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Tuesday, January 7, 2014

WALL STREET MANIPULATION OF JUDGES, POLITICIANS AND REGULATORS EXPOSED BY LEADER V. FACEBOOK JUDICIAL CORRUPTION

"DARK POOLS" USED FOR CURRENCY, BRIBES, COERCION AND UNDUE INFLUENCE

RIGGED LEADER V. FACEBOOK, LIKELY CRASHED NASDAQ

CONTRIBUTING WRITERS | OPINION | [AMERICANS FOR INNOVATION](#) | [UPDATED JUN. 15, 2016](#) | [PDF](#)



Updated May, 19, 2016. Note: All broken links have been repaired (We think! A hacker selectively deleted over 200 documents which we have restored).

CLICK HERE FOR HIJACK OF THE INTERNET **TIMELINE** AND DATABASE

WALL STREET JOURNAL DATA EXPOSES CONTRAFUND'S DUPLICITY & JUDGE COMPLICITY

NEW! JAN. 22, 2014—A critical Morningstar table summarizing 189 Facebook IPO mutual fund investors has just surfaced in the The Wall Street Journal archives. The WSJ online article is scrambled and difficult to read, but AFI technical experts fixed the problems (Thank You!). Here is the article, titled [Morgan Stanley Funds in Big Facebook Bet](#), WSJ, Aug. 24, 2012. Here is the [Facebook IPO investing spreadsheet](#) of the table in the article.

As of Jun. 30, 2012, FIDELITY CONTRAFUND had invested \$413,476,551 in Facebook. Of the 16 Fidelity funds tallied by Morningstar, Fidelity's total investment was \$818,228,924. Much,

Facebook Shares as of June 30, 2012

RANK	NAME	TOTAL AUM	FB SHARES AS OF JUNE 30
1	Goldman Sachs Asset Management, L.P. (U.S.)	82,329.1	36,634,486.0
2	Baillie Gifford & Company	60,809.1	19,380,440.0
3	Fidelity Management & Research Company	544,656.5	18,774,915.0
4	T. Rowe Price Associates, Inc.	338,744.6	18,663,997.0
5	Morgan Stanley Investment Management, Inc. (U.S.) 54,113.2	54,113.2	16,362,788.0
6	BlackRock Fund Advisors	768,143.8	11,690,656.0
7	Sands Capital Management, LLC	22,157.4	11,649,292.0
8	Jennison Associates, LLC	80,316.4	9,691,825.0
9	The Vanguard Group, Inc.	908,526.5	9,582,480.0
10	Capital Research Global Investors (U.S.)	366,059.2	8,273,200.0

Source: "Who Else Has a Big Bet on Facebook" by Teis Demos, *The Wall Street Journal*, Aug. 24, 2012

NEW! JAN. 23, 2014 FIG. B—Leader v. Facebook judges Roberts, Lourie, Moore, Wallach and Stark were/are all heavily invested in Fidelity and T.Rowe Price "dark pool" Facebook funds, yet failed to mention it during the proceedings. Disclosure of even the appearance of impropriety is required by the Code of Conduct. Tellingly, Justice Roberts recused himself from the Microsoft v. 141 case because of his Microsoft holdings and his relationship to Thomas G. Hungar, Gibson Dunn LLP, Facebook's attorney as well as [attorney to the Federal Circuit Bar Association \(FCBA\)](#). The FCBA failed to mention this conflict when they filed their [Request motion in Leader v. Facebook on Sep. 11, 2012](#). Microsoft is one of Facebook's largest investors, and is a member of the FCBA "Leaders Circle." The judicial and attorney conflicts of interest not disclosed in Leader v. Facebook are off the charts.

Request for **DOWNLOAD** Congressional Intervention



if not all, of Fidelity's investing occurred in "dark pool" pre-IPO period brokered by Goldman Sachs. As of Jun. 30, Goldman Sachs's holding had dropped to \$21,910,983. However, **GOLDMAN SACHS** had already dumped **\$914,000,000** of its shares at Day 3 of the IPO, on May 26, 2012. See Fig. 3. below.

Another WSJ article:

[Demos, T. \(Aug. 24, 2012\).](#)

Who Else Has A Big Bet on Facebook. The Wall Street Journal, provides a top 10 table of mutual fund investors. Now familiar Facebook cartel actors include **GOLDMAN SACHS** at No. 1, **FIDELITY** 3rd, **T. ROWE PRICE** 4th, **MORGAN STANLEY** 5th, **BLACKROCK** 6th and **VANGUARD** 9th.

Our bottom line assessment of these new data, now seen in context, is that **FIDELITY IS THE REAL WOLF OF WALL STREET**. Sadly, our highest judges and government officials could not resist investing in the Mother of All Stock Scams. See Fig. A below. Evidently, in their hubris they believed they could use their collective powers to squash dissent and avoid public accountability. These are big numbers these people were toying with.

THE MATH ALONE PROVES THE CORRUPTION

Ask yourself, what are the statistical odds of all the Leader v. Facebook judges, senior Commerce Department officials and Director of the Patent Office all being heavily invested in the Facebook cartel—with four of the five judges holding mountains of Fidelity stock, and three of the five holding Fidelity Contrafund specifically? And, they were all invested before 2008. That's right, short of omniscience or collusion, it is a statistical impossibility. There is no middle ground. This was a large-scale, well-thought-out plan. Trouble is, insider trading is illegal. The math only makes the corruption stick out like a sore thumb. Are these judges and patent officials above the law?

Excel file containing all four sections of the WSJ table from the article titled: [Lucchetti, A., Demos, T. \(Aug. 24, 2012\)](#); Morgan Stanley Funds in Big Bet Facebook Bet. The Wall Street Journal.

[Excel spreadsheet \(*.xls\)](#)

NEW! JAN. 23, 2014 ATTORNEY GENERAL ERIC H. HOLDER DOVE INTO FACEBOOK'S DARK POOLS TOO

[Eric H. Holder's 2009 financial disclosure](#) reveals at least three Facebook "dark pools" in which he was invested prior to the Facebook IPO. [The Wall Street Journal list](#) reveals Fidelity Blue Chip Growth FBGRX (\$53M), Fidelity Contrafund FCNTX (\$413M) and T.RowePrice Blue Chip Growth TRBCX (\$84M). **This conflict of interest explains why he throws only puff balls at Wall Street and Executive Branch wrongdoers** in the 2008 bank bailout of Wall Street (read: padding wallets; killing competition; deceiving taxpayers; buying an election), Benghazi (R.I.P. Amb. Stevens. Tyrone Woods, Sean Smith and Glen Doherty), energy stimulus, IRS, AP, Fast & Furious (R.I.P. Agent Brian Terry) and Obamacare. They're his dark pools investing club members. People have died because of their secrecy and corruption. Ask yourself, how is it that this lawyer has amassed up to a \$22.4 million net worth.



Photo: Paul J. Richards AFP/Getty Images

NEW! JAN. 23, 2014 S.E.C CHAIR MARY L. SCHAPIRO COULDN'T RESIST THE TEMPTATION TO DIVE INTO THE "DARK POOLS"— DESPITE HER SOLEMN PUBLIC DUTY NOT TO DO SO

SEC records summarized by The Wall Street Journal on Aug. 24, 2012 reveal that [T. Rowe Price Growth Stock \(PRGF\) Fund](#) invested **\$199,863,052** in [Facebook as of Jun. 30, 2012](#). Schapiro's financial disclosure shows that among their 27 T.Rowe Price investments, [Schapiro and her husband had \\$350,000 invested in PRGF](#).

Given T.Rowe Price's very public "dark pools" pre-IPO investing, the specter of collusion looms large. This is especially true since the "dark pools" investing started only after Schapiro blessed the now infamous 500-shareholder exemption. That unprecedented exemption was used by Goldman Sachs as the excuse to sell T.RowePrice hundreds of millions of dollars of private Facebook stock, in an unregulated, secret, "dark pools" market. T.Rowe Mary liked these funds so well that she gorged herself on up to \$45 million worth.

Schapiro's conduct signals that she was not about to be left out of the stock scam of the century. After all, a presidential pardon for her sins was probably promised as her backstop. Such conduct would explain why the President doesn't fire anyone in his many scandals. Those people were likely just following orders.



Photo: Evan Vucci/AP/Chris Webb

NEW! JAN. 17, 2014—CHIEF JUSTICE ROBERTS' LEADER V. FACEBOOK MISCONDUCT PROVED DEFINITELY BY S.E.C. RECORDS. AFI investigators have been digging into the stock portfolios of the Facebook "dark pool" funds. One overarching observation is that the same Facebook cartel names keep popping up, **IN ALL OF THESE FUNDS**—Fidelity, Vanguard, T. Rowe Price, Blackrock, JPMorgan, Morgan Stanley, Goldman Sachs, etc.

Social Networking: The True Story

HealthCare.gov's confiscation of this property cannot stand

Leader: 145,000 man-hours • over \$10 million • 20 people • solid engineering • hackers not welcome • affirms privacy, security, property • no foreign influence • respects U.S. Constitution

Facebook: "one to two weeks" • beer money • all by myself • 28 hidden hard drives • stole Harvard photos • hacks email • PayPal Mafia handlers • scoofs at privacy • corrupts markets, judges, politicians & gov't agencies

OpenTrial.org

Leader v. Facebook

Facebook — a force for freedom perhaps, but at odds with the rule of law in the U.S.



John Adams, or...?

Federal Corruption

CLICK TO LOOK INSIDE

- Congressional Briefings
- Federal Circuit Censored Docket
- Americans for Innovation Archives
- Disclosures: Exec | Judiciary | USPTO
- Patent Office FOIA Stonewalling
- Donna Kline Now! Archives

Faces of Facebook Corruption

Updated Mar. 19, 2014

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CONGRESS CONTACT LOOKUP

Contacting the Congress

 = Universal Toxic Substance Symbol & Warning

FINANCIAL HOLDINGS OF OBAMA POLITICAL APPOINTEES, BY AGENCY

FOLLOW BY EMAIL

Email address...

BLOG ARCHIVE (New, 1/20/14)

- ▶ 2016 (16)
- ▶ 2015 (34)

This verifies that these fund managers were coordinating their "dark pools" agenda. So much for arm's length, transparent public markets, Entire Fairness and the Business Judgment Rule. (Those rules are only for the rest of us poor saps who respect and follow the Rule of Law.) No market can operate freely when the market makers are colluding. Also evident is that selected senior government regulators at the S.E.C., Commerce, HHS and the judiciary were invited to play, and they did.

CHIEF JUSTICE JOHN G. ROBERTS had investments in **FIDELITY CONTRAFUND K (FCNKX)** and **T. ROWE PRICE SCIENCE & TECHNOLOGY FUND (PRSCX)**, and others, at the same time when the Leader v. Facebook **Petition for Writ of Certiorari** came before him on Nov. 16, 2012. This is in addition to his close mentoring relationship to Facebook's attorney, Thomas G. Hungar, Gibson Dunn LLP. Keep in mind that in 2011 Roberts had recused himself in the **Microsoft v. i4i** patent case, presumably because of his relationship to Hungar (who was counsel of record for Microsoft) and his Microsoft holdings. So, Roberts understands the conflict of interest rules, he just chose not to follow them in Leader v. Facebook.

THE REAL WOLF OF WALL STREET

Fidelity Contrafund 12-31-2012
FCNTX

Fidelity Contrafund K 12-31-2012
FCNKX

FCNTX and/or FCNKX held by **Leaders v. Facebook** Judges & Obama administration officials:

1. **John G. Roberts, Jr.**, Supreme Court
2. **Kimberly A. Moore**, Federal Circuit
3. **Evan J. Wallach**, Federal Circuit
4. **Edward K. Koh**, Health & Human Services
5. **Eric S. Lipton**, Attorney General
6. **John I. Sullivan**, Federal Election Commission
7. **Carol M. Martin**, Education
8. **Jan N. Fogel**, Homeland Security
9. **Alison J. Nathan**, White House
10. **Debra L. McInerney**, White House

Other Fidelity "dark pool" funds held by Judges and Obama cabinet:

1. **Leonard P. Stark**, Dist. Cir. Del.
2. **Stephen G. Breyer**, Sup. Cir.
3. **Clarence Thomas**, Sup. Cir.
4. **Rebecca M. Blank**, Comm. Sec., USPTO
5. **Cameron F. Kerry**, Comm. GC, USPTO
6. **Timothy Geithner**, Treas. Sec.
7. **Steven Chu**, Energ. Sec.
8. **David S. Kris**, Just.
9. **Donald M. Rumsfeld**, Army

101 Obama Cabinet Members & 11 Federal Judges involved with Leader v. Facebook hold one or more Fidelity Funds. **30** Fidelity Funds Invested (via FIA, Central Fund) in Facebook pre-IPO dark pools.

Summary of Facebook conflicts of interests.
Code of Conduct for United States Judges: **Yellow Highlight = Notorious Facebook collaborator**

"Avoid even the appearance of impropriety."

No.	Conflict	Notorious Facebook collaborators in whom Fidelity Contrafund also holds shares and other rights	Shares	Value (\$000)
1	Leader patent (def)	Aerostar PLC Class A *	12,015,464	\$799,028
2	Leader patent (def)	athenahealth, Inc. (a) *	1,371,392	100,729
3	Leader patent (def)	Boston Scientific Corp. (a) *	956,300	5,480
4	FB Dark Pools	Charles Schwab *	997,500	14,524
5	Accel Partners	Dropbox, Inc. Series A (b) *	1,260,898	11,410
6	Accel Partners	Dropbox, Inc. (b) *	5,464,028	49,445
7	Microsoft	Expedia, Inc. (Microsoft) †	644,487	39,604
8	Patent Infringer	Facebook, Inc. Class A *	24,588,325	654,787
9	FB Dark Pools	Fidelity Cash Central Fund, 0.18% (b) * †	1,072,095,617	1,072,094
10	FB Dark Pools	Fidelity National Information Services, Inc. *	4,527,299	157,395
11	FB Dark Pools	Fidelity Securities Lending Cash Central Fund, 0.18% (b)(c) *	218,692,235	218,692
12	FB Dark Pools	Goldman Sachs Group, Inc. †	347,800	44,365
13	Leader patent (def)	IBM Corp. †	915,236	175,513
14	FB Dark Pools	JPMorgan Chase & Co. *	4,560,232	200,515
15	Leader patent (def)	LinkedIn Corp. (a) †	2,244,889	257,758
16	FB Dark Pools	Morgan Stanley *	2,406,700	46,016
17	FB Dark Pools	State Street Corp. *	2,394,400	121,963
18	FB Dark Pools	T. Rowe Price Group, Inc. *	275,000	17,911
19	Leader patent (def)	Tesla Motors, Inc. (a) †	1,968,741	66,681
20	Accel Partners	Wal-Mart Stores, Inc. *	13,839,600	944,276
21	FB Dark Pools	Workday, Inc. *	1,037,800	56,560
22	FB Dark Pools	Workday, Inc. (b) *	1,223,783	80,027
TOTAL				\$5,163,105

* Leader Technologies, Inc., Columbus, Ohio, U.S. Patent No. 7,139,761.

The Fidelity and T. Rowe Price funds not only held substantial investments in Facebook "dark pools" stock, but they also held investments in 17 Facebook cartel collaborators, including athenahealth,¹ Microsoft,⁵ Goldman Sachs,² Dropbox,⁶ IBM,⁵ JPMorgan,² LinkedIn,⁵ Morgan Stanley,² State Street Corp,² Tesla Motors,³ Baidu (China),⁴ and Mail.ru (Russia),⁴

LEGEND: ¹ Obamacare, HealthCare.gov, Todd Y. Park, Edward Y. Park, Michelle Obama, Robert Kocher MD, National Economic Council, HHS, CGI Federal, Booz Allen, Ann H. Lamont, David A. Ebersman; ²bank bailout; ³energy stimulus; ⁴money laundering & stock fraud; ⁵intellectual property theft; and ⁶data theft. See [PERT Chart](#).

Leader v. Facebook Federal Circuit Judges **KIMBERLY A. MOORE** and **EVAN J. WALLACH** also hold Fidelity Contrafund K. Judge Moore also holds the Fidelity Spartan **US BOND INDEX INVESTOR**

- ▼ 2014 (26)
 - ▶ December (1)
 - ▶ November (2)
 - ▶ October (3)
 - ▶ September (1)
 - ▶ August (3)
 - ▶ July (2)
 - ▶ June (3)
 - ▶ May (2)
 - ▶ April (3)
 - ▶ March (1)
 - ▶ February (2)
- ▼ January (3)

CHINESE INVOLVEMENT IN OBAMACARE HIDDEN BY MISSING...

WALL STREET MANIPULATION OF JUDGES, POLITICIANS AN...

CONGRESS MUST DE-FUND ETHICALLY BANKRUPT FEDERAL C...

- ▶ 2013 (28)
- ▶ 2012 (6)

UPDATE MAR. 25, 2014

FIVE CRITICAL AFI POSTS ON JUDICIAL COMPROMISE

Fully updated Mar. 25, 2014 in the wake of the Scribd censorship:

- HOW PATENT JUDGES GROW RICH ON THE BACKS OF AMERICAN INVENTORS**
Patent Office filings are shuffled out the USPTO backdoor to crony lawyers, banks and deep-pocket clients. 
- WAS CHIEF JUSTICE ROBERTS BLACKMAILED** into supporting Obamacare by his ethical compromises in Leader v. Facebook?
- JUSTICE ROBERTS MENTORED** Facebook Gibson Dunn LLP attorneys. 
- JUSTICE ROBERTS HOLDS** substantial Facebook financial interests.
- JUDGE LEONARD STARK FAILED** to disclose his Facebook financial interests and his reliance on Facebook's Cooley Godward LLP attorneys for his appointment. 

BARACK OBAMA'S DARK POOLS OF CORRUPTION

Click to enlarge

FUND (FBIDX) which reads like a Facebook "dark pools" Who's Who. When combined with Federal Circuit Judge **ALAN D. LOURIE'S** substantial dark pool investments, the trifecta of all three judges involved in Leader Technologies' appeal was complete ([click here to jump to the Judge Lourie section below](#)).

NEW! JAN. 21, 2014—Leader v. Facebook **CHIEF JUSTICE ROBERTS** and District Court Judge **LEONARD P. STARK** share uniquely a Fidelity "dark pool" investment in **FIDELITY SPARTAN 500 INDEX**. This fund includes no less than 12 Facebook cronies, including the Fidelity slush fund, euphemistically named "Fidelity Cash Central Fund." See [Weiss, M. \(Jun. 01, 2011\)](#). Fidelity's Danoff Bets on Facebook. Bloomberg.

Is Danoff one of the real life Wolves of Wall Street? It appears so.

These judges had a clear and present duty to recuse themselves, instead of betraying the public's trust for their own greed. Others in the administration holding the Fidelity Contrafund were Attorney General **ERIC H. HOLDER**, Federal Election Commission Secretary **JOHN H. SULLIVAN**, Education's **CARMEL M. MARTIN**, and Health & Human Service's **HOWARD K. KOH**. The skids for this widespread agenda were well greased.

The core ethical rule is for a judge to "avoid even the appearance of impropriety" in order to maintain the trust of the American people. How much more lawless can these judges and federal officials be?

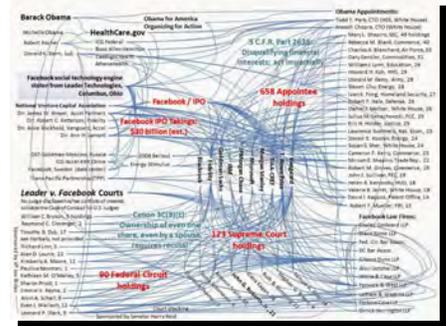
NEW! JAN. 16, 2014—**MORE D.C. CORRUPTION—FACEBOOK "DARK POOLS" FLOOD THE COURT OF JUDGE THOMAS S. ELLIS, III, REMBRANDT V. FACEBOOK, EASTERN DISTRICT OF VIRGINIA.** Judges Ellis recently asked the Facebook-corrupted Federal Circuit to review his denial of a Rembrandt Social Media's expert witness. AFI investigators were suspicious as to why he kicked upstairs such an everyday decision. The Rembrandt case involves the invention of the "like" button claimed by the family of the late Dutch inventor, Johannes Van Der Meer. Very curiously, Fenwick & West LLP was Van Der Meer's attorney. Fenwick & West LLP also represented Leader Technologies. Rembrandt is yet another in a long line of "coincidences" where a Facebook actor has stolen from a real innovator, then hires morally bankrupt lawyers to lie, cheat and steal their way to ill-gotten gain.

ELLIS TIED TO FACEBOOK CARTEL: AFI investigators quickly discovered that [Judge Ellis has aligned his financial interests with the Facebook cartel](#) and should recuse himself. Too many judges throw up their hands when asked about keeping track of stocks in their mutual funds. We have concluded that such bluster probably telegraphs that they are concealing misconduct. Rembrandt's attorney is Fish & Richardson LLP.

This mutual fund stock information is easy to find. Each fund is required by law to publish its holdings regularly. For example, here are [T. Rowe Price's](#) and [Fidelity's](#) websites. Alternatively, one can simply Google the name or symbol of the fund (e.g., FCNTX - Fidelity Contrafund), select the Morningstar URL choice, click "Filings," then select "Semi-Annual" or "Annual Report."

Since 2006, federal judges have been required to keep a ["Mandatory Conflict Screening"](#) database. Here's the policy for the [DC Circuit](#). Given the ready availability of the stock data, adding that information to one's conflicts database is not difficult. However, not a single court in Leader v. Facebook has disclosed its conflicts screening database in response to FOIA requests, or even in response to a [motion to do so](#).

ELLIS' FACEBOOK BEDFELLOWS: Judge Ellis' IRAs hold stock in Facebook directly as well as in "dark pools." In addition, his Facebook cartel holdings include LinkedIn, Zynga, Groupon, Mail.ru (Russia) (aka DST, Digital Sky, Yuri Milner, oligarch Alisher Usmanov), Tesla Motors, Dropbox, Workday, JPMorgan, Morgan Stanley, Goldman Sachs, Microsoft, ComScore, IBM, Wal-Mart, Verisign, Baidu, T.Rowe Price, and even HealthCare.gov architect Todd Y. Park's Athenahealth (which associates National Venture Capital Association directors Ann H. Lamont, Robert C. Ketterson [Fidelity] and James W. Breyer, as well as Obama's National Economic Council member and Obamacare architect, Robert Kocher, as well as Facebook CFO David A. Ebersman). This list doesn't even count the now familiar law firms associated with these companies, including Gibson Dunn LLP, Perkins Coie LLP, Fenwick & West LLP, Weil Gotshal LLP, Latham & Watkins LLP, Blank Rome LLP, White & Case LLP and Cooley Godward LLP. [Jump to Fig. 9 to read the Judge Ellis investigation results below](#). (This evidence is suitable for citizen ethics complaints.



[CLICK HERE FOR WASHINGTON'S ETHICAL DISEASE DISCOVERIES RE. FACEBOOK "DARK POOLS"](#)

STOP FACEBOOK PROPERTY THEFT



WILL HUMANKIND EVER LEARN? Facebook's Orwellian doublespeak about property and privacy (theft) merely repeats the eventual dehumanization of the individual under MAO's Red Star, Stalin's SOVIET Hammer & Sickle and Hitler's NAZI Swastika. Respect for the inalienable rights of each individual is a bedrock value of democracy. The members of the Facebook Cabal abuse this principle at every opportunity. They evidently believe that they deserve special privileges and are willing to lie, cheat and steal in order to treat themselves to these privileges.

ASK CONGRESS: PASS THE INVENTOR PROTECTION ACT!

LEADER TECHNOLOGIES Inventor Protection Act (Proposed)

America needs to practice what it preaches.

We have no business lecturing the world about free enterprise and the rule of law, when we permit the investors in Ohio-based innovator Leader Technologies to go uncompensated for the risks they took to help invent social networking . . .

- a technology upon which the President and U.S. government now rely;
- a technology *stolen* by the "Facebook Cabal" who recruited the federal courts and Patent Office into their club of corruption.

Rescind. Investigate. Sanction. Certify.

Contact your representatives. Ask them to pass it.

Real American inventors need your support.

<http://www.contactingthecongress.org/>
<http://americans4innovation.blogspot.com>

Click image above to download a poster-quality PDF optimized for a 11in. x 17in. (ledger-size) poster. America should not be in the business of cheating its entrepreneurial investors simply because the cheaters buy off judges with the money gained from their theft. Such permissiveness is obscene.

It is your right and duty not to remain silent about this misconduct.)

NEW! JAN. 14, 2014—MORE CHIEF JUSTICE JOHN G. ROBERTS, JR. "DARK POOLS" REVELATIONS. [Jump to Fig. 7 below.](#) Definitive proof from Justice Roberts' financial disclosure and related public documents that he failed his ethical duty to disqualify himself from Leader v. Facebook. This is in addition to his failure to disclose his close personal association with Facebook's attorney Thomas G. Hungar, Gibson Dunn LLP. Use of these indiscretions as blackmail for Roberts' flip-flop on Obamacare seems more likely with each new revelation.

NEWS FLASH!—S.E.C. CHAIR MARY L. SCHAPIRO stock records render the Facebook IPO a sham. [Jump to Fig. 8 below](#) to see the hard evidence for yourself.

JAN. 10, 2014—MORE DARK POOL INFECTIONS. Obama's U.S. Attorney Designate **DEBO P. ADEGBILE** appears to be infected with undisclosed Facebook "dark pools." Are "dark pool" infections crippling the Obama White House? [Click here to see Adebile's financial disclosure.](#)

ORIGINAL POST

(JAN. 7, 2014)—Wall Street "dark pools" are hidden from Main Street by definition. Dark pool stock trades are concealed from the public. As such, U.S. judges and government officials who participate in such pools violate fundamental tenants of public accountability and transparency to "avoid even the appearance of impropriety."[\[1\]](#) Despite the clear rules, the judges in Leader v. Facebook **did not disclose even a single share** of their substantial Facebook "dark pool" holdings.[\[2\]](#)

ROOT OF WASHINGTON'S DYSFUNCTION

We at AFI now believe that these "dark pools," sometimes called "black pools," are at the root of the dysfunction in Washington D.C. Many there carry this hidden agenda, just hoping they "get out of Dodge" before the chickens come home to roost. Everyone has Facebook investment dirt on everyone else, Republican and Democrat.

What better way to silence one's opponent than the threat of exposing his unethical investing conduct? We also believe that Chief Justice John G. Roberts, Jr.'s flip-flop on Obamacare will be traced to some threat or other leveled against him regarding his Facebook "dark pool" holdings by his protégé, Facebook's Leader v. Facebook appeals attorney, Thomas G. Hungar, Gibson Dunn LLP. Hungar is a central player in the Leader v. Facebook improprieties.

ABUSE OF THE PUBLIC TRUST IS AN UGLY THING

Did we mention that Hungar was counsel to the Federal Circuit prior to the Leader v.



FIG. 1—MARY L. SCHAPIRO, S.E.C. CHAIRMAN, Schapiro was appointed by President Obama on Jan. 12, 2009 and resigned on Nov. 26, 2012. In the interim, she protected her [51 investments in Facebook "dark pools"](#) by clearing every regulatory hurdle to enable Goldman Sachs, Morgan Stanley and JPMorgan to sell billions of dollars of Facebook pre-IPO insider stock. Not once did the proponents officially disclose to the investors the risks associated with Facebook having been found guilty on 11 of 11 counts of infringing the patent for social networking held by Columbus innovator Leader Technologies. Photo: Evan Vucci/AP/CBS News.



FIG. 2—T. ROWE MARY PROMISED TO CLEAN UP WALL STREET PRACTICES AFTER THE CRASH OF 2008. Instead, she dove in head first into the Facebook "dark pools" herself; purchasing more than anyone else in the Obama cabinet or judiciary. Photo: Evan Vucci/AP/CBS News.

LEADER V. FACEBOOK BACKGROUND

Jul. 23, 2013 NOTICE: DonnaKlineNow! has gone offline. All her posts are available as a [PDF collection here](#) (now updated, post-Scribd censorship).

Mar. 20, 2014 READER NOTICE: On Mar. 7, 2014, all of our documents linked to Scribd were deleted by that "cloud" service using the flimsiest of arguments. Some of our documents have been there for two years and some had almost 20,000 reads.

George Orwell wrote in 1984 that one knows one is in a totalitarian state when telling the truth becomes an act of courage.

All the links below were updated Mar. 20, 2014 (many thanks to our volunteers!)

1. [Summary of Motions, Appeal, Petition, Evidence, Analysis, Briefings](#) (FULL CITATIONS) in Leader Technologies, Inc. v. Facebook, Inc., 08-cv-862-JJF-LPS (D. Del. 2008), published as Leader Techs, Inc. v. Facebook, Inc., 770 F. Supp. 2d 686 (D. Del. 2001)
2. Dr. Lakshmi Arunachalam's Censored Federal Circuit Filings ([Archive](#))
3. [Brief Summary](#) of Leader v. Facebook
4. [Backgrounder](#)
5. [Fenwick & West LLP Duplicity](#)
6. [Instagram-scam](#)
7. [USPTO-reexam Sham](#)
8. [Zynga-gate](#)
9. [James W. Breyer / Accel Partners LLP Insider Trading](#)
10. [Federal Circuit Disciplinary Complaints](#)
11. [Federal Circuit Cover-up](#)
12. [Congressional Briefings re. Leader v. Facebook judicial corruption](#)
13. [Prominent Americans Speak Out](#)
14. [Petition for Writ of Certiorari](#)
15. [Two Proposed Judicial Reforms](#)
16. [S. Crt. for Schemers or Inventors?](#)
17. [Attorney Patronage Hijacked DC?](#)



18. [Justice Denied | Battle Continues](#)
19. [FB Robber Barons Affirmed by S. Crt.](#)
20. [Judicial Misconduct WALL OF SHAME](#)
21. [Corruption Watch - "Oh what webs we weave, when first we practice to deceive"](#)
22. [Facebook | A Portrait of Corruption](#)
23. [White House Meddling](#)

Facebook case? Despite this profound conflict of interest, the judges and Hungar [were all silent about their prior relationships](#), in violation of every rule of fair play.

T. ROWE MARY SPEAKS WITH FORKED TONGUE

President Obama's S.E.C. appointee Mary L. Schapiro promised to clean up dark pools. Instead, she appears to have aided and abetted the largest dark pools scam in history. See Fig. 2.

Schapiro dove in head first with 51 personal investments in Facebook pre-IPO interests—more than anyone else in the 2009 Obama cabinet. [Twenty-seven \(27\) of Schapiro's investments are in T.RowePrice](#), that purchased 5.2% of Facebook. [3] Just a few months before her appointment, S.E.C. chief counsel, Thomas J. Kim gave Facebook an unprecedented exemption from the well-settled 500-shareholder rule. This rule declares that any company with more than 500 shareholders and \$10 million in assets is a de facto public company and subject to public disclosure of their stock sales. [4]

The first problem with this exemption is that Thomas J. Kim is a former Harvard Law classmate of Barack Obama. He also worked previously for Latham & Watkins LLP, counsel to Facebook's then chairman and largest shareholder, James W. Breyer, and the National Venture Capital Association, whose directors included Fidelity's Robert C. Ketterson, Vanguard's Anne Rockhold and Athenahealth/Castlight Health (Obamacare)'s Ann H. Lamont. These people are the presumptive "dark pool" ring leaders, along with Lawrence "Larry" Summers and his head gopher, Sheryl K. Sandberg, COO of Facebook.

The second problem is the exemption itself. The 500-shareholder rule is one of the most enforced rules on the books. It prevents shysters from setting up their own private +stock markets—just the sort of thing that happened in the 1930's. Nevertheless, Kim issued the ruling without even a public hearing.

S.E.C. EXEMPTION GROSSLY ABUSED

Facebook's underwriters Goldman Sachs, Morgan Stanley and JPMorgan grossly abused the Kim exemption. They used it as their permission to sell billions of dollars of private Facebook stock promoted by the same dark pools that T.Rowe Mary publicly decied. Billions of dollars of those shares were even sold to Russian oligarchs allied with Goldman Sachs and Lawrence "Larry" Summers in Moscow. [5]

THE S.E.C. CHAIRMAN'S DECEPTION:

SCHAPIRO SAYS SHE BELIEVES IN INVESTOR PROTECTION, TRANSPARENCY, ACCOUNTABILITY, AND DISCLOSURE, HOWEVER...

SHE SECRETLY INVESTED IN 51 FACEBOOK "DARK POOLS"

ON JAN. 15, 2009, Mary L. Schapiro told Congress:

NAME	PERCENT	VALUE
1. James W. Breyer et al (Accel Partners)	\$37.5%	\$ 6.51 BI
2. Juri Milner et al (DST, MailRU, Digital Sky)	\$37.5%	\$ 3.79 BI
3. Mark Zuckerberg	\$37.5%	\$ 1.13 BI
4. Goldman Sachs	\$37.5%	\$ 914 MI
5. Peter Thiel	\$37.5%	\$ 633 MI
6. Meritech Management	\$37.5%	\$ 263 MI
7. Microsoft	\$37.5%	\$ 246 MI
TOTAL	\$37.5%	\$ 13.26 BI

FIG. 3—T. ROWE MARY'S BLIND EYES.

Numerous Facebook insiders cashed out over \$13 billion of their exemption-insider-stock on Day 3 of the Facebook IPO.

Normally insiders in an IPO are "locked up" and are not permitted to dump their stock like this. Such actions signal lack of confidence and will depress the trading price, which it did.

T.Rowe Mary's S.E.C. gave a blessing to this practice. [Insider Morgan Stanley was given sole discretion](#) to allow insiders to sell before the end of the lock up period.

The fraud here is in Schapiro's and the S.E.C.'s many conflicting associations with these insiders, including: (1) **JAMES W. BREYER**, associated with S.E.C. Chief Counsel **THOMAS J. KIM**, NATIONAL VENTURE CAPITAL ASSOCIATION and **BARACK OBAMA** via **LATHAM & WATKINS LLP** and **HARVARD**; **JURI MILNER**, associated with former National Economic Council director **LAWRENCE "LARRY" SUMMERS**, **MERITECH MANAGEMENT**, i.e., **ANN H. LAMONT** associated with Obama CTO **TODD Y. PARK** and S.E.C. Chief Counsel **THOMAS J. KIM** via **LATHAM & WATKINS LLP**; **GOLDMAN SACHS**, notoriously associated with **JURI MILNER**, **MOSCOW**, and bailed out by **LARRY SUMMERS** and **BARACK OBAMA**; and **MORGAN STANLEY**, also bailed out by **LARRY SUMMERS** and **BARACK OBAMA**... for starters.

T. ROWE MARY'S BIG SIN:
No public hearings were conducted on the S.E.C. Facebook exemption from the 500-shareholder rule. (Gee Beav, was that wrong? We're sorry.... Bwahaha, Cha Ching, Suckers!!!)

24. [Georgia! AM 1080 McKibben Interview](#)
25. [Constitutional Crisis Exposed](#)
26. [Abuse of Judicial Immunity since Stump](#)
27. [Obamacare Scandal Principals are intertwined in the Leader v. Facebook scandal](#)
28. [S.E.C. duplicity re. Facebook](#)

GIBSON DUNN LLP exposed as one of the most corrupt law firms in America



Investigative Reporter Julia Davis investigates Facebook's Leader v. Facebook attorney Gibson Dunn LLP. She credits this

firm with the reason why not a single Wall Street banker has gone to jail since 2008. [Click here](#) to read her article "Everybody hates whistleblowers." *Examiner.com*, Apr. 10, 2012. Here's an excerpt:

"Skillful manipulation of the firm's extensive media connections allows Gibson Dunn to promote their causes, while simultaneously smearing their opponents and silencing embarrassing news coverage."

This statement followed right after Davis cited Facebook's chief inside counsel in the Leader v. Facebook case, Theodore Ulyot, who appears to have helped lead the Leader v. Facebook judicial corruption. Interesting word choices associated with Gibson Dunn LLP: manipulation, smear. Attorneys swear a solemn oath to act morally, ethically, and in support of democratic principles. They promise to conduct themselves in a manner than instills confidence among the citizenry in the rule of law and the judicial system. These promises appear to be meaningless. [Click here for a PDF version of Julie Davis' article.](#)

POPULAR POSTS



OHIO STATE'S PRESIDENT MICHAEL V. DRAKE Mired IN PERSONAL CONFLICTS OF INTEREST

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OSU BAND INVESTIGATION UNEARTHS SURPRISE TRUSTEE COLLUSION IN PATENT THEFT

Breaking News, Sep. 3, 2014 , 10:05am OSU Trustee President, Jeffrey Wadsworth, "counterattacks" the Band Alumni leadership T...

GOVERNOR JOHN KASICH HOLDS MUCH STOCK IN OSU TRUSTEE PRIVATE INTERESTS

"We need an SEC that is the investors' advocate... to vigorously prosecute those who have broken the law and cheated investors"

"Second, I want to reengage the SEC with the people we serve, namely investors. The investor community, from the largest pension fund to the family who has scrimped and saved in their 401(k) or 529 plan, needs to feel they have someone on their side, that they can go to the SEC for advice, to seek redress, or to have their opinions heard. Third, as I work to deepen the SEC's commitment to investor protection, transparency, accountability, and disclosure."[\[6\]](#)

ON OCT. 21, 2009, Mary L. Schapiro convened an all-hands-on-deck meeting about Dark Pool Regulation and said:

"In recent years, a large number of dark pools have entered the markets, and now represent a significant source of liquidity in U.S.-listed stocks. Given the growth of dark pools, this lack of transparency could create a two-tiered market that deprives the public of information about stock prices and liquidity . . . Transparency is a cornerstone of the U.S. securities market. That is why I asked the staff earlier this year to begin a comprehensive review of dark pools, as well as other types of dark liquidity" (emphasis added).[\[7\]](#)

ON JAN. 20, 2010, Mary L. Schapiro remarked on her concerns about dark pools at the 37th Annual Securities Regulation Institute meeting in Coronado, California:

"Already we have proposed rules that would effectively prohibit broker-dealers from providing customers with "unfiltered" access to an exchange or alternative trading system. We have proposed rules that would strengthen our regulation of dark pools of liquidity" (emphasis added).[\[8\]](#)

ON MAR. 10, 2011, Mary L. Schapiro told Congress:

"After the **flash crash** [market swung 1,000 pts. down, then back up, in one day], I had many foreign regulators call me just horrified. What happened? What are you going to do? How are you going to prevent this? I mean, there was more international interest in that event directed into my office than I have seen in my two years at the SEC, with the possible exception of international accounting standards. It suggests to me that there is deep concern everywhere—and other markets are starting to see the kind of market structure we have developed with the prevalence of dark pools and more fractured and fragmented trading" (emphasis added).[\[9\]](#)

" . . . more than 30 dark pools, three electronic communication networks (ECNs), and more than 200 internalizing broker-dealers. Currently, more than 30 percent of the volume in U.S.-listed equities is executed in venues that do not display their liquidity or make it generally available to the public, reflecting an increase over the last year."

"The continuing growth of trading in dark pools and other types of dark venues can challenge the quality of the market's price-discovery function. And the complexity of the market structure sometimes makes it difficult for even sophisticated investors to pursue their own best interests" (emphasis added).[\[10\]](#)



Governor's trustee appointments reveal strong bias toward protecting his investments Contributing Writers | Opinion | AMERICANS FOR INNOVA...



FIRING OF OSU BAND LEADER EXPOSES CORRUPTION AT BATTLE LABS, PATENT OFFICE, NSA

Jeffrey Wadsworth, Battelle CEO and OSU Trustee president, doles out OSU contracts to Facebook Cartel thru his McBee Strategic LLC lobbyis...



MASSIVE WASHINGTON CORRUPTION EXPOSED BY LEADER V. FACEBOOK

Bi-partisan citizen group appeals to Congress to RESTORE PROPERTY CONFISCATED BY widespread federal corruption incl. interference by Nancy ...



HEALTHCARE.GOV HAS EXPOSED WASHINGTON'S ETHICAL DISEASE

Undisclosed conflicts of interest—on a massive scale—are choking Washington Contributing Writers | OPINION | AMERICANS FOR INNOVATION ...



HOW JUDGES GROW RICH ON THE BACKS OF AMERICAN INVENTORS

Patent Office filings are shuffled out the USPTO backdoor to crony lawyers, banks and deep-pocket clients Contributing Writers | Opinion...



DISASTROUS RISE OF A LAWLESS C.I.A.

Presidents from Washington to Eisenhower feared threats to liberty from abuses of power by the military-industrial complex Contributing...



BOYCOTT NCAA MARCH MADNESS? COPYRIGHT-GATE

Constitutional rights advocates demand that NCAA stop its copyright infringement in social media; ask Congress to preserve Zuckerberg's ...



LEADER V. FACEBOOK WALL OF SHAME

Judges go to jail for far less serious misconduct; Facebook users should pay Leader fees voluntarily; its the right thing to do since Faceb...

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](#)

ON, MAY 18, 2012, Mary L. Schapiro's dark pool investments began cashing in after the Facebook IPO. See Fig. 3 above.

HIDDEN "DARK POOL" AGENDAS DESTROY PUBLIC CONFIDENCE

T.Rowe Mary talked a good game, but failed to deliver. As telling as any misstep in this ethical wasteland, Schapiro as S.E.C. Chairman, failed to require Facebook to disclose these "dark pool" risks in the pre-IPO S-1 Disclosure, even though her own fund, T.RowePrice, had acquired a 5.2% ownership stake in Facebook.[11] Worse, she abused the public trust by engaging in the very secret investing schemes she told the American people she would protect them from. To the investing world, Chairman Schapiro's empty words are analogous to the President's lies about healthcare and keeping one's doctor.

THANK YOU LEADER TECHNOLOGIES

Concurrently with Chairman Schapiro, Commerce Secretary Rebecca M. Blank and Patent Office Director David J. Kappos, and [all](#) the judges in Leader v. Facebook participated in Schapiro's Facebook IPO dark pools, including T.Rowe Price, Fidelity, Vanguard, TIAA-CREF, Blackrock, Morgan Stanley, JP Morgan, Goldman Sachs.

If the Leader v. Facebook judges had not behaved so badly and so illegally, it is unlikely that this dark pools scheme would have come to light. It all started with District Court Judge Leonard P. Stark's misconduct in Leader v. Facebook and has fanned out from there. Every freedom-loving American should contact Leader Technologies with words of support, encouragement and resolve not to rest until justice is served

HIDDEN INVESTMENTS BY JUDGES MAKE BAD JUSTICE

Everyone knows that judge bias and hidden agendas destroy equal treatment before the law.

Chairman Schapiro cleverly stalled her S.E.C. investigations into "dark pools" until all her Facebook friends had cashed out, including the Leader v. Facebook judges. Alan D. Lourie, the presiding judge in Leader v. Facebook holds up to \$14.4 million in 24 dark pools [These judges do find ways to take care of themselves, don't they?], including five (5) T.RowePrice pools. The judges, including Chief Justice John G. Roberts, Jr., appear to have run interference for her and the rest of the Facebook cartel; to guard against a Leader Technologies victory. Even so, these actors could not completely control the jury, which found Facebook guilty of patent infringement on 11 of 11 counts. Leader's victory would have ruined their promised IPO payday.

Sadly, with a cooperative judge and a grossly deceptive expert witness in [Dr. Saul Greenberg](#), Facebook confused the jury on the Pfaff Electronics and Group One legal tests for on-sale bar. These bad actors cajoled an unfounded on-sale bar ruling which was sustained on appeal by the fellow "dark pool" Federal Circuit appeals panel, led by Alan D. Lourie.

The U.S. Constitution now looks to Congress—"the People's Body"—to fix this gross injustice spewing from two branches of government, the Executive and Judicial.

JUDGE ALAN D. LOURIE, LEADER V. FACEBOOK PRESIDING JUDGE, HAD 24 HOLDINGS VALUED UP TO \$13.9 MILLION IN FACEBOOK "DARK POOLS"—HE CHOSE PERSONAL GREED OVER JUSTICE



FIG. 4—ALAN D. LOURIE, LEADER V. FACEBOOK PRESIDING JUDGE. He failed to disclose even a single stock holding of his 24 investment in Facebook "dark pools" that he valued up to \$14.4 million. Following T.Rowe Mary's lead, Judge Lourie held six T.Rowe Price funds. (See Fig. 5.) T.Rowe Price bought so much Facebook "dark pool" stock (5.2%) that it made [The Wall Street Journal](#) on Apr. 16, 2011. T.Rowe's Facebook holding was so large it had to be specifically called out in the Facebook S-1 prospectus. Not even Facebook's crooked lawyers could justify hiding it.

IGNORED CONFLICTS DISCLOSURE MOTION

On Sep. 5, 2012, Dr. Lakshmi Arunachalam filed a friend of the court (amicus curiae) motion asking all the Federal Circuit judges to disclose their financial conflicts of interest. The court **ignored** her motion.[12]

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.

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

NEW! JAN. 11, 2014—LINKS TO OBAMACARE UNCOVERED:

Judge Alan D. Lourie's financial disclosure (below) has been analyzed further. We believe the analysis shows that under no interpretation of the "safe harbor" rule could Judge Lourie have justified not disclosing at least T.RowePrice conflicts of interest in Leader v. Facebook. The Bloomberg Jun. 1, 2011 article embedded below even fingers Leader v. Facebook Judge Kimberly A. Moore's Facebook holdings, as well as Judge Evan J. Wallach's holdings, in Fidelity Contrafund, who invested \$74 million in Facebook Class B non-voting shares. Chief Justice John Roberts was also invested in Fidelity Contrafund. This was certainly a cozy crowd between Facebook, the White House, Goldman Sachs, these "dark pool" funds including T.RowePrice and Fidelity, Federal Circuit judges and Supreme Court justices.

Investigations into Judge Lourie's T.RowePrice holdings have taken a strange turn. Significant ties were uncovered with key actors in the HealthCare.gov debacle, as well as with Facebook officers, directors and investors. See Judge Lourie's financial disclosure below, Figure 5. In summary, Judge Lourie's investment ties him to Marc Andreessen (Facebook director), Todd Y. Park (HealthCare.gov architect, Castlight Health, Athenahealth), Ann H. Lamont (Meritech Investment - early Facebook pump and dumper), Athenahealth, Castlight Health), David A. Ebersman (Facebook CTO), Castlight Health, Athenahealth, HealthCare.gov and Robert Kocher (Obamacare architect, National Economic Council, Athenahealth director).

JUDGE ALAN D. LOURIE, FEDERAL CIRCUIT, LEADER V. FACEBOOK, FINANCIAL DISCLOSURE

[CLICK HERE TO DOWNLOAD: Alan D. Lourie, 2011 Financial Disclosure, submitted Apr. 1, 2012:](#)

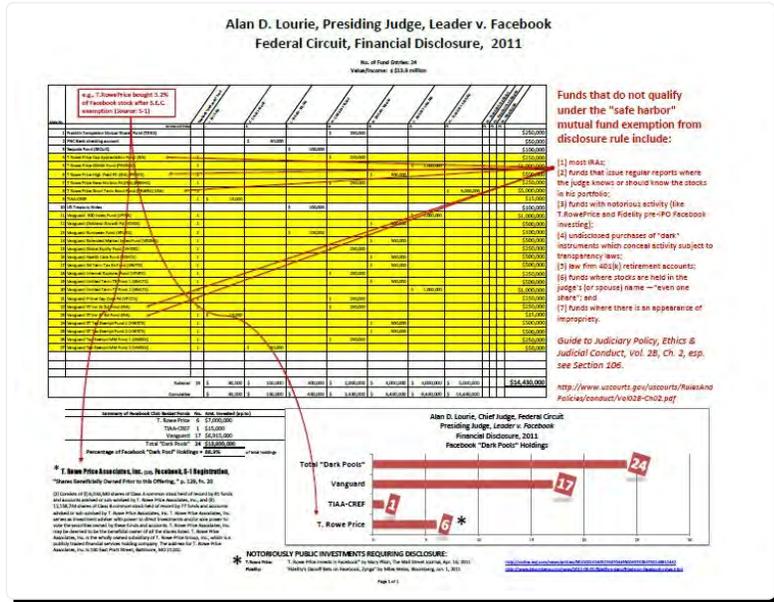


FIG. 5—ALAN D. LOURIE, PRESIDING JUDGE, LEADER V. FACEBOOK Federal Circuit Court of Appeals (Washington D.C.). Financial disclosure, 2011. [Click here to download a PDF directly.](#) Also on the three-judge Leader v. Facebook Federal Circuit panel were Kimberly A. Moore and Evan J. Wallach, both of whom also have substantial Facebook "dark pool" holdings.

KEEP CONGRESS INFORMED

Be sure to provide your Congressperson and Senators with regular updates about the Leader v. Facebook property confiscation injustice and this blog. Ask for a meeting to brief them and ask them to act and correct this abuse of fundamental constitutional property rights. This information will help them and their staff members get up to speed when the

BRIEF YOUR ELECTED REPRESENTATIVES.

Contacting the Congress



FILE A COMPLAINT WITH THE S.E.C. INSPECTOR GENERAL. While we are skeptical that the S.E.C. will honestly and forthrightly investigate one of its own, we need to make the shout for justice from the public **LOUDER AND LOUDER**. Share

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.

Click here to view a complete Donna Kline Now! posts archive.



LEADER V. FACEBOOK, FINANCIAL DISCLOSURE

[CLICK HERE TO DOWNLOAD: John G. Roberts, Jr., 2011 Financial Disclosure, submitted May, 11, 2012:](#)

John G. Roberts, Jr., Chief Justice, U.S. Supreme Court, OGE Form 278 Financial Disclosure, 2011

No. of Fund Entries: 27
Value/Income: \$6.5 million

Asset No.	Description	Value/Income
1	1/21 Int. cottage, Knocking, Co. Limerick, IRE	50,000
2	Allegis Group Mt. Plan	50,000
3	Am Cent Gr Fund	15,000
4	ADL	15,000
5	Ares Capital (Y-Other, not disclosed) (est.)	100,000
6	BlackRock International Fund	100,000
7	BlackRock IOP Index Fund	250,000
8	C. Schwab Money Mkt Fund	15,000
9	C. Schwab Mun. M. Fund	100,000
10	Capital One, Inc	250,000
11	Columbia Seligman	50,000
12	Devin Real Est Class	50,000
13	QEP	100,000
14	Fidelity Cash Reserves	100,000
15	Fidelity Contrafund Fund "I"	100,000
16	Fidelity Growth Company "I" Fund	100,000
17	Fidelity Low Priced Stock "I" Fund	100,000
18	Fidelity Managed Income Portfolio	100,000
19	Fidelity Overseas "I" Fund	100,000
20	Fidelity Retirement Income Market	250,000
21	Fidelity Select Energy Fund	50,000
22	Fidelity Spartan 500 Index INVT	100,000
23	Fredrick Mac	15,000
24	Hewlett-Packard	50,000
25	Hillierbrand	15,000
26	Milliman Holdings, Inc	15,000
27	Ing Em Countries A Fund	250,000

Page 1 of 3

FIG. 7—CHIEF JUSTICE JOHN G. ROBERTS holds at least 21 Facebook "dark pool" investments. This makes him conflicted on any matters related to Leader v. Facebook. [Click here to download a PDF directly.](#)

S.E.C. CHAIR MARY L. SCHAPIRO, FINANCIAL DISCLOSURE

[CLICK HERE TO DOWNLOAD: Mary L. Schapiro, OGE Form 278 Financial Disclosure, 2008, submitted Jan. 12, 2009:](#)

Mary L. Schapiro, Chairman, Securities & Exchange Commission
Financial Disclosure, 2008

No. of Fund Entries: 51
Value/Income: \$1.47 million

Asset No.	Description	Value/Income
1	BlackRock International Fund	100,000
2	BlackRock IOP Index Fund	250,000
3	C. Schwab Money Mkt Fund	15,000
4	C. Schwab Mun. M. Fund	100,000
5	Capital One, Inc	250,000
6	Columbia Seligman	50,000
7	Devin Real Est Class	50,000
8	QEP	100,000
9	Fidelity Cash Reserves	100,000
10	Fidelity Contrafund Fund "I"	100,000
11	Fidelity Growth Company "I" Fund	100,000
12	Fidelity Low Priced Stock "I" Fund	100,000
13	Fidelity Managed Income Portfolio	100,000
14	Fidelity Overseas "I" Fund	100,000
15	Fidelity Retirement Income Market	250,000
16	Fidelity Select Energy Fund	50,000
17	Fidelity Spartan 500 Index INVT	100,000
18	Fredrick Mac	15,000
19	Hewlett-Packard	50,000
20	Hillierbrand	15,000
21	Milliman Holdings, Inc	15,000
22	Ing Em Countries A Fund	250,000

Page 1 of 3

FIG. 8—S.E.C. CHAIRMAN MARY L. SCHAPIRO holds at least 51 Facebook "dark pool" investments. New research proves that some of those funds held direct investments in Facebook. This evidence renders the Facebook IPO a complete sham, and Schapiro's conduct fraudulent. [Click here to download a PDF directly.](#)

THOMAS S. ELLIS, III, FINANCIAL DISCLOSURE, REMBRANDT SOCIAL MEDIA V. FACEBOOK (E.D. VIRGINIA)

[CLICK HERE TO DOWNLOAD: Thomas S. Ellis, III, Financial Disclosure Report, 2010, submitted Aug. 10, 2011:](#)

tense (2009), then permitted the jury to interpret it as a 2002 admission as well. 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.



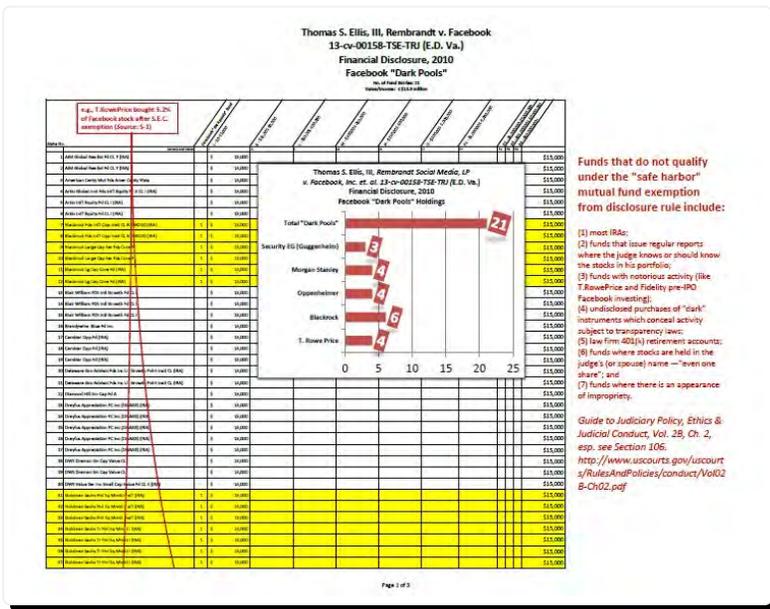
Hallmark Cards to the evidence. After debunking all of Facebook's evidence on appeal, Judge Lourie created new argument in the secrecy of chambers to support Facebook and prevent the on-sale bar verdict from being overturned—a clear breach of constitutional due process.



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-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.



Judge Moore failed to follow the long-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.



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 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.](#)

FIG. 9—THOMAS S. ELLIS, III holds at least 21 Facebook "dark pool" investments. He presides over the case *Rembrandt Social Media, LP v. Facebook, Inc. et al*, 1:13-cv-00158-TSE-TRJ (E.D.V. 2013). New research proves that some of those funds are holding Facebook stock directly, in addition to dozens of stocks in the Facebook cartel. **This evidence demands Judge Ellis's immediate recusal and sanction.** [Click here to download a PDF directly.](#)

FOOTNOTES/EVIDENCE:

[1] **GUIDE TO JUDICIAL ETHICS:** Canon 2: "[a] judge should avoid impropriety and the appearance of impropriety in all activities."

"Canon 3C(3)(c) provides that a financial interest means ownership of a legal or equitable interest, however small . . . Ownership of even one share of stock by the judge's spouse would require disqualification." (p.20-2) (emphasis added).

[2] **GUIDE TO JUDICIARY POLICY.** (Sep. 05, 2013): Vol. 2, Ethics and Judicial Conduct, Pt. B, Ethics Advisory Opinions, Ch. 2, Published Advisory Opinions, U.S. Courts, transmittal 02-014, last rev. Sep. 5, 2013. [U.S. Courts.](#)

[3] **LEADER V. FACEBOOK SUMMARY:** [Petition for Writ of Certiorari, Leader Technologies, Inc. v. Facebook, Inc.](#), No. 12-617 (U.S. Supreme Court Nov. 16, 2012).

[4] **T. ROWE MARY SANCTIONED FACEBOOK'S SECURITIES FRAUD:** [AFI. \(Dec. 20, 2013\)](#): Securities Commission Chair Mary L. Schapiro Knew Facebook Was a Fraud. Americans for Innovation. ("Securities Chair Mary L. Schapiro knew Facebook and its IPO were frauds - Schapiro sanctioned the 500-shareholder exemption so her 51 Facebook fund boats would all float in the IPO."). [HTML.](#)

[5] **FACEBOOK IPO "PUMP & DUMP:"** [AFI. \(Mar. 28, 2013\)](#): The Real Facebook - A Portrait of Corruption. Americans for Innovation. (SEC counsel cleared the way for the Facebook "pump and dump" scheme in 2008.). [HTML.](#)

[6] **CONGRESSIONAL BRIEFING:** [Briefing. \(Oct. 19, 2012\)](#): Briefing for Representative Jim Jordan (OH) - House Oversight Committee—American and Russian Opportunists Undermining U.S. Sovereignty and Corrupting U.S. Financial and Judicial Systems. U.S. Congress.

[7] **T. ROWE MARY (SCHAPIRO) TESTIMONY, JAN. 15, 2009:** [S. Hrg. 111-32. \(Jan. 15, 2009\)](#): Nomination of Mary L. Schapiro for Chairman of the U.S. Securities and Exchange Commission, Hearing of the Committee on Banking, Housing, and Urban Affairs, U.S. Senate, Y 4.B 22/3, Jan. 15, 2009, p. 12, 13. [GPO.](#)

[8] **T. ROWE MARY TESTIMONY, OCT. 21, 2009:** [Mary L. Schapiro. \(Oct. 21, 2009\)](#): Speech

by SEC Chairman: Statement on Dark Pool Regulation Before the Commission Open Meeting by Chairman Mary L. Schapiro, Oct. 21, 2009. Securities & Exchange Commission. [HTML](#).

[8] **T. ROWE MARY TESTIMONY, JAN. 20, 2010:** [Mary L. Schapiro. \(Jan. 20, 2010\)](#). Speech by SEC Chairman: Embracing the Change by Chairman Mary L. Schapiro, Jan. 20, 2010. Securities & Exchange Commission. [HTML](#).

[9] **T. ROWE MARY TESTIMONY, MAR. 10, 2011:** [S. Hrg. 112-25. \(Mar. 10, 2011\)](#). Testimony of Mary L. Schapiro, Chairman, U.S. Securities & Exchange Commission, Hearing, Subcommittee on Securities, Insurance, and Investment of the Committee on Banking, Housing, and Urban Affairs, U.S. Senate, 112th Congress, Mar. 10, 2011, Y 4.B 22/3, p. 21, ¶7. [GPO](#).

[10] **ID :** [p. 27, ¶6](#).

[11] **FACEBOOK S-1 DISCLOSURE, 8TH AMENDMENT:** [S-1 Amendment No. 8. \(May 17, 2012\)](#). Facebook Amendment No. 8 to Registration Statement. SEC Edgar.

[12] **[COURT IGNORED] MOTION TO COMPEL FEDERAL CIRCUIT TO DISCLOSE FINANCIAL CONFLICTS OF INTEREST:** [Motion to Compel](#): Each Member Of The Federal Circuit To Disclose Conflicts Of Interest in Leader v. Facebook by Amicus Curiae Lakshmi Arunachalam, PhD, Sep. 5, 2012.

Posted by [K. Craine](#) at 2:27 PM

+1 Recommend this on Google

15 comments:

[dave123](#) January 10, 2014 at 5:36 PM

Benjamin Franklin once said, "Your net worth to the world is usually determined by what remains after your bad habits are subtracted from your ...bull-shit? facebook

[Reply](#)

[Rain Onyourparade](#) January 11, 2014 at 10:23 AM

Found this legal shell game wording in one of Judge Lourie's T.Rowe Price Funds:
 +++++++
 T. ROWE PRICE HIGH YIELD FD (IRA) (PRHYX) where Lourie parked up to \$500,000
 +++++++
<http://individual.troweprice.com/gcFiles/pdf/trhyf.pdf>

On April 27, 2012, this fund closed to new investors. This is just weeks before the Facebook IPO.

Now, read this lawyer shell game language on page 37 of Lourie's fund:

"A fund may purchase the securities of another investment company to temporarily gain exposure to a portion of the market while awaiting purchase of securities or as an efficient means of gaining exposure to a particular asset class. The fund might also purchase shares of another investment company to gain exposure to the securities in the investment company's portfolio at times when the fund may not be able to buy those securities directly."

[Reply](#)

[dave123](#) January 14, 2014 at 5:24 PM

September 29, 2008
 OBAMA says the era of greed and irresponsibility on wall street and in Washington has led us to a financial crisis since the great depression, After tacking office, Obama spoke of the need to reform the industry saying we want a risk regulator :- increased capital requirements :- we need a consumer financial protection agency :- we need to change wall street's culture : But it was all BULL-SHIT Obama rejects setting compensation limits on global banks, And buy mid 2010 the administrations reforms were weak its a wall street government and Obama was in on it???? Obama was just a SUCK UP FOR LARRY SUMMERS Timothy Geithner Henry Paulson and THE FACEBOOK CLUB President Obama's



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 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](#)



own S.E.C. appointee Mary L. Schapiro was in on it to evidence shows that during the SEC's so-called pre-IPO oversight of Facebook, Mary L. Schapiro, Chair of the SEC and her staff, were colluding with Facebook-friendly third party funds. They were using insider knowledge to position their personal holdings for a big IPO payday rip-off. OBAMA'S: Shapiro allowed GOLDMAN SACHS to make unregulated markets in facebook stock to james breyer.

[Reply](#)



[dave123](#) January 14, 2014 at 5:26 PM

Larry Summers was very vocal he thought regulation was bad Goldman sachs sold at least \$3.1 billion worth of toxic CDOs in the first half of 2006 . Henry Paulson secretary of the treasury to get the job Paulson had to sell his \$485 million of Goldman Sachs stock when he went to work for the government but he didn't have to pay any taxes on it it saved him \$\$\$ 50 million \$\$\$. The 2008 finance crisis was not an accident it was caused by an out of control industry and at the wheel was chief economic advisor Larry Summers Henry Paulson of Goldman Sachs and Geithner to pay Goldman Sachs 100 cents on the dollar Paulson and Bernanke ask congress for \$700 billion to bail out the banks. BUT NO BAILOUT FOR LEHMAN BROTHERS GONE AND THE ORDERS CAME FROM GOLDMAN SACHS NOT TO BAIL THEM OUT?? just so Goldman Sachs can be number ONE? .. YOU SUCK UP OBAMA and not a single senior financial executive had been prosecuted or arrested for fraud The Obama administration has made no attempt to recover any compensation pay out, The global impact of this did BILLIONS AND BILLIONS of dollars of damage The power that Larry Summers wields over THE FACEBOOK CLUB makes meaningless the notion of investor democracy. Facebook IPO is a scam of the highest order. Mary L. Schapiro was in on it .

[Reply](#)



[Rain Onyourparade](#) January 19, 2014 at 4:39 AM

I just got off the phone with an American inventor who thought he was teaming up with a big law firm to go after several big infringers who had ripped off his invention. Half way through the litigation, this firm made up some excuse to bail out on him. Guess what company that firm is representing now? The BIG INFRINGER.

b
That appears to be part of the big patent litigation law firm billing mill game. They take on a small inventor client, sue the deep pockets firm, then cut some secret deal on the side to drop the inventor in exchange for cash and prizes ... and for a promise of future work. The real American inventor gets screwed.

Our US law firms are morally bankrupt and out of control folks. They are going to poison the well of innovation at this rate. What self-respecting inventor will go to these assholes now that we know how they are cheating their own clients? Excuse the French.

[Reply](#)

▼ Replies



[K. Craine](#) January 19, 2014 at 4:51 AM

...just like Fenwick & West LLP slipped Leader Technologies' client file to Accel Partners LLP, James W. Breyer and the PayPal Mafia. This venture capital theft of trade secrets is Silicon Valley's and Boston's best kept secret. It's all done under the guise of nondisclosure agreements that these people use for toilet paper once the inventor has left their offices having shared their idea.

How many times have you heard this BS from a VC? I won't sign your nondisclosure agreement, but you can trust me that I won't share it, because if I did, we'd get a bad reputation and no one would come to us with new ideas. Yeh right. Like inventors are networked and talk among themselves. The financial and tech press never publicize such theft because they get business from these VCs. If you cooperate (bend over) in their bubble, you get funded. If you resist, you have a fatal flaw as a human being and are sent packing, and asked to close the door behind you.

[Reply](#)



[Jill Amblin](#) January 19, 2014 at 1:04 PM

Mike this case has been dead for almost 2 years now. Really time to move on. And mutual fund holdings are not conflicts of interest. Very well settled law.

[Reply](#)

[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.



Updated May 22, 2015

[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)

▼ Replies



K. Craine January 20, 2014 at 6:24 AM

There you go again Jill, a drive by comment full of speculation and false statements. Since we allow anonymous postings, the speculation about your identity could be just as wild as your "Mike." Bloggers learned long ago that the crooks always try to make their posts personal and filled with innuendo. They never make arguments. They only make haughty, declarative statements to try and cajole the unsuspecting. Indeed, facts and truth are their enemies.

Your declarative statement "Very well settled law" on mutual funds is hardly a convincing argument. Judicial disclosure is not a game where judges get to see how close to the ethical line they can get without breaking the law. To the contrary, they are to avoid even the appearance of impropriety. I'll give you a legal reference since you don't seem to know the law very well.

Canon 2
<http://www.uscourts.gov/RulesAndPolicies/CodesOfConduct/CodeConductUnitedStatesJudges.aspx>

The rules on mutual funds are 4 pages long. Hardly straightforward. They are full of exemptions.

<http://www.uscourts.gov/uscourts/RulesAndPolicies/conduct/Vol02B-Ch02.pdf>

You Facebook law firms gave extremely corrupt advice to these people about these holdings. The chickens are coming home to roost. I'll bet they're all calling you now that their misconduct is being exposed.

[Reply](#)



steve n amy January 19, 2014 at 1:56 PM

You, Jill...know nothing about freedom,we believe.

"Freedom is never more than one generation away from extinction. We didn't pass it to our children in the bloodstream. It must be fought for, protected, and handed on for them to do the same, or one day we will spend our sunset years telling our children and our children's children what it was once like in the United States where men were free."

[Reply](#)



Darren January 19, 2014 at 6:17 PM

Your credibility is in question Jill. You stated in a previous post, "Now you can attack me for being a Facebook defender (I have no role with the company) and an attorney (I'm not)." I am curious what your role really is?

You would have us believe that the judges involved with this case are just naïve little worms that have no clue nor do they want to know what they are investing in! They all just seem to have miraculously picked the same mutual funds that just, again, miraculously, have Facebook stock in them! By the way you kept saying if you, "swap out "Facebook" for any other large tech company in this blog (Yahoo, Oracle, Google, Dell, Apple, etc.) and you would end up with virtually identical "dark pool" holdings". The problem is you can't swap out Facebook! Hence the "Dark Pools"!

The rule for mutual funds says they are only exempt if they are not managed by the judge. Since there has been so much publicity about these funds and the justices are mandated to be appraised of all their finances to the third degree a reasonable person would surmise that these judges are not the naïve little worms that you would have us believe that allow "Fate" to select their investments, for themselves and family.

One other question, if this bothers you so much and you have no role with Facebook and are not an attorney, you apparently have not really followed this case, to even know the facts that have been brought forth! You seemed to be coached on what to say because you only bring innuendos to try and divert attention from the real facts.

You seem to know Mr. McKibben, as you tried to make this personal by your last post. Really!!!!!!!!!!!!

8-0

[Reply](#)

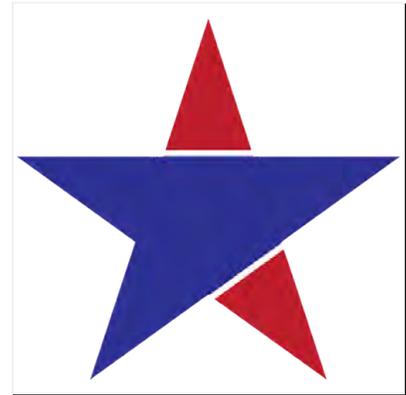


K. Craine January 20, 2014 at 7:13 AM

The ethical question is simple: "Did any judge or judicial employee (or their family members to the third degree of relationship) hold shares in Facebook interests that would bring his/her impartiality into question."



AFI LOGO (no text)



CORRUPTION WATCH LIST

Faces of the Facebook Corruption (PDF) (currently being updated after the Fri. Mar. 7, 2014 Scribd censorship of this document:

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](#) (currently being updated after Scribd censored the documents on Fri. Mar. 7, 2014).

A. Facebook's law firms:

1. 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)
2. Cooley Godward LLP (Facebook law firm in Leader v. Facebook; McBee Strategic energy stimulus partner; Obama Justice Dept. advisor; former employer to patent judges)
3. Blank & Rome LLP (Facebook law firm in Leader v. Facebook; former employer to patent judges)
4. White & Case LLP (Facebook law firm in Leader v. Facebook; undisclosed former employer to Patent Office Freedom of

A related question is "Did any judge or judicial employee have personal relationships with Facebook interests that would bring his/her impartiality into question."

If so, that judge or judicial employee must disclose and recuse. In any event, remember that the entire Federal Circuit was represented by Thomas G. Hungar, Gibson Dunn LLP (Facebook's Leader v. Facebook attorney) in a 2010 Federal Circuit Bar Association ethics matter. Facebook investments or not, the whole court had a duty to disclose and recuse nonetheless. No amount of misdirection about mutual funds can hide these parallel facts.

This ethical issue is a serious question of public confidence in the objectivity of the judicial system. Judge bias will destroy the judicial system faster than any other problem.

Facebook has turned the judicial ethics rules into cheap parlor tricks. The Facebook cartel played this game by hiding the Facebook stock and related interests inside many mutual funds to try and skirt the rule. This grossly violates the basic principle of the judicial canon of ethics to AVOID EVEN THE APPEARANCE OF IMPROPRIETY. We can't make these letters big enough. ALL ETHICS LAW is founded on this principle.

The mutual fund rule was a general rule with lots of exceptions, and does not apply in Leader v. Facebook for multiple reasons. Most importantly, the rule was not meant to be a license for the kinds of sneaky activity that the Facebook cabal is trying to hide behind.

The mutual fund exemption does NOT apply to:

- (1) most IRAs;
- (2) funds that issue regular reports where the judge knows or should know the stocks in his portfolio;
- (3) funds with notorious activity (like T.RowePrice and Fidelity pre-IPO Facebook investing);
- (4) undisclosed purchases of "dark" instruments which conceal activity subject to transparency laws;
- (5) law firm 401(k) retirement accounts;
- (6) funds where stocks are held in the judge's (or spouse) name —"even one share"; and
- (7) funds where there is an appearance of impropriety.

All of the funds analyzed by AFI investigators issue at least bi-annual reports (some monthly) and they're all online and freely accessible to the public, including to the judges. Judges have no excuse for ignorance about the investment holdings. In fact, the rules say that given their position of public trust, their ethical requirements are higher. In any event, the Wall Street Journal shouted out about the T. Rowe Price and Fidelity pre-IPO Facebook investing. Even my dog knew about it.

Remember, the general ethical rule is, in colloquial terms, the SMELL TEST, which any reasonable person knows. Do the judge's actions avoid even the appearance of impropriety? If the law these Facebook defenders are citing do not pass the smell test, then that law is probably unconstitutional since the Canons and Judicial Ethics policy cited above say otherwise, and clearly so.

The judicial branch is supposed to be "self-policing." However, we're seeing no self-policing in Leader v. Facebook. These judges are turning a blind eye to all of Facebook's sins.

Here are those ethical rules again, just in case Jill missed them:

CODE OF CONDUCT FOR UNITED STATES JUDGES

<http://www.uscourts.gov/RulesAndPolicies/CodesOfConduct/CodeConductUnitedStatesJudges.aspx>

Guide to Judiciary Policy, Ethics & Judicial Conduct, Vol. 2B, Ch. 2

<http://www.uscourts.gov/uscourts/RulesAndPolicies/conduct/Vol02B-Ch02.pdf>

[Reply](#)



Cathy Lee January 20, 2014 at 1:39 PM

The laws, ethical guidelines, and historical precedences are clear.

It's a very simple issue of judges not having conflicts of interests in cases they are hearing. In the Leader v. Facebook case, AFI has proven with public records that the judges involved in the case were not clean. This must be corrected. The damage has gotten out of control.

It is simply stated to Moses in Exodus (chapter 18, verse 21): "You shall seek out from among all the people capable men who fear God, trustworthy men who spurn ill-gotten gain. Set these over them as chiefs of thousands, hundreds, fifties, and tens, and let them judge the people at all times..."

The Code of Conduct for U.S. Judges and Guide to Judiciary Policy explicitly demand the same values, This is not complicated.

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

5. 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))
6. Orrick Herrington LLP (longtime Facebook law firm and destroyer of evidence for the cabal in Winklevoss v. Zuckerberg and ConnectU v. Facebook)
7. Weil Gotshal LLP (Federal Circuit counsel in Leader v. Facebook; Judge Kimberly A. Moore's undisclosed former client)
8. Latham & Watkins LLP (Facebook Director James W. Breyer's counsel; Judge Kimberly A. Moore's husband, Matthew J. Moore's new law firm)
9. 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)
10. DC Bar Association
11. Perkins Coie LLP (Facebook's "rapid response enforcement team;" law firm for Obama's chief counsels, the husband and wife team of Robert F. Bauer and Anita B. Dunn; Bauer was identified on Aug. 1, 2013 as having directed the IRS targeting of the Tea Party)
12. Stroz Friedberg (Facebook's "forensic expert" who manipulated the data in Paul Ceglia v. Mark Zuckerberg, and who first revealed the existence of 28 Zuckerberg hard drives and Harvard emails that they told Leader Technologies in 2009 were "lost")
13. Chandler Law Firm Chartered (Professor James P. Chandler, III, principal; Leader Technologies patent counsel; adviser to IBM and David J. Kappos; adviser to Eric H. Holder, Jr. and the U.S. Department of Justice; author of the Economic Espionage Act of 1996 and the Federal Trade Secrets Act)
14. Gordon K. Davidson (Fenwick; Facebook's securities and patent attorney; Leader Technologies'

B. Facebook attorneys & cooperating judges:

