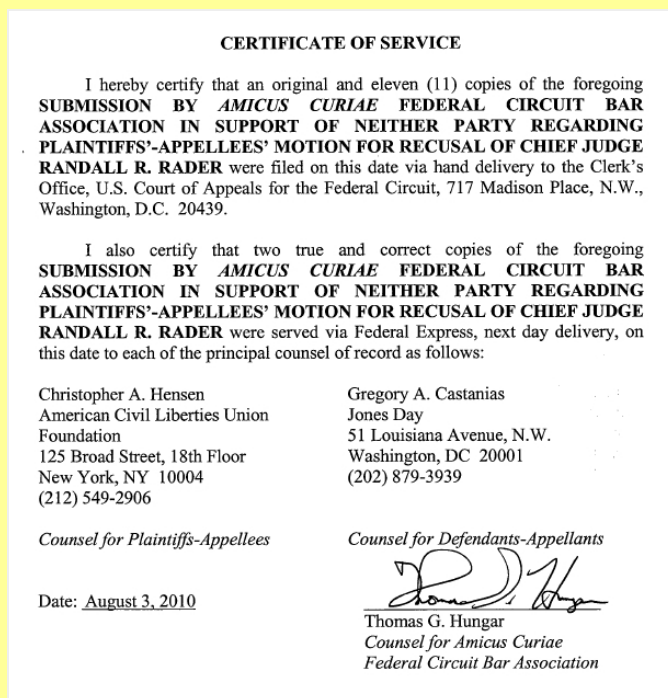
On Sep. 11, 2012, Terence P. Stewart, now President of the FCBA, was again represented by Edward R. Reines, Weil Gotshal LLP (Judge Kimberly A. Moore's former client) in a **motion adverse to Leader in Leader v. Facebook to absolve the judges of their conflicts of interest.** [34]

- **Russian oligarch**; Friend of the Kremlin; Became the Richest Man in Russia after the Facebook IPO)
- **Marc Andreessen** (Zuckerberg coach; client of Fenwick and Christopher P. King; Summers' sponsor during **Instagram-scam**; Facebook director)
- **Peter Thiel** (19-year old Zuckerberg coach; PayPal; Facebook director)
- **Reid Hoffman** (19-year old Zuckerberg coach; PayPal; LinkedIn; Facebook director)
- **Richard Wolpert** (Accel Partners)
- **Robert Ketterson** (Fidelity Ventures; Fidelity Equity Partners; Fidelity Ventures Telecommunications & Technology)
- **David Kilpatrick** (*Business Insider*; "The Facebook Effect"; PR cleanse-meister re. Facebook origins)
- **Zynga/Groupon/Linked-In/Square/Instagram** ("Facebook Money/Credits" feeder companies)
- **Tesla Motors** (received \$465 million in Obama stimulus funds and hired Cooley's Michael Rhodes in the seven months before the *Leader v. Facebook* trial, just before veteran Judge Joseph Farnan made the surprise announcement of his retirement, just six days after Facebook's disastrous *Markman* Hearing)
- **Solyndra** (received \$535 million in Obama stimulus at the recommendation of the Cooley-McBee Strategic "consulting" alliance)
- **BrightSource** (received \$1.6 billion in Obama stimulus at the recommendation of the Cooley-McBee Strategic "consulting" alliance)
- **John P. Breyer** (father of James W. Breyer; founder of IDG Capital Partners - China; coached his son on exploiting Western markets while he quietly built a venture capital business in China for the last 20 years; the real brain behind the Breyer exploitations)
- **IDG Capital Partners (China)** (founded by John P. Breyer, the father of James W. Breyer, Accel Partners; the current launderer of the tens of billions James W has fleeced from the U.S. market from the bailout, stimulus and the "pump & dump" Facebook IPO schemes)
- **Goldman Sachs** (received US bailout funds; then invested with DST in Facebook private stock via Moscow; took Facebook public; *locked out* American investors from investing)
- **Morgan Stanley** (received US bailout funds; took Facebook public; probably participated in overseas purchases of Facebook private stock before IPO)
- **State Street Corporation** (received U.S. taxpayer bailout monies along with Goldman Sachs and Morgan Stanley; consolidating control of ATM banking networks internationally)
- **Lloyd Blankfein** (Goldman Sachs CEO)

New! Jun. 7, 2013 PURVEYORS OF SCANDAL:

The court docket has been **cleansed** of documents and entries proving that these bad actors actually **represented** and/or had **conflicting relationships** with: (1) the FCBA, (2) the judges and (3) Facebook and Microsoft, BEFORE the **Leader v. Facebook** appeal was filed.

What does this mean? It means the entire Federal Circuit court compromised itself in **Leader v. Facebook**. They did not disqualify themselves according to the Code of Conduct for U.S. Judges and Judicial Employees. New evidence suggests that the U.S. Supreme Court Chief Justice John G. Roberts was also conflicted via massive amounts of Facebook-related stock holdings just release for public review. [42]



A year later, Thomas Hungar represented Facebook in *Leader v. Facebook* in arguments before the Federal Circuit in 2011/2012. The judges just smiled and pretended to act impartially.

Remarkably, the Aug. 3, 2010 *amicus curiae* motion containing this Thomas G. Hungar Certificate of Service (above) **is not available on the Federal Circuit docket**. Yet another damning piece of information has been removed from a Federal Circuit docket. Censorship of court records is illegal. They are supposed to be published unless they are sealed for a proper purpose.

Protecting judges from the consequences of their misconduct is not a proper purpose. Instead, it was discovered on the PatentlyO website at <<http://www.patentlyo.com/recusal.fcba.pdf>>. [38] Alternatively, it is also now available at Scribd. Also remarkably, no attorneys associated with this motion are entered in the docket, which is required by the Rules of Federal Procedure. **This docket** too, like the *Leader v. Facebook* and *Marine Polymers* dockets, fails to show proper entries for

- **Jamie Dimon** (JP MoranChase CEO)
- **U.S. Securities & Exchange Commission** (granted Fenwick & West's application on behalf of Facebook for an unprecedented exemption to the 500 shareholder rule; opened the floodgates for Goldman Sachs and Morgan Stanley to make a private market in Facebook pre-IPO insider stock; facilitated the influx of billions of dollars from "dubious" sources associated with Russian oligarchs, Alisher Asmanov and Yuri Milner, and the Kremlin; Goldman Sachs is a partner with this Moscow company, Digital Sky Technologies, aka DST, aka Mail.ru)
- **Jeff Markey** (McBee Strategic LLC; allied with Facebook's Cooley Godward Kronish LLP to arrange Obama's green energy funding; arranged \$1.6 billion for failed BrightSource and \$535 million for failed Solyndra)
- **Steve McBee** (McBee Strategic LLC; allied with Facebook's Cooley Godward Kronish LLP to arrange Obama's green energy funding; arranged \$1.6 billion for failed BrightSource and \$535 million for failed Solyndra)
- **Michael F. McGowan** (Facebook forensic expert who lied about his knowledge of the contents of the 28 Zuckerberg hard drives and Harvard Email accounts)
- **Bryan J. Rose** (Facebook forensic expert who lied about his knowledge of the contents of the 28 Zuckerberg hard drives and Harvard Email accounts)
- **Dr. Saul Greenberg** (Facebook's expert witness from the University of Calgary; disingenuously waived his hands and **said he would be "wild guessing" about the purpose of a Java "sessionstate" import statement** (even Java newbies know it is used for tracking a user while in a web session); in short, Dr. Greeberg lied to the jury, thus discrediting his testimony)

Facebook boy-puppets:

- Mark Zuckerberg
- Chris Hughes
- Dustin Moskovitz
- Eduardo Saverin
- Matthew R. Cohler

Corruption Watch—Patent Office Judges:

1. **Anderson, Gregg**
2. **Best, George**
3. **Bonilla, Jackie W.**
4. **Boucher, Patrick**
5. **Braden, Georgianna W.**
6. **Branch, Gene**
7. **Bisk, Jennifer Bresson**
8. **Bui, Hung H.**
9. **Busch, Justin**
10. **Clements, Matt**
11. **Crumbley, Kit**
12. **Droesch, Kristen**

Matthew J. Moore, **Thomas G. Hungar**, **Terence P. Stewart**, **Edward R. Reines**, **Amber H. Rovner**, **Reeve T. Bull**, **Gibson Dunn LLP**, or **Weil Gotshal LLP**. However, after discovering their motion at PatentlyO, we were able to piece the story back together; thus proving the duplicity of the court. [39]

Put simply, the ethics rules demanded that the court address the conflicts of interest issues in this case—before proceeding. They were not only silent, but when motions were filed asking them to disclose their conflicts of interest, they failed to even respond or docket those motions. In short, they put themselves above the law.

No collusion hangs together perfectly. For example, Clerk of Court Jan Horbaly's staffer, **Valerie White**, [40] told a caller that the judges could not have even seen the *amicus curiae* briefs in *Leader v. Facebook* before they were denied within hours of being received. They were presumably dispensed with by Clerk Horbaly acting unilaterally. Ms. White's phone extension at the Federal Circuit office was disconnected the next day.

The illustration above is proof that the three-judge panel failed to recuse themselves, or alternatively, failed to insist that Facebook appoint an attorney other than Thomas G. Hungar and Gibson Dunn LLP. Even then, that would not have been enough. The FCBA motion and entry of Weil Gotshal and Edward Reines dictated that **Judges Moore**, **Wallach**, **Lourie**, **Rader**, all the *en banc* judges, as well as **Clerk of Court Jan Horbaly** recuse. Instead, they were silent on the constitution, but went out of their way to accommodate Facebook's pre-IPO needs with decisions perfectly timed to Facebook's IPO schedule. Of course, they would since all three judges wanted the boost in their stock portfolios that Facebook's handlers promised as the *quid pro quo*.

FACEBOOK ATTORNEYS like to change their names during litigation

Jun. 17, 2013—Weil Gotshal LLP's Amber H. Rovner just changed her name to Amber L. Hagy to thwart searches that will tie her to Weil Gotshal LLP and Judge Kimberly A. Moore. Likewise . . .

On Jul. 24, 2009 **Fenwick & West LLP's** attorney **Christopher P. King** filed a prior art disclosure for Facebook Director Marc Andreessen *acknowledging* Leader's U.S. Patent No. 7,139,761 as PRIOR ART. However, subsequently the same Fenwick & West LLP failed to disclose U.S. Pat. No. 7,139,761 as prior art on *any* of Facebook/Zuckerberg's hundreds of patent filings. Since Facebook was found guilty on 11 of 11 counts of literally infringing Leader's patent, this is a profound breach of the prior art disclosure rules. The fact that Christopher P. King knew about Leader makes it **KNOWING** and **WILLFUL**.

In Jan. 2012, Christopher P. King *changed his name* to "**Christopher-Charles King**." This prevents his name from appearing in prior art searches associating his new hyphenated name with Leader's U.S. Patent No. 7,139,761.

(Editorial: Disbarment and prosecution should be in their futures.)

Code of Conduct Sins:

1. When Stewart, as President of the FCBA—Wallach's new bar association, filed the 2012 motion adverse to Leader, Judge Wallach should have disqualified himself, but did not. Instead, he was silent about his conflicting relationship to Stewart.
2. When Stewart and the FCBA hired Edward R. Reines, Weil Gotshal LLP—Judge Moore's former client, Judge Moore should have disqualified herself, but did not. She was silent about her conflicting relationship to Weil Gotshal.
3. Judge Moore, while presiding over *Leader v. Facebook*, failed to disclose that Thomas Hungar, Gibson Dunn LLP—Facebook's counsel, represented the FCBA—her bar association, on the subject of judge recusal, in conjunction Weil Gotshal LLP, her former client.
4. Clerk of Court Jan Horbaly failed to disclose that he is an officer at the FCBA, and that one of his FCBA directors is Microsoft, one of Facebook's largest shareholders (this explains all the squirrely docket entries in this and other cases involving these actors).

13. **Elluru, Rama**
14. **Fitzpatrick, Michael**
15. **Gerstenblith, Bart A.**
16. **Giannetti, Thomas L.**
17. **Guest, Rae Lynn**
18. **Hastings, Karen M.**
19. **Hoff, Marc**
20. **Horner, Linda**
21. **Hughes, James R.**
22. **Hume, Larry**
23. **James, Housel**
24. **Jung, Hung J.**
25. **Kamholz, Scott**
26. **Katz, Deborah**
27. **Lucas, Jay**
28. **MacDonald, Allen R.** (bio unavailable) – *Leader* 3rd reexam judge
29. **Mahaney, Alexandra**
30. **Martin, Brett**
31. **McKone, Dave**
32. **McNamara, Brian**
33. **Medley, Sally**
34. **Moore, Bryan**
35. **Moore, James T**
36. **Morgan, Jason V.**
37. **Morrison, John**
38. **Pak, Chung K.**
39. **Perry, Glenn J.**
40. **Petravick, Meredith C.** (bio unavailable) – *Leader* 3rd reexam judge
41. **Pettigrew, Lynne**
42. **Praiss, Donna**
43. **Quinn, Miriam**
44. **Reimers, Annette**
45. **Saindon, William**
46. **Scanlon, Patrick**
47. **Siu, Stephen C.** – *Leader* 3rd reexam judge
48. **Smith, James Donald**
49. **Smith, Neil**
50. **Snedden, Sheridan**
51. **Song, Daniel**
52. **Spahn, Gay Ann**
53. **Strauss, Mike**
54. **Timm, Catherine**
55. **White, Stacey**
56. **Zecher, Michael**

Research Tip: Type any name or subject in the Google search at the top of this webpage. That will show you any relevant links within the sites that we have been following and investigating in the *Leader v. Facebook* case. Vigilance everyone! American democracy is at risk.

5. Neither Judges Randall R. Rader, Kimberly A. Moore, Evan J. Wallach, Clerk of Court Jan Horbaly nor the entire *en banc* Federal Circuit court disclosed their attorney-client relationship with Thomas G. Hungar, Gibson Dunn LLP. This set of conflicts is inexcusable and shows the court to be ethically profligate.

Instead, the highly-conflicted three-judge panel of Alan D. Lourie, Kimberly A. Moore and Evan J. Wallach put on a **charade of objectivity**; listening as Thomas G. Hungar fumbled and stumbled through his Facebook arguments. Former *Bloomberg TV* journalist [Donna Kline attended the hearing on March 5, 2012 and reported](#) that Hungar did a bad job and she overheard him apologizing to a Facebook attorney Jeffrey Norberg. Nonetheless, the judges pretended impartiality. Then, the judges walked back into the secrecy of chambers, concocted new "evidence," ignored the fact that a jury had not considered their new evidence (which had not even been argued by Facebook!), and ruled against Leader anyway. Can judge bias get any more evident?

The violations of Leader Technologies' constitutional rights are obscene.

[Editor: The list of doctored Federal Circuit dockets is growing: *Leader v. Facebook*, *Marine Polymer v. Hemcon*, *Ass'n for Molecular Pathology v. US Patent and Trademark Office*. Tellingly, all the actors associated with *Leader v. Facebook* are cleansed from those earlier records. It has taken our researchers over three days of digging to unearth the truth, thanks to a few breaks, like the PatentlyO document containing Thomas G. Hungar's signature representing the Federal Circuit Bar Association in 2010. That certification *proves* the illegality of the court's conduct.]

Apr. 6, 2010

Judge Farnan set the discovery closing date for May 14.

NEW 6/2/13:
Apr. 22, 2010

Magistrate Judge Leonard P. Stark stated at his U.S. Senate confirmation Hearing, under oath:

"My obligation is to follow the binding precedents of the Supreme Court and the Court of Appeals."[\[30\]](#)



b. Do you think that the interpretation of the Constitution should change based on evolving societal norms?

Response: The interpretation of the Constitution is governed by the Supreme Court and the Court of Appeals. In my current position as a United States Magistrate Judge, and in the future if confirmed as a District Court Judge, my obligation is to follow the binding precedents of the Supreme Court and the Court of Appeals.

c. Do you believe the Constitution is a living document?

Response: No. The text of the Constitution is fixed (absent amendment through the Article V amendment process).

d. What in your view is the role of a judge?

“apply the precedents of the Supreme Court . . .”

Response: I believe the role of a District Court Judge is to apply the precedents of the Supreme Court and the Court of Appeals to the facts of the particular case before the judge, as carefully and impartially—and in as timely a manner—as humanly possible. This is what I have strived to



May 14, 2010

Discovery closed

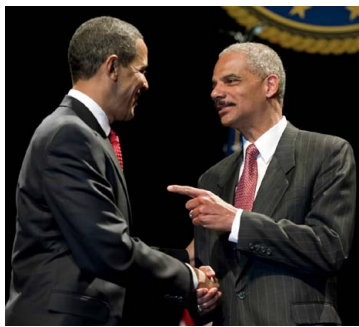
May 14, 2010

Scandal

Magistrate Judge Leonard P.

Stark was ERIC HOLDER'S MAN assigned to protect Obama's 47 million "likes" on Facebook:

Facebook filed new on-sale bar claim (102(b)). Leader objected. Stark overruled and allowed Facebook to pursue the new claim while *denying* Leader the right to prepare defenses. No hard evidence supported Facebook. Scandalously, Stark *affirmed* only a Cooley-fabricated video snippet taken out of context and a single 60% blanked-out questionnaire. Not a single piece of engineering evidence was presented. Facebook did not even present an expert witness! Nothing. Nada. Zilch. (*Editorial*: Herein is perhaps the most telling proof of collusion. The verdict for Facebook was predetermined, so the lack of proof didn't matter.)



Stark abused Leader's [Fifth and Fourteenth Amendment due process rights](#). Leader had a constitutional right to prepare *new defenses* to Facebook's *new claim* (which flip-flopped from a pre-trial "false marking" claim that Leader had no patent to, OK, Leader has a valid patent and tried to sell it too soon—on-sale bar).[\[31\]](#)

Stark also abused judicial discretion. The [Federal Rules of Civil Procedure 15\(a\)\(2\)](#) dictate that late-stage claims can only be made "with the opposing party's written consent or the court's leave. The court should freely give leave when justice so requires." Justice did not require abusing Leader's due process rights to help Facebook. In short, Stark blocked Leader from preparing a defense with additional evidence, expert witnesses, source code, third party testimony, etc. *Pfaff* and *Group One* specified a detailed analysis of alleged offers. None of that happened.[\[32\]](#)

Stark promised Congress to decide ". . . carefully and impartially." He deceived Congress in his *Grand Bargain* with Obama and Cooley Godward in exchange for his appointment.

3 weeks before trial . . .

Jun. 24, 2010
The Grand Bargain
Judge Farnan withdraws suddenly as presiding trial judge. *Judge Leonard P. Stark assigned*. Cooley's Donald K. Stern certainly is involved in this decision since (a) he is Obama's Justice Department advisor, and (b) the judge seat is in Vice President Joe Biden's State of Delaware where he has been blocking Republican nominees for years.

Judge Stark allowed Facebook to amend their claims and add on-sale bar; Judge Stark blocked Leader from conducting additional discovery.
The Grand Bargain to gain his judgeship from Obama?

Jul. 19-28, 2010
Leader v. Facebook trial. Split verdict. Facebook guilty on 11 of 11 counts, and [Leader's expert witness decimated Facebook's prior art arguments](#).[\[43\]](#) Despite the overwhelming proof of the opposite, Facebook prevailed on a single portion of the decision in which the jury admitted that they *did not follow the jury instructions or precedent law* for the proper testing of on-sale bar claims. Tellingly, Judge Stark heard this admission, yet forbade the attorneys from using this admission in their post trial pleadings. [\[44\]](#)

8 days later

Aug. 5, 2010
Leonard P. Stark confirmed as U.S. federal judge. Refuses to overturn the jury on on-sale bar in post-trial motions. Fails to follow well-settled precedent law for assessing on-sale bar. *Pfaff, Group One, Carr, The Dictionary Act*. In short, the split decision stands.

In short, Facebook is using Leader's invention. And, Facebook failed to offer any evidence of on-sale bar, yet was supported by Judge Leonard P. Stark nonetheless.[44]

Table 1 - Timeline for "The Grand Scheme" including "The Grand Bargain" for a judgeship in *Leader v. Facebook* between President Obama, Cooley Godward LLP and then Magistrate Judge Leonard P. Stark.

Do the circumstances above "avoid the appearance of impropriety in all actions" as dictated by the [Code of Conduct for U.S. Judges](#)[12] and [Judicial Employees](#)?[13]

In exchange for delivering Facebook's on-sale bar verdict, Leonard P. Stark was rewarded a judgeship . . . in VP Joe Biden's district

Evidently Stark was rewarded for protecting Obama's "likes" on Facebook. Pundits thought the Federal Circuit would fix Stark's mistake, but they waved their hands too. The appeals process was a total fraud which we have analyzed extensively.

Does Obama covet his 47+ million "likes" so much he'll break the law to keep them?

President and Michelle Obama have over 47 million "likes" on Facebook from which he makes money. In addition to his salary and perks as President, [Organizing for Action](#) raised \$4.8 million[14] in the first three months of 2013 with the help of his "share," "like," "join" and "sign" Facebook solicitations. In the last two months, he has posted more than once a day on his [Barack Obama Facebook page](#). [15] The majority of these posts contain his picture. What politician in history has had such an opportunity? Is this reach like a drug to which Obama and his handlers are addicted?



Obama posts a picture of himself on 70% of his Facebook posts, averaging 1.3 posts per day, along with calls to action for his 47 million followers incl. "like," "share," "sign," "join," and "donate." No politician in history has had such reach.

By comparison, Facebook "likes" as of mid-May 2013: Mitt Romney 11 million, George W. Bush 3.5 million, Fox News 3 million, Bill & Hillary Clinton 1.4 million, CBS News 880,000, Joe Biden 575,000, and John Boehner 373,000.

Cooley Godward LLP: *Consiglieres* (mob counsel) for the White House?

Besides Obama's evident motive to protect his 47 million Facebook "likes," the [Federal Election Commission](#)[16] reports that 62 Cooley Godward attorneys donated almost \$100,000 to the Obama campaign during the 2012 election. Two more donated to [Organizing for Action](#). [17] That makes a total of 64 Cooley employees who paid to play in Obama's sandbox.

Two of those donating attorneys, Cooley's Michael Rhodes and Elizabeth Stameshkin, are Facebook's attorneys in *Leader v. Facebook*. New information reveals that [Michael Rhodes](#)[18] was also Cooley lead counsel for Tesla Motors, the recipient of \$465 million in Obama "green energy" stimulus funds. His hiring at Tesla Motors occurred five months before the *Leader v. Facebook* trial, and two months before magistrate judge Leonard P. Stark allowed Facebook to add the new on-sale bar claim after the close of discovery and block *Leader* from building defenses.

What kind of access did Cooley's Rhodes have to the \$645 million in Tesla Motors funds? Was this his slush fund for buying judicial employees and judges?



Michael Rhodes
Cooley Godward LLP
Bag Man?

Two other donating attorneys, Cooley's Ronald Lemieux and Roel Campos, are very well connected. Lemieux is directly associated with Cooley's Heidi Keefe and Mark Weinstein,

two more *Leader v. Facebook* attorneys, in [Cooley-China](#).^[19] Investigators have learned that Facebook's director and financier James W. Breyer and Accel Partners LLP are shifting portions of their post-Facebook-IPO tens of billions of dollars to China, alongside [John P. Breyer](#), James W's father, and [IDG Capital Partners](#) where James W is also a partner. AFI first broke the news of the identity of James W. Breyer's father which does not appear in any of his public biographies. His father has been quietly building a financial empire in China for 20 years.

Cooley's [Roel Campos](#)^[20] is more interesting. He only recently left Cooley. He is a former Securities & Exchange Commissioner who presided over the Facebook 12(g) exemption from the 500-shareholder rule. His SEC Chief Counsel was Thomas J. Kim, who failed to disclose that he worked for James W. Breyer's lobbying firm Latham & Watkins LLP when Breyer ran the National Venture Capital Association 2003-2004. These were the same years Zuckerberg / Facebook / Fenwick & West's theft of Leader's technology occurred. We wrote about this earlier in our post [The Real Facebook, A Portrait of Corruption](#).

This exemption was used by Goldman Sachs, Morgan Stanley and State Street Corporation and opened the door for a private market in Facebook stock that raised billions of dollars from Russian oligarchs with ties to the [Kremlin](#).^[21] This exemption also pumped Facebook's pre-IPO value to \$100 billion. These banks received \$32 billion in bank bailout funds overseen by Lawrence "Larry" Summers, Obama's bailout chief.

Curiously, Summers failed to disclose to the American public when he took that job that two of his protégés, Yuri Milner and Sheryl Sandberg, were Goldman clients and were running DST-Moscow and Facebook respectively. Such duplicity is illegal when not disclosed. In other words, if a party sits on both sides of a transaction (his friends *decide* who gets the money, and his friends *receive* and *spend* the money), then if he does not disclose that to both parties, he is double-dealing.

Bottom line is that Cooley's Roel Campos did the bidding of former U.S. Treasury Secretary Larry Summers who was working on ways to get (a) bailout funds, (b) stimulus funds and (c) "pump & dump" IPO funds to his protégés in Palo Alto (Sandberg) and Moscow (Milner)—a triple dip. This redefines the verb "fleece."

With Summers in the picture, any Obama assistance or involvement in Facebook is a conflict of interest by definition. But, as we have just seen with Obama's directive to Eric Holder *not* to enforce the Defense of Marriage Act, this administration apparently believes the U.S. Constitution is simply a pay-to-play prop to fool the masses. What happened to Obama's oath to "preserve, protect and defend the Constitution of the United States, so help me God?"

Cooley's Donald Stern advises the Obama Justice Department

Another donating attorney, Cooley's [Donald Stern](#),^[22] was a member of Obama's Department of Justice transition team. Such a Cooley insider is only ever one step away from undue influence and corruption. At this point, can any reasonable person believe the

One in six Russian entrepreneurs is in jail because they will not pay bribes to corrupt officials

May 25, 2013, *BBC News*—If Facebook's handlers have their way, America will soon be paying homage to oligarchs in Moscow, India, China and Brazil, using Facebook Credits and following their wishes. Your Benevolencies? (*Editorial: Beware of Chinese, Russian, Indian and Brazilian money purchasing U.S. companies. This is part of THE GRAND SCHEME, and a great way to launder dirty money outside the reach of U.S. law.*)

If you are tempted to think that Russia can teach us anything right now about honest business, read the experience of [Russian entrepreneur, Dmitry Malov](#).^[29]



Malov employs 300 people. He was directed by the [FSB](#) (Russian secret police) to sell his dairy business to an unknown buyer, or face jail. He refused and was accused of fraud. He was found guilty and sentenced to five years in prison, just as the FSB officers had threatened. He now sits in jail.

This is what awaits America if Facebook's handlers succeed in corrupting our judges and institutions.

line was not crossed?

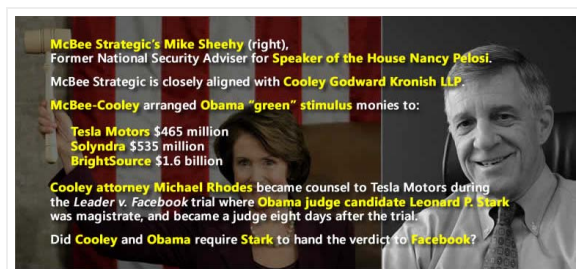
Cooley's McBee Strategic alliance dispensed Obama's "green" stimulus billions to Solyndra and BrightSource that blew threw \$2 billion between them



Two more donating attorneys, Cooley's Tom Amis and Erich Veitenheimer, represent Cooley in the [Cooley-McBee Strategic](#)[23] alliance formed to help companies obtain Obama's "green energy" stimulus funds. This alliance occurred during the *Leader v. Facebook* case too. Cooley and McBee

funneled [Obama-stimulus funds](#)[24] to [Solyndra](#) (\$535 million)[25] and [BrightSource](#) (\$1.6 billion).[26] That money is all spent. Where did it go? Dubai? British Virgin Islands? Beijing? Bangalore? Cayman Islands? A more interesting question is how many *Leader v. Facebook* judges, judicial employees, their families and friends have their names on these accounts? What politicians are on the take too?

Cooley-McBee Strategic's Mike Sheehy lobbied for BrightSource and worked for Nancy Pelosi



The tangled web gets worse. McBee Strategic disclosed that one of its lobbying agents for BrightSource is [Mike Sheehy](#). [27] Sheehy was Speaker of the House Nancy Pelosi's National Security Adviser for six years prior to joining McBee in March 2009.

Did Cooley's Donald Stern Justice Department adviser "have an understanding" regarding Stark's prospective judge seat re. the *Leader v. Facebook* outcome?

Bottom line, Michael Rhodes, Facebook's lead attorney in *Leader v. Facebook*, was a heartbeat away from the Executive Branch and Department of Justice "transition" team during the *Leader v. Facebook* proceedings. Judge appointments, including Leonard P. Stark, were on the agenda. Was Stark given a choice to rule for Facebook no matter what, or kiss his appointment goodbye since Cooley had their man, Donald Stern, in the White House calling these shots?

On May 1, 2013, just a few weeks ago, about the time his name surfaced as a key player in this judicial corruption scandal, Stern unceremoniously left Cooley and joined [Yurko, Salvesen & Remz, P.C.](#) as "Of Counsel." This means that he was in such a hurry to leave Cooley that he did not have time to negotiate a partner agreement with Yurko, which is a very small Boston law firm. This is an extremely odd move for such a prominent attorney with a fat Rolodex.[47]

Veteran Judge Joseph Farnan appears to have been forced into retirement *one (1) month* before trial so that Stark/Cooley could take over the proceedings. Those close to the case say Farnan had told the attorneys he was looking forward to the trial, then suddenly, he was sidelined after carrying the ball right up to the brink of trial.

Like lemmings, the Federal Circuit appeals court judges, their clerk, then the U.S. Supreme Court followed suit. Judicial financial reports reveal that two of the three judge Federal Circuit panel held stock in Facebook during the proceedings. These judges had a direct financial interest in decision

favorable to Facebook. At this point Cooley and Facebook's other handlers were sending a signal to a shocked legal world that they were in control of the federal appeals process . . . so everyone might as well shut up and simply admire their abuse of power.



FOIA Request: Patent Office invokes Executive Privilege

Leader v. Facebook



"The Great Patent Office Payoff"

On March 12, 2013, the U.S. Patent Office claimed "executive communication privilege" in blocking disclosure of Freedom of Information Act documents requested by a U.S. citizen. Here is our April 15 update on the FOIA request - [The Real Facebook, A Portrait of Corruption](#). With the invocation of executive privilege, President Obama signaled that he had interfered himself in the *Leader v. Facebook* case.

Are we going to find out that Obama instructed the Patent Office to ignore well-settled legal precedent? That would be the same logic he used to instruct Attorney General Eric Holder *not* to

enforce the [Defense of Marriage Act](#).

Facebook's Cooley attorneys are tied at the hip to Obama. Obama uses Facebook to communicate daily with 47 million followers. Facebook makes millions from advertising on the Obama fan pages. Facebook's Cooley attorneys have been beneficiaries of Obama's "green energy" stimulus funds. It now seems that Cooley may have even helped *dispense* Obama's "green" in collusion with McBee Strategic.

Is Cooley Godward LLP running the White House?

As this new Justice Department and Patent Office scandal emerges, will the combined scandals bring down this administration?

Q: How many Cooley Godward Kronish LLP attorneys does it take to become a kind of mob counsel ([consigliere](#))[28] to the Obama Administration?

A. At least 64, apparently.

Will the mainstream media finally wake up to the charades and manipulation of the press by some very corrupt power mongers?

Drip, drip, drip.

Stay vigilant. Let's keep pulling on the strings of this scandal until we unravel it. In this post, we have given you more names to add to your corruption watch list.

###

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Posted by K. Craine at 8:30 PM



32 comments:



K. Craine  June 13, 2013 at 11:11 PM

Comment by: Lisa

NPR / The Two-Way) SALES OF ORWELL'S 1984 SPIKE AFTER NSA REVELATIONS

As of Tuesday morning, Amazon sales of George Orwell's Dystopian novel 1984 had jumped 6,021 percent in just 24 hours, to No. 213 on Amazon's bestseller list. As NPR's Alan Greenblatt recently pointed out, many people have found uncomfortable resonances between Orwell's "Big Brother" state and the news that broke last week of U.S. government surveillance programs.

I am reminded that this is exactly what Mike McKibben, Al Stern and Professor Hy Berman warned of:

<http://www.leader.com/docs/in-bytes-we-trust-mckibben-stern-08072012.pdf>

The world is following a pack of devils, it would appear.

[Reply](#)



K. Craine  June 15, 2013 at 9:04 AM

K. Craine June 15, 2013 at 8:50 AM
Comment from: Law Blogger

MORE FROM THE FACEBOOK MINISTRY OF DISINFORMATION

Just ran across this article in our SF Biz Times this morning.

<http://www.bizjournals.com/sanfrancisco/blog/2012/02/facebook-likes-fenwick-for-ipo.html>

The article about Gordon K. Davidson and Fenwick & West LLP says "Fenwick has a history with Facebook, having handled the social media company's corporate work since 2007."

Well we know now that is misdirection since (a) Fenwick has been representing James W. Breyer and Accel Partners/KKR since the late 1990's--the puppet masters, (b) Fenwick represented Leader Technologies in 2002-2003 and had Leader's social media source code in their files according to the company, (c) Fenwick represented Marc Andreessen on two social patents he filed in 2005 which have been assigned to Facebook, and (d) the Fenwick attorney working on the Andreessen patents, Christopher P. King Reg. 60,985, was assigned to the Zuckerberg patents in early 2012, but changed his name to "Christopher-Charles King."

More lies and misdirection.

P.S. Don't worry, I made a PDF of the article just in case it mysteriously disappears from the web (as things seem to do out here on a daily basis; Silicon Valley should be renamed The Fourth Reich) and am emailing it to you now.

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K. Craine June 15, 2013 at 9:05 AM

Here's the article from Law Blogger with a full citation:

"Facebook likes Fenwick's legal eagles for IPO" by Eric Young, San Francisco Business Times, Feb. 2, 2012, 11:26am PST. Accessed Jun. 15, 2013
<http://www.bizjournals.com/sanfrancisco/blog/2012/02/facebook-likes-fenwick-for-ipo.html>; See also
<https://docs.google.com/file/d/0B2SfG2nEsMfqSTM2TGIMRDBLSmM/edit?usp=sharing>

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K. Craine June 15, 2013 at 12:48 PM

omment by: snoop dog

Hey folks, guess what I just discovered? Donald K. Stern, the Cooley attorney advising Obama just jumped ship on May 1, 2013 and landed at some little Podunk law firm in Boston where he is "of counsel" which means he's not even a partner! That's just about the time AFI first identified Stern as a player in this scandal. Why would he leave Washington where he is advising the President on Justice Department policy, and go to a dinky little firm that doesn't even have a proper website, if there is not something wrong? I think we know what's wrong 8-O

Are Stern's and Cooley's chickens coming home to Washington and smelling the place up? LOL.

<http://boston.citybizlist.com/article/donald-k-stern-joins-yurko-salvesen-remz-pc-counsel>

[Reply](#)



Rain Onyourparade June 16, 2013 at 7:32 AM

Just discovered that AMBER H. ROVNER of WEIL GOTSCHAL LLP has recently changed her name to "AMBER L. HAGY." So, she is listed in various legal filings over the last decade at:

1. AMBER L. NAGY (current)
2. AMBER H. ROVNER (Leader v. Facebook and Microsoft filings)
3. AMBER HATFIELD (Zoominfo)

Zoominfo also has her listed as an attorney for Thompson & Knight LLP.

Is anybody else starting to twitch? This is shades of Fenwick & West's attorney Christopher P. King changing his name to Christopher-Charles King especially for Facebook. Did these people lose their birth certificates? ... no, I won't go there.

AMBER H. ROVNER (aka AMBER L. NAGY aka AMBER HATFIELD) and EDWARD R. REINES were hired by the Federal Circuit Bar Association to file the motion to absolve the judges of conflicts in Leader v. Facebook. They withdrew it after Dr. Lakshmi Arunachalam's

blistering response where she took them to the woodshed over ethics. Then, Jan Horbaly didn't docket the FCBA's motion or Dr. A's response. But, here it is thanks to the AFI community:

<http://www.scribd.com/doc/106156081/Response-to-Request-of-Federal-Circuit-Bar-Association-s-Request-for-Reissue-Re-Leader-v-Facebook-Case-No-2011-1366-Fed-Cir-by-Lakshmi-Arunach#page=30>

Also remember that WEIL GOTSCHAL LLP is JUDGE KIMBERLY A MOORE'S former client (hmmmm, she didn't disclose that either).

AMBER H. ROVNER aka AMBER HATFIELD aka AMBER L. NAGY is a big company woman. She represents Microsoft, Samsung, 3M, Intel, Rockwell, Ericksen... all big infringers with lots of money to buy off judges.

AMBER ROVNER/HATFIELD/HAGY appears to be a big money lawyer-goat. Judging from her names changes, apparently she was married to her work. I gotta ask, how does someone acquire a DIFFERENT MIDDLE INITIAL all of a sudden? Trying to avoid investigation search engines?

<http://www.weil.com/AmberHagy/>

<http://www.zoominfo.com/p/Amber-Hatfield/32968963>

http://www.zoominfo.com/CachedPage/?archive_id=0&page_id=-1663247380&page_url=//www.weil.com/amberrovner/&page_last_updated=2009-02-06T07:01:01&firstName=Amber&lastName=Hatfield

<http://www.weil.com/people/detail.aspx?attorney=2870&show=news>

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John Craven June 17, 2013 at 6:47 PM

This comment has been removed by the author.



John Craven June 17, 2013 at 6:50 PM

Really?

This woman was counsel on a single amicus brief that was denied a few days after being filed. That's the extent of her involvement in this case and yet you think that she has now changed her name to avoid search engines? And her former name appears right there on her Weil profile? Yes, that makes perfect sense.

And you really think that Mr. Stern has ever even heard of Leader? He's leaving Cooley in order to hide from this blog? Unbelievable. A more reasonable explanation may be that he has made his millions and is now ready for a more low key, easy lifestyle where he doesn't have to bill 3,000 hours per year. The idea that his move (announced publicly) has anything to do with Leader is really delusional.



K. Craine June 18, 2013 at 6:16 AM

Yawn. Corrupt people always make such haughty comments and label those who expose them as "delusional." That way they can avoid the hard, cold, condemning FACTS.

Your knowledge of the supposed true motives of all these people is uncanny.



K. Craine June 18, 2013 at 1:28 PM

Typo:

AMBER L. NAGY (current) should read:

AMBER L. HAGY

[Reply](#)



John Craven June 16, 2013 at 3:25 PM

Sigh. This last comment is once again full of misinformation.

Amber is not hiding anything. She recent got married. In fact, look at her official Weil profile. It actually lists, right there on the page, her former name. <http://www.weil.com/AmberHagy/>. So much for the grand conspiracy theory.

The federal circuit bar association never withdrew its motion. In fact, if you look at the actual docket, you will see that the federal circuit DENIED the motion very shortly after it was filed. And yes, this is the same panel that included Judge Moore, who was supposedly conflicted. And this motion came months after the federal circuit denied Leader's appeal, and was the first time that Weil Gotschal ever appeared in this action. So exactly how was there a conflict??

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K. Craine June 18, 2013 at 6:13 AM

We fully expected this excuse. We've seen these sneaky "plausible deniability" excuses at every turn from Facebook attorneys. This comment betrays you. We think you are Clerk of Court Jan Horbaly trying to fix your corrupt practices. Valerie White your staffer gave you away. Your tricky games with the rules of procedure hang you. Dr. Arunachalam's motions were filed timely. That's why we posted them with the express delivery receipts. We figured you would start making these claims later. The facts condemn you.

[Reply](#)



John Craven June 17, 2013 at 10:16 AM

Here is the actual docket entry from the federal circuit. And all of Dr. A's motions are also listed on the docket. The federal circuit only provides electronic access to the official case caption, entries of appearance, and certificates of interest. No other documents are posted electronically, so the fact that Dr. A's motions are not online is nothing unusual. In fact, it would be bizarre if they WERE online.

MOTION: Entry 53 :by Other - Request for reissue of Order as precedential. SERVICE : by Mail on 9/11/2012

REPLY 1: 9/18/2012 , Entry # 55

ACTION: Entry 54 :The motion for reissuance of the court's August 10, 2012 order as precedential is denied. Filed: 9/18/2012

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K. Craine June 18, 2013 at 6:10 AM

So where is the motion for the public to download? Where is Dr. Arunachalam's response to download from the court's PACER site? These clerk notes are the bare minimum to keep you and your collaborators out of jail. We have your number.

[Reply](#)



John Craven June 17, 2013 at 7:58 PM

The fact that this blog keeps claiming that the clerk of the court failed to docket entries is really just disgusting. The official case docket reflects every single filing, including all of Dr. A's briefs. Why are those briefs not online? Because that is how the Federal Circuit's system is set up. Check any case. Virtually none of the filings are online. I really wish this blog could express opinions that are actually grounded in truth.

[Reply](#)

[steve n amy June 18, 2013 at 3:26 AM](#)



Wrong, John!

I , personally, talked on the telephone with a Ms. Valerie White in the Clerk's office, asking about these such docket filings (as well as FOIA requests on the judges' public holdings info). She assured me that she knew nothing, couldn't find any mention of them electronically or on paper.

And when she said that it was odd, she wanted to look into it and get back with me; she mysteriously disappeared from her post the next day; I guess she was out of the loop.

But you could always ask for your FB/NSA buds to pull the phone records if you feel so inclined to verify these facts.

[Reply](#)

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K. Craine June 18, 2013 at 6:24 AM

John Craven aka Federal Circuit Clerk of Court Jan Horbaly is doing more damage control for his corrupt practices. He says "Why are those briefs not online? Because that is how the Federal Circuit's system is set up. Check any case. Virtually none of the filings are online. I really wish this blog could express opinions that are actually grounded in truth."

The law says clerks should go to jail for censoring dockets. Notice the tricky wording? He is splitting hairs between the docket and the underlying pleading that gave rise to the clerk entry... which should INCLUDE the actual pleading. He is admitting here that he censors dockets in other cases too! Amazing that the Monarch in Chief at the Federal Circuit has so twisted the rules that he can randomly decide when a litigant's pleadings should and shouldn't be made available. This is the definition of corruption.

He thinks he's above the law.

[Reply](#)



Rain Onyourparade June 18, 2013 at 6:50 AM

Perhaps non-lawyers would miss this, but there is an astounding admission by Craven/Horbaly here. He says that Rover-Hatfield-Nagy did file the motion on behalf of the Federal Circuit Bar Association. THE LAW REQUIRED HER TO ENTER AN APPEARANCE WITH THE COURT ON AN AMICUS BRIEF. There is no public record on the docket of her appearance. Also, Horbaly admits the court denied it within days. Again, how is it possible that such a denial could occur so quickly? The judges would not have had time to get it, much less review and conference on it. Craven/Horbaly is hoping that no one will notice that he censored the docket here. Isn't it conveeeeeenient, as the Church Lady says, that Rovner changed her name to avoid detection by search engines. The re-marriage excuse just gives plausible deniability. Why she changed her name is irrelevant.

The fact that she did it to help out Craven/Horbaly and that it so conveniently hides the Rovner association with Weil Gotschal and Judge Kimberly A. Moore is the interesting conduct. They're worried about this. Let's keep digging.

He also wants non-lawyers to think that the fact that Leader was denied is somehow relevant, which it isn't if they were still in the window period for filing a response. The case was still active, despite the whitewash. It is laughable that they want honest people to follow the rules while they play their crooked games.

Again Craven/Horbaly are hoping to confuse the public with their rules of procedure games. Not this time boys and girls. We're on to your tricky shit lawyer games. Excuse the French.

Horbaly is running a protection racket at the Federal Circuit court of appeals in my opinion.

BTW. The way Horbaly has the Federal Circuit docket set up, he can slip in changes to entries at will. We'll probably see all this magically appear now that he is exposed. I have certified records of the earlier censored dockets. House investigators should start by deposing the Federal Circuit staff.

[Reply](#)



K. Craine June 18, 2013 at 7:00 AM

Comment by: SuperSleuth

When you live with the machinations of bad guys like I do, you learn that they alloperate on the premise of "in confusion there is profit".

Craven is just doing what bad guys do: practicing misdirection. I can guarantee to you that his arrogant "delusional" comment is hiding a very tight sphincter muscle. Let's make it tighter.

Somebody in this crowd will start squealing to avoid jail time. I suggest that person(s) should make contact with a staffer for the House Oversight Committee on Government Reform in exchange for immunity.

[Reply](#)



K. Craine June 18, 2013 at 7:13 AM

Comment by: snoop dog

Ego-driven lawyers like Donald K. Stern (I know I am being redundant) don't leave the power centers of Washington mid-term for the wilds of a Podunk Boston law firm where he doesn't even get designated partner (he's only Of Counsel which is short for We-Have-Issues-But-Are-Willing-To-Give-It-A-Try), unless something is wrong. What's the problem that a Podunk Boston firm is worried about designating a former Cooley advisor to Obama on the Justice Department as a partner in their little firm? Under normal circumstances, he'd be big man on campus. High ego people like that don't hunker down in the rear seat unless they're hiding from the law.

That doesn't pass the smell test.

[Reply](#)



K. Craine June 18, 2013 at 7:40 AM

Comment by: lisa

Where's the "avoid the appearance of impropriety?" These people have no shame. Impeachment, disbarment and jail it is then.

[Reply](#)



K. Craine June 18, 2013 at 8:01 AM

Comment by: Judicial Corruption

Here are the laws Clerk of Court Horbaly and his staff are breaking in my opinion:

=====

Code of Conduct for Juducial Employees, Canon 3

<http://www.uscourts.gov/rulesandpolicies/codesofconduct/codeconductjudicialempleyees.aspx>

and

=====

18 USC § 2071 - Concealment, removal, or mutilation generally

<http://www.law.cornell.edu/uscode/text/18/2071>

"(a) Whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, or, with intent to do so takes and carries away any record, proceeding, map, book, paper, document, or other thing, filed or deposited with any clerk or officer of any court of the United States, or in any public office, or with any judicial or public officer of the United States, shall be fined under this title or imprisoned not more than three years, or both.

***** (b) Whoever, having the custody of any such record, proceeding, map, book, document, paper, or other thing, willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies, or destroys the same, shall be fined under this title or imprisoned not more than three years, or both; and shall forfeit his office and be disqualified from holding any office under the United States. As used in this subsection, the term "office" does not include the office held by any person as a retired officer of the Armed Forces of the United States." *****

Ouch.

[Reply](#)



John Craven June 20, 2013 at 6:59 PM

The very first time that this blog mentioned Donald Stern was in June. He left Cooley over a month earlier on May 1, 2013. So tell me how exactly anything here had the remotest thing to do with him? And likewise explain why he would very PUBLICLY announce the move. One who is seeking to get out of the spotlight and avoid implication does not do such a thing.

The same is true for Ms. Hagy. You claim that she changed her name to avoid search engines. And yet her official Weil profile has her old name right there on the same page. It makes absolutely no sense whatsoever if she were actually trying to do what you accuse her of.

[Reply](#)



John Craven June 20, 2013 at 7:03 PM

And let me clarify one last thing. You claim that because documents are not online that this is evidence of censoring. Absolutely false. Most federal courts do not make documents available online. You have to go to the court, pay a copying fee, and get the documents from the court directly. All of the documents in this case are available in this fashion. Nothing has been censored, destroyed, concealed, etc. so all of this conversation about clerk Horably acting improperly is just nonsense. Go to the court, request the documents, and then report back if you still think something sinister is afoot.

[Reply](#)



John Craven June 20, 2013 at 7:43 PM

And one more. This blog continuously claims that Facebook claimed that all of Zuckerberg's computers/ hard drives were lost. Where is there a piece of discovery that claims this? Or a single letter from Facebook's attorneys to this effect? It doesn't exist. There has never been a shred of evidence to support that claim. Additionally, the deposition testimony does not establish any type of timeline for the 28 hard drives. This is just more innuendo from the Leader crowd.

[Reply](#)



K. Craine June 21, 2013 at 7:02 AM

Comment by: Darren

If you have all this supposed access to the court record in this case, then why haven't you produced one single bit of information to backup anything you claim? You're fishing and the fish aren't biting. Blather on.

[Reply](#)



K. Craine June 21, 2013 at 7:06 AM

Comment by: surfer dude

The Zuckster's only defenders are his crowd of crooked lawyers. It's a liar's love fest.

[Reply](#)



K. Craine June 21, 2013 at 7:10 AM

Comment by: Judicial Corruption

This Craven guy is expecting us to correct him every time he lies to see if he can slip in a lie now and then. The timeline on the hard drives is a tellingly misleading comment. Of course there is a timeline, those drives predate the ConnectU Winklevoss Twins trade secrets case circa 2005.

[Reply](#)



steve n amy June 21, 2013 at 7:44 AM

O Valerie, Valerie, wherefore art thou Valerie?

[Reply](#)



K. Craine  June 24, 2013 at 8:08 AM

steve n amy are of course referring to a Federal Circuit (Clerk of Court Jan Horbaly) staffer named Valerie White. Steve called the Clerk's published number to inquire why none of Dr. Lakshmi Arunachalam's amicus curiae briefs (Latin for Friend of the Court) in support of Leader Technologies and opposing the evident judge bias had been acknowledged and posted on the court docket by the Clerk. This came after the court denied Dr. Arunachalam's motion within hours of receiving it (the same day).

Ms. White expressed surprise at the information and said there was no record of having received any motions or briefs from Dr. Arunachalam. When Steve produced Express Mail delivery receipts as proof, Ms. White said something was amiss and would get back to him. When Steve followed up the next morning, Ms. White's phone extension no longer worked and no one knew the new extension. In short, Ms. Valerie White had been muzzled.

Since the Federal Circuit office is not large, one can reasonably surmise that Clerk of Court Jan Horbaly did the muzzling of his employee who was evidently not part of the Facebook inner circle.

Here's Steve's original post at DonnaKlineNow!

<http://donnaklinenow.com/investigation/hijinks-at-the-high-court/comment-page-1#comment-3356>

[Reply](#)



Derek Johannas June 24, 2013 at 7:46 PM

I don't understand this. If Leader had this technology 10 years ago, why didn't it just launch a competitor to Facebook? I am looking at their patent and at Facebook and they look like completely different things.

[Reply](#)



John Craven June 24, 2013 at 10:19 PM

There has still never been any evidence that Facebook ever took the position that any hard drives were lost. I have just never seen a shred of evidence to support that accusation. If Facebook actually made such a claim, there would be a motion to compel, correspondence from Facebook attorneys, court documents, etc.

[Reply](#)



K. Craine  June 30, 2013 at 8:08 PM

Comment by: bg

The fish still aren't biting John and Derek. The two of you have still not produced one fact to support Facebook. You are either ignorant, naive, or one of them. You keep trying to change the argument. It's what bad guys do. The Facebook crowd is nothing but a bunch of crooks. Crooks cannot produce evidence to defend their crookedness (unless they fabricate some and buy off judges to accept it, which is what you have done), and you aren't producing any either. What does that make you as a defender of this crookedness, if you are not simply one of them?

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