Tom Clancy couldn’t make this up. Sadly, the facts seem to point to a self-styled Facebook “ecosystem” of principals who are pressing an internationalist agenda that undermines U.S. sovereignty and corrupts U.S. financial and judicial systems. They are also exploiting the innovations and stolen intellectual property from Ohio-based Leader Technologies to achieve their goal.

Facebook has one billion users—three times the U.S. population. Their continued unscrupulousness cannot be anything other than an external shock to our financial system. Congress needs to act to prevent more damage.

LAWRENCE SUMMERS

Lawrence Summers, who has held numerous senior positions in both the Presidents Bill Clinton and Barack Obama White Houses, looms large in this Facebook “ecosystem,” as do two of his protégés, American Sheryl Sandberg and Russian Juri Milner. Summers recently popped up in Silicon Valley as a newly-appointed “special adviser” to Facebook director, Marc Andreessen; coincidentally while Andreessen was completing a
dubious $1 billion Facebook acquisition of Instagram — a company with 13 employees and no revenue. Andreessen was (and continues to be) a director in both companies. Summers also accepted appointment to the board of a financial transactions company, Square — a curious development given Facebook’s evident plan to make Facebook Credits an unregulated global currency. Summers’ interconnections within the Facebook “ecosystem” are astounding, most notably Summers’ 20-year World Bank associations with (a) Facebook COO Sheryl Sandberg, (b) Facebook’s second largest investor, Moscow-based Juri Milner and his companies Digital Sky Technologies and DST Global, and (c) Goldman Sachs and Morgan Stanley to whom Summers provided $20 billion in U.S. taxpayer bailout funds while chief of President Obama’s National Economic Council.

**Goldman Sachs & Morgan Stanley**

Goldman Sachs is an equity partner in Digital Sky Technologies (aka DST Global) with Juri Milner and Russian oligarch Alisher Asmanov. This partnership appears to have been created prior to the $20 billion bailout of Goldman Sachs and Morgan Stanley by the U.S. taxpayers in 2008. DST has invested up to $3 billion in Facebook. Goldman Sachs’ involvement in DST raises the obvious question as to whether DST may have used TARP funds to invest in Facebook. Goldman Sachs obfuscated when asked by Senator Chuck Grassley on July 24, 2010 where the bailout funds went that Goldman distributed to its partners overseas. Who in this administration said that was permissible? Goldman Sachs also underwrote a multi-billion dollar private market in Facebook’s insider stock sales while blocking American investors from participating. *Fortune* said the DST funds had “unknown origins.” Did Juri Milner use TARP funds received from Goldman Sachs to invest his billions into Facebook stock? Milner was involved in the late 1990’s
in Bank Menatep which was caught laundering billions for the Russian mob as well as diverting $10 billion in World Bank and IMF funds.

**ECONOMIST CODE OF ETHICS**

A recent gathering of American economists were highly critical of economists who use their knowledge of global financial systems for personal gain. Where does Lawrence Summers fall along the ethical continuum involving “recommend[ing] policy prescriptions that served their clients' interests, at the expense of the economy as a whole?” This *Wall Street Journal* article continued “A leading group of academic economists has adopted conflict-of-interest rules in response to criticism that the profession not only failed to predict the 2007-2008 financial crisis but may actually have helped create it.”

**SHERYL SANDBERG; JURI MILNER; MOSCOW STATE UNIVERSITY; THE RUSSIAN ACADEMY OF SCIENCES; DST (AKA DIGITAL SKY TECHNOLOGIES); OLIGARCH ALISHER ASMANOV**

The three figures in the Facebook “ecosystem”—Summers, Sandberg, Milner—appear to be at the epicenter of an international scheme to *fleece* the American public by using corrupt legal tactics, steal intellectual property required to implement the collusion, and establish an unregulated global money system. Remarkably, these three individuals played a central (and quite destructive) role in the early 1990’s in the failed Russian voucher system that spawned the current oligarchy economy in the former Soviet Union. Now they have one billion current users of their core (stolen) technology and would have a significant impact on the U.S. and world economies.

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The *curriculum vitae* of these individuals follow, compiled from publicly available sources.

Numerous Leader shareholders reside in Ohio’s 4th Congressional District which Congressman Jim Jordan represents.

Are the facts, opinions and circumstances herein merely a random string of unflattering coincidences, or are they evidence of a more nefarious agenda?
<table>
<thead>
<tr>
<th><strong>Lawrence Summers</strong></th>
<th><strong>Sheryl Sandberg</strong></th>
<th><strong>Juri Milner</strong></th>
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<td><strong>1982</strong></td>
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<td><strong>1983</strong></td>
<td>Harvard, Prof. of Economics</td>
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<td><strong>1984</strong></td>
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<td><strong>1985</strong></td>
<td></td>
<td>Moscow State University, BSc. Physics &amp; Math</td>
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<td><strong>1987</strong></td>
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<td>Russian Academy of Sciences, Researcher</td>
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<td><strong>1988</strong></td>
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<td><strong>1989</strong></td>
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<tr>
<td><strong>1990</strong></td>
<td>Harvard, Adviser to Sheryl Sandberg</td>
<td>Wharton, MBA (1990-1992)</td>
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<tr>
<td><strong>1991</strong></td>
<td><strong>World Bank, Chief Economist</strong></td>
<td>World Bank, Russian Banking Specialist</td>
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<tr>
<td><strong>1992</strong></td>
<td>Sheryl Sandberg, Juri Milner research assistants</td>
<td>Assisted Larry Summers, Sheryl Sandberg (1995)</td>
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<td><strong>1994</strong></td>
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<td>Bank Menatep / Alliance Menatep, Director</td>
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<td><strong>1996</strong></td>
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<td><strong>1997</strong></td>
<td>McKinsey &amp; Company, Mgmt. Consultant</td>
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<td><strong>1998</strong></td>
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<td><strong>1999</strong></td>
<td>U.S. Treasury, Secretary</td>
<td>U.S. Treasury, Chief of Staff to the Secretary</td>
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<tr>
<td><strong>2000</strong></td>
<td>President Bill Clinton</td>
<td>NetBridge / Mail.ru, CEO</td>
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<td><strong>2001</strong></td>
<td>Harvard, President</td>
<td>Google, V.P. Online Sales</td>
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<tr>
<td><strong>2002</strong></td>
<td>Brookings Institution, Fellow</td>
<td>Brookings Institution, Trustee</td>
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<tr>
<td><strong>2004</strong></td>
<td>Coverage, 2003-2004; “PayPal Mafia” Rad Hoffman, Peter Thiel, James W. Breyer, Accel Partners LLP, coach Zuckerberg, provide $13 million; unending Facebook S$</td>
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<tr>
<td><strong>2005</strong></td>
<td>D.F. Shaw &amp; Co., Managing Director</td>
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<td><strong>2006</strong></td>
<td>Hedge Fund</td>
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<td><strong>2007</strong></td>
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<td><strong>2008</strong></td>
<td><strong>U.S. National Economic Council, Director</strong></td>
<td>Facebook, Chief Operating Officer</td>
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<tr>
<td><strong>2010</strong></td>
<td>Andreesen Horowitz, Special Adviser; Harvard, Prof. of Economics; Square, Director</td>
<td>DST Global, CEO</td>
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<tr>
<td><strong>2011</strong></td>
<td>Facebook, Director</td>
<td>DST Global, CEO</td>
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<td><strong>2012</strong></td>
<td>$1 billion Instagram buy; Facebook to Andreesen</td>
<td>DST Global, CEO</td>
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**Figure 1**: Biographies of Lawrence Summers, Sheryl Sandberg and Juri Milner

-5-
TIMELINE

1992  
Between 1991 and 1993 “wunderkind professors of economics” including Larry Summers were unleashed as “ersatz policy ‘experts’” by the World Bank to implement their “flawed” plan for privatization of banking in the Soviet Union. This reckless voucher system resulted in the emergence of the current system of corrupt Russian oligarchies controlled by the Kremlin; oligarchies that Summers is now exploiting.

1993  
In 1993 Larry Summers with Sheryl Sandberg’s assistance engaged the energies of a then-Wharton MBA student, Russian Juri Milner, to write the World Bank paper “Voucher Investment Funds” advocating the Russian voucher system in their “insane and unnecessary haste.”

1994  
While at the World Bank working with Larry Summers and Sheryl Sandberg, Juri Milner met Russian oligarch Mikhail Khodorkovsky. He returned to Russia and worked for Khodorkovsky who owned Bank Menatep which in 1999 became involved in the diversion of $4.8 billion in IMF funds.

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4 David Ellerman. “Can the World Bank Be Fixed?” Univ. of California, Riverside, 2005 (citing John Maynard Keynes’ observations about the Russian Revolution and the “surprisingly apt” comparisons to Russia in the 1990’s).
This money-laundering of an estimated $10 billion by the Russian mob via Bank Menatep also involved World Bank funds.\textsuperscript{6} Tellingly, Juri Milner does not disclose this association in any of his current biographies. Milner’s activities between 1994 and 2007 are murky.

### 1999-2001

1999-2001 **Sheryl Sandberg** served as **Larry Summers’** Chief of Staff at the **U.S. Department of the Treasury** while he was Secretary of the Treasury under **President Bill Clinton**.

### 2001

Between 2001 and 2003 **Fenwick & West LLP** represented Columbus, Ohio inventor **Leader Technologies** as counsel and was privy to Leader’s trade secrets.

### 2002

In late 2002 **Leader Technologies** filed for patents on its innovations, now called “social networking.”\textsuperscript{7}

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\textsuperscript{7} After making numerous haughty statements in the press about Michael McKibben and Leader Technologies having nothing innovative and being “patent trolls” who were attempting to piggyback off of Facebook’s success, Facebook failed to present a single piece of prior art to justify their assertions. Facebook put forward numerous patents by the Xerox PARC Computer Science Laboratory friends of their expert witness, Dr. Saul Greenberg. Despite Greenberg presenting unqualified science at trial (he made false statements which Judge Leonard P. Stark did not disqualify pursuant to Daubert), Greenberg still failed to prove that any of the Xerox patents...
2003 During 2003 Leader Technologies prepared its innovations for market. New testimony reveals that Mark Zuckerberg and his Harvard roommates Dustin Moskowitz and Chris Hughes learned about Leader technology in early 2003, stalled other students working on other “facebooks” during the year, received a copy of Leader’s platform source code on about Oct. 28, 2003, and used it to launch Facebook on Feb. 4, 2004.

2003 Oct. 23 From Oct. 23, 2003 to Sep. 15, 2004 The Harvard Crimson carried 22 news articles about 19-year old sophomore Mark Zuckerberg. Only Bill Clinton and George Bush received more mentions. Al Franken received 16, Google 14, Microsoft 10, Bill Gates and Pope John Paul II 3 each. By comparison, the two other “facebooks” at Harvard, namely the Winklevoss Twins’ Harvard Connection and Aaron Greenspan’s houseSYSTEM, received 4 mentions each. Larry Summers was President of Harvard during this time, creating the reasonable speculation that only he could have organized such inordinate coverage.

2004 May By May 2004 former PayPal co-founder Reid Hoffman had become a first investor and business coach for Mark Zuckerberg. He has just recently started claiming that he was the first outside investor in Facebook and introduced Zuckerberg to Peter Thiel, his fellow former PayPal executive. This account is markedly different from earlier accounts that credit Napster founder Sean Parker with the introduction. The story morphs with each new telling. If Hoffman did coach technology was innovative over Leader’s. Facebook also filed for and was granted two patent reexaminations at the U.S. Patent Office, but failed both times to put forward even a single item of prior art to prove their accusations. Therefore, Facebook’s “patent troll” haughtiness was simply the evident bluster of the guilty. Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 US 579 (Supreme Court 1993) at 595-597 (the trial judge must ensure the reliability of scientific testimony). See also “Lack of Expert Witness Credibility,” Brief Of Amicus Curiae Lakshmi Arunachalam, Ph.D. In Support Of Leader Technologies’ Petition For Rehearing And Rehearing En Banc, p. 23. Filed Jul. 10, 2012, Leader Tech v. Facebook, Case No. 2011-1366 (Fed. Cir.).

8 Summary of The Harvard Crimson articles about Mark Zuckerberg. Origins of Facebook’s Technology, Aug. 27, 201, fn. 7.
Zuckerberg at Harvard, this contradicts Zuckerberg’s testimony in *ConnectU* where he makes no mention of Hoffman.9

2004  Jun. 2004 In Jun. 2004, former PayPal co-founder Peter Thiel is introduced to Mark Zuckerberg by Reid Hoffman or Sean Parker (depends upon who is telling the story) and immediately invests $500,000.

2004  Jun. 24 Leader Technologies’ patent on social networking publishes for the first time at the U.S. Patent Office. Zuckerberg hires Stephen Dawson Haggarty because the Leader code is too sophisticated to change. These changes in Groups functionality are heralded.

2005  May 26 James W. Breyer and Accel Partners LLP announce publicly a $12.7 million investment in Facebook.10

2005  Oct. 26 James W. Breyer of Accel Partners LLP and Mark Zuckerberg solicit to induce third party developers at Stanford University to build apps on the Facebook framework stolen from Leader Technologies for the first time.11

2006  Nov. 21 On Nov. 21, 2006 Leader Technologies received U.S. Patent No. 7,139,761; the platform that is the Facebook engine.

(ca. 2002-2009) Goldman Sachs has never disclosed exactly when they became a substantial investor in Moscow-based DST (aka Digital Sky Technologies) along with Russian oligarch Alisher Asmanov and Juri Milner, but they are believed to be “among DST’s five investors.”12 Approximately 70% of DST’s employees and

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10 Breyer becomes Facebook Chairman. Breyer claims he did not know Zuckerberg very long prior to investing, but that story appears doubtful. Breyer let slip in Munich, Germany in 2010 that others from Accel Partners (likely fellow Harvard alums Jim Swartz and Ping Li with the help of ex-PayPal co-founders Reid Hoffman and Peter Thiel) had been working with Zuckerberg since 2003. Jim Swartz and Ping Li were called “big winners” in the Facebook IPO by C/Net.

11 James W. Breyer, Accel Partners LLP, and Mark Zuckerberg. “Entrepreneurial Thought Leaders Seminars.” Stanford Center for Professional Development, Oct. 26, 2005 @49m11s; See also Transcript Tr. 39:14-40:8.

executives in London and Moscow are former Goldman Sachs employees.\textsuperscript{13}

2007 Oct. 25 **Microsoft** invested $250 million in **Facebook**.\textsuperscript{14} Microsoft is implicated in the cover up of investments by the judges in Facebook and other conflicts of interest at the **Federal Circuit** in **Leader v. Facebook**.\textsuperscript{15}

2008 Mar. 24 **Sheryl Sandberg** left Google and became Chief Operating Officer at **Facebook**.

2008 Oct. 13 **Facebook** **filed** for an **SEC exemption** from the 500 shareholder rule. The exemption filed by **Fenwick & West LLP**, former corporate counsel to **Leader Technologies**.

2008 Oct. 14 **Facebook** **received** an **SEC exemption** from the 500 shareholder rule.\textsuperscript{16} The ostensible purpose of the exemption was with regard to the “employee benefit plan” and “for compensatory purposes,” although hindsight finds deceptive language including the inserted phrase on page 2: “(and may in the future grant RSUs [Restricted Stock Units] to directors and certain consultants as well)” and “could in the future have more than 500 holders of RSUs” and “only be issued to employees and directors of the Company and consultants.” No reasonable

\begin{flushleft}
\textsuperscript{13} See also Simon Goodley, “Facebook investor DST comes with ties to Alisher Usmanov and the Kremlin – Three Goldman Sachs bankers, Alexander Tamas, Verdi Israeliian and John Lindfors joined DST over the past three years.” *The Guardian*, Jan. 4, 2011.


\textsuperscript{15} **Judge Kimberly A. Moore and Judge Alan D. Lourie**. Microsoft is a director of The Federal Circuit Bar Association where the Federal Circuit Clerk of Court Jan Horbaly is an Ex Officio officer, and the Bar Association filed an unusual request on Jul. 11, 2012 to have the Federal Circuit judge’s conflicts of interest in *Leader v. Facebook*, including undisclosed investments in Facebook, excused and absolved.\textsuperscript{15} The Clerk \textit{refuses} to docket the opposition to this request by Dr. Lakshmi Arunachalam. *Response to Request of Federal Circuit Bar Association's Request for Reissue Re. Leader v. Facebook*, Case No. 2011-1366 (Fed. Cir.) by Lakshmi Arunachalam, Ph.D., Sep. 17, 2012.

\textsuperscript{16} Anne Krauskopf, Senior Special Counsel, Response of the Office of Chief Counsel, Division of Corporation Finance, *SEC Edgar*, Oct. 22, 2008. (“Will not object if Facebook, Inc. does not comply with the registration requirements of Section 12(g) of the Securities Exchange Act of 1934 (the “Exchange Act”) with respect to restricted stock units . . . “).

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person would read this disclosure to include a $3 billion dollar Goldman Sachs “special purpose vehicle” to make a private “pre-IPO supplement” market that locked out American investors. See Jan. 7, 2011.

The one-day turnaround of this SEC exemption is remarkable.

2008 Nov. 4 Goldman Sachs, Morgan Stanley and State Street Corporation received $22 billion in bailout funds from U.S. taxpayers in the “First Tranche” of the Emergency Economic Stabilization Act of 2008 (EESA). Former FDIC Chief Sheila Bair says it was not necessary. Could the agendas finally be revealed in this briefing?


2008 Nov. 23 Larry Summers nominated by President Barack Obama to head of the National Economic Council despite criticism that Summers played a role in the 2008 economic meltdown.

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19 Complaint, Leader Technologies, Inc. v. Facebook, Inc., 08-cv-862-JJF-LPS (D.Del. 2008); Leader Tech v. Facebook, Case No. 2011-1366 (Fed. Cir.).

20 Summers supported the Commodity Futures Modernization Act, “which allowed many derivatives – like the credit default swaps that have rocked markets this fall – to go unregulated.” See Jeanne Sahadi. “Obama picks Summers as top economic adviser.” CNN Money, Nov. 23, 2008.
Figure 4: Summers and his protégés make their moves to consolidate their holdings in the Facebook “ecosystem” having (a) stolen the Facebook platform technology from Leader Technologies, (b) fleeced a $3 billion private market of investors to *pump up* the pre-IPO valuation to $100 billion, and (c) fleeced the public market again by raising over $10 billion in cash at an inflated valuation while the insiders *cashed out* over $13 billion of their shares on Day 3 of the IPO. Juri Milner alone sent about $3.79 billion back to Moscow. Accel Partners LLP and James W. Breyer pocketed $6.5 billion.

2009 May 26  **Mark Zuckerberg** announced a $200 million investment from **DST Moscow** and **Juri Milner**, arranged by his new COO, **Sheryl Sandberg**. Zuckerberg said Facebook is relying on DST for its **Facebook Credits** strategy.\(^1\)

\(^{21}\) Facebook COO Sheryl Sandberg had known Juri Milner from 20-years ago having worked with him and Larry Summers at the World Bank on the failed Russian voucher system. *Fortune* states “Since Milner made his investment, his insights have had a significant influence on the company. Zuckerberg meets with Milner whenever he passes through town—once a month, on average—and he turned to the Russian for much of his thinking on Facebook's newly launched Facebook Credits, a virtual currency system that could in time account for 20% to 30% of the company's revenues.” *See* Jessi Hempel, "Facebook's friend in Russia." *Fortune*, Oct. 4, 2010.
BRIEFING FOR REPRESENTATIVE JIM JORDAN

2009 Jul. 24 Fenwick & West LLP discloses Leader Technologies’ patent as a prior art reference on Marc Andreessen’s social networking patent applications, but subsequently fails to do so on all of Facebook 700+ patent applications. This willful fraud, called “inequitable conduct” in the patent world, if true, created a strong motive for Fenwick & West to undermine Leader Technologies, their former legal client in 2001-2003.22

JAMES W. BREYER: HIS MONEY IS NOT ON THE UNITED STATES. (BREYER EXTRACTED $6.5 BILLION ON DAY 3 OF THE IPO AT $37.58 PER SHARE)

2010 Feb. 1 Facebook’s Chairman and largest investor James W. Breyer, Managing Partner of Accel Partners LLP Palo Alto, CA said in Munich, Germany that the decline of venture investing in the U.S. is “probably a good thing” and says there is “enormous opportunity globally” and that new venture capitalists should be “on a plane to London, Bangalore and Beijing, and not necessarily Palo Alto, California;” apparently selling the U.S. short.23

COLLUSION WITH FOREIGN POWERS IS DESTABILIZING U.S. FINANCIAL INTERESTS AND PROPERTY RIGHTS

2010 Jul. 24 Goldman Sachs disclosed that they sent $4.3 billion of the taxpayer stimulus funds overseas.24 Both Goldman Sachs and Morgan Stanley have also admitted using TARP funds to pay executive bonuses.25 Given this questionable conduct in supporting concealed “ecosystems,” did they also send money

22 Such misconduct could invalidate many if not all of Facebook’s patent filings. Evidence of Fenwick’s sensitivity to this issue can be seen at the U.S. Patent Office where their attorney on the Andreessen patents, Christopher P. King, later changed his name to “Christopher-Charles King” on Facebook disclosures—and only for Facebook. Reasonable speculation is that this helps avoid his name popping up in search results. See Donna Kline. “Proof Fenwick & West LLP did not disclose Leader as prior art to Facebook.” Donna Kline Now! Mar. 29, 2012.
23 “Spotlight DLD10 (Jim Breyer & Yuri Milner),” DLD 2010 Munich, Germany, Feb. 1, 2010. YouTube @4m37s.
to their DST-Moscow business partners? Were some of these funds used in Goldman’s Jan. 2011 self-described multi-billion dollar “pre-IPO supplement” private market by DST-Moscow, Juri Milner and tight-with-the-Kremlin oligarch Alisher Asmanov\(^26\) (who became the second largest Facebook stockholders behind James W. Breyer and Accel Partners LLP)?

2010  Jul. 27  The Leader v. Facebook patent infringement trial results in a split verdict. Facebook was found guilty of infringement on all 11 of 11 counts. Leader Technologies lost on a dubious “on-sale bar” claim.\(^27\) Overturn of the jury seemed likely given the jury’s admission to the judge that they had no evidence and the “clear and convincing” burden of proof is a “heavy burden.”

2010  Aug. 5  Judge Leonard P. Stark’s appointment by President Barack Obama was confirmed by the U.S. Senate, just nine days after the Leader v. Facebook split verdict.

2011  Jan. 3  Goldman Sachs uses the SEC exemption obtained by Fenwick & West LLP on Oct. 14, 2008, which was created as a “special purpose vehicle” to pool thousands of investors, but count them as one investor, and make a private market in Facebook insider stock.\(^28\) Goldman Sachs then infused $500 million into Facebook; $50 million from Goldman itself, and

\(^26\) Forbes says Alisher Asmanov “is tight with the Kremlin” and “is an oligarch straight out of central casting.” Parmy Olson. “The Billionaire Who Friended the Web.” Forbes, Mar. 28, 2011.

\(^27\) The jury admitted to the judge and attorneys after the trial on Jul. 27, 2010 that they had no evidence of on-sale bar and instead based their decision on speculation. (Speculation is not evidence.) Attendees at this polling of the jury report that Juror #6 was noticeably vociferous in his anti-inventor statements. This man is a Delaware prison guard who had pressed himself forward to become foreman. This same man is believed to have been sued for child support and had his prison paycheck garnished several years earlier. After the Leader v. Facebook trial his Facebook page boasted a red sports kit car; now removed from public view. The Leader v. Facebook trial appears to have turned on the integrity of Juror #6. Judge Leonard P. Stark appears to have relied on Juror #6’s unsupported vociferousness. Indeed, Judge Stark’s opinion bent over backwards by citing an obscure 1800’s criminal case—never before used in a patent case—to support Juror #6’s opinion. Was this simply the mistake of a novice federal judge? If so, why didn’t the Federal Circuit panel correct this mistake as is their solemn duty?

$450 million from DST Moscow. This investment pumped Facebook’s valuation to $50 billion. Fortune magazine described the source of Alisher Asmanov’s funds as “not clear.”29 Tellingly, Fenwick does not disclose such a “special purpose vehicle” intent to the SEC. See Oct. 13-14 2008.

2011 Jan. 18 Goldman Sachs “slammed the door on U.S. clients” (The Wall Street Journal) from participating in the private offering of Facebook stock after receiving inquiries from the brokerage community about the 500 shareholder rule.30

Longstanding SEC rules required Goldman Sachs to have counted each of these pooled investors separately. Otherwise, brokerage houses could create private markets for any client by first buying the client’s stock, subdividing the stock themselves, then make their own private, unregulated stock exchange—which is exactly what Goldman did. Consequently, by the rules other companies must follow, Facebook became a de facto, noncompliant public company in January of 2011. Nonetheless, the 2008 SEC exemption request by Fenwick & West LLP appears to have been the ruse that Goldman Sachs would use as its ostensible authority to pursue this private market; effectively taking Facebook over the 500 shareholder rule five-fold (this number had never been disclosed; including not in the S-1).

Facebook used $1 billion of this unregulated pre-IPO money to make the dubious purchase of Instagram in which Larry Summers popped up suddenly as a Marc Andreessen “special adviser.”


2011 Mar. 14  Judge Leonard P. Stark refused to set aside the on-sale bar verdict in Leader v. Facebook; forces Leader Technologies to appeal.

2011 Mar. 31  DST’s Juri Milner of Moscow, Russia, purchased a 25,000 square foot, 11 acre Silicon Valley mansion for $100 million; called “one of the most expensive homes in the U.S.”

2011 Jun. 28  Goldman Sachs announced it would outsource 1,000 American jobs to Singapore.

fenwick & west llp—material securities nondisclosure

2012 Feb. 1  Facebook, Goldman Sachs, Morgan Stanley and Fenwick & West LLP issue the first of many iterations of the Facebook S-1 registration and systematically failed to disclose the risks to investors associated with the verdict of “literal infringement” on 11 of 11 counts of patent infringement of Leader Technologies’ U.S. Patent No. 7,139,761.

fenwick & west llp—material breaches of attorney-client privilege

2012 Apr. 16  Fenwick & West LLP’s attorney Tyler A. Baker, speaking for Managing Partner Gordon K. Davidson (the lead Facebook IPO attorney; See Facebook S-1 tombstone), denied any conflict of interests as Leader Technologies’ corporate counsel and close collaborator with Leader’s patent attorney Professor James P. Chandler during the 2001-2003 when Leader’s patents were being prepared. Leader Technologies said that

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33 Complaint. Leader Technologies, Inc. v. Facebook, Inc.


35 Id.
Fenwick did not seek a conflicts waiver before agreeing to represent Facebook. Leader had given Fenwick & West LLP copies of Leader’s invention source code for their client files to which multiple Fenwick personnel had access.

2012 May 8  On the same day that Facebook began its IPO Road Show in New York City, the Federal Circuit Court affirmed Facebook guilty of “literal infringement” on 11 of 11 counts, but refused to overturn the jury’s dubious “on-sale bar” ruling in Leader v. Facebook. Leader petitioned for rehearing citing the numerous mistakes of law. See Jul. 27, 2010.

2012 May 22  Day 3 of the IPO: Facebook insiders cashed in $13.26 billion of their shares in a coordinated sell-off at $37.58 per share. Facebook Director James W. Breyer and his company Accel Partners LLP cashed in $6.5 billion of their Facebook stock. The sell-off also included Microsoft ($246 million), Peter Thiel ($633 million), Mark Zuckerberg ($1.13 billion), Goldman Sachs ($914 million), Meritech Management ($263 million) and Juri Milner / DST / Digital Sky Technologies / Mail.ru ($3.79 billion).36

MATERIAL UNDISCLOSED JUDICIAL CONFLICTS OF INTEREST

2012 May-Jun.  Judicial financial disclosure filings revealed that at least two of the three Leader v. Facebook judges, namely Presiding Judge Alan D. Lourie and Judge Kimberly A. Moore, have substantial undisclosed investments in Facebook.39

37 Judge Alan D. Lourie’s holdings in T.Rowe Price which has 158 funds invested in Facebook and owned 5.2% of Facebook at the time of the IPO. Donna Kline. “Hijinks at the High Court.” Donna Kline Now! Jul. 27, 2012.
38 Judge Kimberly A. Moore’s holdings in Fidelity Contrafund which has highly-publicized holdings in Facebook. Renewed Motion for Leave to file Brief of Amicus Curiae Lakshmi Arunachalam, Ph.D. in support of Leader Technologies, Jul. 10, 2012. Leader Tech v. Facebook, Case No. 2011-1366 (Fed. Cir.), Jul. 27, 2012.
39 These same judges, both patent attorneys, failed to follow the law on testing evidence of on-sale bar—some of which they helped write, e.g., Group One v. Hallmark Cards, etc. This law soundly debunks Facebook’s attorney-fabricated evidence and affirms Leader Technologies’ outright victory. See Brief Of Amicus Curiae Lakshmi Arunachalam, Ph.D. In Support Of
2012 Jun. 29  Lawrence Summers appears, unexpectedly according to the financial press, as “special adviser” to Marc Andreessen at Andreessen-Horowitz just in time to cash in on the dubious $1 billion Instagram purchase by Facebook.\(^{40}\)

Internet pioneer, inventor and former Sun Microsystems Director of Network Architecture, Dr. Lakshmi Arunachalam files an *amicus curiae* (friend of the court) brief on behalf of the public, pointing out the egregious mistakes of law in *Leader v. Facebook*.\(^{41}\) Her motion was *never docketed* by the Clerk of Court Jan Horbaly, but was nonetheless denied by the Court.

**MATERIAL EVIDENCE WITHHELD BY MARK ZUCKERBERG; FEDERAL COURTS ARE CODDLING FACEBOOK\(^{42}\)**

2012 Jul. 19  Facebook experts reveal in the *Paul Ceglia v. Mark Zuckerberg* litigation that Mark Zuckerberg concealed 28 computer hard drives and Harvard email archives in *Leader v. Facebook*. The Federal Circuit Court ignored this explosive new evidence.\(^{43}\)


\(^{40}\) Andreessen dealt on both sides of the Instagram purchase. He is a director in both Instagram (sell-side) and Facebook (buy-side). After this transaction, Summers faded back to Boston and teaching at Harvard.\(^{40}\) His receipts from the Instagram deal are unknown. His support of Andreessen’s conflicts of interest is remarkable given the amount of work and writing on this subject at the Harvard Business and Law Schools. See “Larry Summers Joins Andreessen Horowitz as Adviser.” *Bloomberg TV*, Jun. 30, 2012; See also Edward F. Green. “Say-on-Pay and the Business Judgment Rule.” *The Harvard Law School Forum on Corporate Governance and Financial Regulation*, Nov. 26, 2011.

\(^{41}\) Id.


2012 Jul. 27  Dr. Arunachalam files a renewed motion pointing out the egregious and undisclosed conflicts of interest inside the Court. This motion was *never docketed* by the Clerk of Court Jan Horbaly.

2012 Aug. 10  Federal Circuit Court issued a surprising four-page Order denying Dr. Arunachalam’s July 27, 2012 renewed motion (even though the Clerk of Court had never docketed it). The Order containing numerous false and misleading statements evidently designed to cover-up judicial misconduct.

2012 Aug. 21  Facebook director Peter Thiel dumped another $400 million of his Facebook shares on top of the $633 million he dumped on Day 3 of the IPO prompting CNBC’s Jim Cramer to ask live on camera “where’s the outrage?”

2012 Sep. 11  The Federal Circuit Bar Association filed a Request to have the Aug. 10, 2012 Order be made precedential. This move would essentially *absolve* the judges of their wrongdoing in this case. Four of Facebook’s attorneys and Microsoft, one of Facebook’s largest shareholders, populate the “Leaders Circle” at this bar association. See below.

2012 Sep. 18  Amicus Curiae Dr. Arunachalam responded with a stinging critique of The Federal Circuit Bar Association’s attempt to cover-up the judicial misconduct and failure to disclose conflicts of interest. This motion was also *never docketed* by Clerk of Court Jan Horbaly. The Bar Association also failed to disclose its own conflicts of interest in that four different

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44 Renewed Motion for Leave To File Amicus Curiae Lakshmi Arunachalam, Ph.D. Brief, Jul. 27, 2010 - Leader v. Facebook, Case No. 2011-1366 (Fed. Cir.).

45 Jim Cramer. “You Need to See Thiel BUY Here.” CNBC Video, Aug. 21, 2012 (“There isn’t anything about Facebook is done in the right fashion . . . where are the brokers coming out and saying this isn’t right?”); See also Roland Jones. “Facebook insider sells a majority of his shares in the company.” NBC News, Aug. 21, 2012.

Facebook law firms, namely Fenwick & West LLP, Gibson Dunn LLP, Orrick Herrington LLP, Weil Gotchal LLP, participate in the Bar Association’s “Leaders Circle” and one of Facebook’s largest shareholders, Microsoft, is a director of the Bar Association. Such nondisclosure renders the Bar Association’s Request dubious at best.

Naked Corruption at the U.S. Patent & Trademark Office; Inequitable Conduct

2012 Oct. 17

The U.S. Patent Office Patent Trial and Appeal Boards has just overruled its two Examiners’ two reexamination rulings affirming Leader patent claims over the prior art in U.S. Patent No. 7,139,761. They are attempting to have an Examiner invalidate ALL of Leader’s 35 claims in an administrative decision (only 11 claims were asserted at trial). Such action by the Patent Office exhibits unconscionable favoritism and evident collusion. The action is a naked attempt to protect Fenwick & West LLP and Facebook from having their 700+ patent filings invalidated for “inequitable conduct” (fraud). See Jul. 24, 2009.

James W. Breyer’s Self-fulfilling Prophecy

It also appears that the U.S. Federal Courts and U.S. Patent Office are equally supporting Breyer’s prophesy. If inventors and private property are not protected, then American innovation is not worthy of investment.

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47 Donna Kline. “Cover-up in Process at the Federal Circuit? Internet pioneer says the judges and clerk failed their ethical duties in Leader v. Facebook; Four Facebook law firms plus Microsoft are “leaders” in the Federal Circuit Bar Association who filed a request that would absolve the judges of conflicts; international and post-Soviet ties.” Donna Kline Now! Sep. 17, 2012.

48 Patentees must disclose to the patent Examiner any prior art reference that the Examiner should consider as possible prior art. Not knowing about an item of prior art is permissible. Knowing about a piece of prior art and not telling the Examiner is fraud, or “inequitable conduct” in patent-speak. The US Patent Office record shows unequivocally that Fenwick & West LLP knew about the Leader patent because they disclosed it in earlier prior art for two Marc Andreessen patents. In addition, Fenwick was Leader’s attorney in 2001-2003 and clearly knew about Leader’s claims. See Donna Kline, “Proof Fenwick & West LLP did not disclose Leader as prior art to Facebook.” Donna Kline Now! Mar. 29, 2003.
Or, is all this just “innocent” and “coincidental?”

In closing are cautionary words from Professor Hy Berman, eminent American historian, and Professor Emeritus of History at The University of Minnesota, who served as a political adviser to former Vice President Hubert Humphrey and is a close friend of former Vice President Walter Mondale.

“As an American historian, I am particularly concerned by the implications of allowing powerful forces to violate intellectual property rights. Our economic and industrial development was made possible by inventors, innovators, scientist and engineers who developed the technology undergirding our national development. Through our patent and copyright protection system, these innovators were able to be rewarded for their efforts. If intellectual property theft by the powerful and well-connected is not stopped, future innovation is jeopardized.”

**ABUSE OF THE PUBLIC TRUST**

Opportunism means consciously taking selfish advantage of circumstances with little regard for what the consequences are for others. The opportunism described herein uses the special knowledge vested in “Facebook ecosystem” cronies whereby the economists and lawyers involved use their knowledge of the weaknesses or our public institutions for their own selfish and illegal gain.

Will we permit such misconduct to continue, or will we act? Will we act to right the injustices perpetrated in this matter against both the American and Russian peoples. Will we act to stop this flagrant abuse of the public trust?

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49 The Federal Circuit Bar Association’s Request cited case law implying that everything the judges did in *Leader v. Facebook* regarding appearances of impropriety was innocent.

THE FLEEING OF PROPRIETY

The evident agenda of the principal cronies in the Facebook “ecosystem” is to establish a means of international exchange via Facebook Credits that is free of U.S. legal and banking regulations. They appear willing to go to whatever lengths necessary, legal and illegal, to achieve this goal.

If the Facebook “ecosystem” is allowed to succeed, they will do so having fleeced the American public three times:


2. 2008 fleece of the American public by the so-called “Economic stimulus” whereby Summers, Breyer, Milner and their cronies received American taxpayer dollars in a “legal” transfer of wealth to their cronies; and

3. 2012 fleece of the American public by the Facebook IPO whereby, once again, Summers, Breyer, Milner and their cronies took American investor monies in another “legal” transfer of wealth to their cronies?

The Facebook “ecosystem” has learned that in aggression there is profit. Has the American public had enough? Are we going to let these people succeed with their opportunism, their abuse of due process, their theft of property, their abuse of power?
Finally, shall we let these unscrupulous people continue to press their agenda to establish a “virtual” world currency called Facebook Credits or similar systems emerging from “London, Bangalore and Beijing” using stolen technology and funds fleeced from the American public?\(^{51}\)

If Congress fails to act, a financial “army” of more than \textbf{one billion} Facebook users (more than three times the U.S. population) who are poised to undermine our country. What damages will their external shock cause to our already weakly growing, battered economy?

Available from \textbf{Americans For Innovation and Against Intellectual Property Theft}

\texttt{http://www.scribd/amer4innov}

\texttt{http://americans4innovation.blogspot.com}

October 19, 2012

\(^{51}\) James W. Breyer, Managing Partner, Accel Partners LLP; Facebook Director; Wal-Mart Director; Former Chairman of the National Venture Capital Association; beneficiary of $6.5 billion in public funds from the Facebook IPO at the beginning of Day 3 with the blessings of the SEC and Fenwick & West LLP. \textit{See} Feb. 1, 2010.
BRIEFING FOR REPRESENTATIVE JIM JORDAN

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r. [Duplicate citation removed, Nov. 14, 2013].


d. Jim Cramer. “You Need to See Thiel BUY Here.” CNBC Video, Aug. 21, 2012 (“There isn’t anything about Facebook is done in the right fashion . . . where are the brokers coming out and saying this isn’t right?”) <http://video.cnbc.com/gallery/?video=3000110603&play=1>.


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BRIEFING FOR REPRESENTATIVE JIM JORDAN


Sheryl Sandberg, (Summers protégé) leaves Google becomes Facebook COO

Mar. 4

Goldman Sachs Alexander Tamas leaves Goldman to join Yuri Milner (Summers protégé); opens DST London (first of three Goldman executives to join DST)

Aug. 12

Fenwick & West LLP files for SEC 500 shareholder exemption for Facebook

Aug. 13

SEC grants Facebook exemption from 500 shareholder rule; Goldman to use it to make a private market in Facebook stock; takes US investors until exemption questioned

Aug. 14

White House

Sep. 25

Goldman Sachs

Mark Zuckerberg / Facebook / Sheryl Sandberg take first $200 Million from Yuri Milner / DST ($1.5 Billion in Jan. 2011) (lay plans for Facebook Credits) (private Goldman market pumps Facebook valuation to $50 Billion, incl. purchases by Mail.ru)

(Summers protégés deal on both sides; Summers later joins Facebook director Marc Andreessen during $1 billion Instagram deal); (no disclosure of conflicts of interest anywhere)

May 26, 2009

Aug.

Goldman Sachs executives who want to work for Yuri Milner / DST / Mail.ru

Goldman Sachs Verdi Israeli joins Yuri Milner / DST in Moscow; former Morgan Stanley Moscow; vaguely identified as “2009”


Former Goldman Sachs Alexander Tamas for Yuri Milner / DST / Mail.ru to Dubai Nov. 5, 2010

Goldman Sachs / Morgan Stanley raise funds for Mail.ru / Yuri Milner in London / Dubai; no disclosure of Summers protégé association to Yuri Milner / DST / Mail.ru Nov. 5, 2010

SEC grants Facebook exemption from 500 shareholder rule; Goldman to use it to make a private market in Facebook stock; takes US investors until exemption questioned

Aug. 14

Obama elected; $22 Billion in TARP funds to Goldman, Morgan Stanley, State Street Corp

Nov. 4

Pres. Obama appoints Larry Summers to direct National Economic Council

Nov. 23

Aug.

Goldman Sachs

Goldman Sachs / Morgan Stanley raise funds for Mail.ru / Yuri Milner in London / Dubai; no disclosure of Summers protégé association to Yuri Milner / DST / Mail.ru Nov. 5, 2010

Goldman Sachs Alexander Tamas leaves Goldman to join Yuri Milner (Summers protégé); opens DST London (first of three Goldman executives to join DST).

Aug. 12

Aug.

White House

Sep. 25

Goldman Sachs

Addendum

1. See Exhibit.

2. See exhibit.

3. See exhibit.

4. See exhibit.

5. See exhibit.

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