

**THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

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HÅKANS LANS,

Plaintiff,

v.

GATEWAY 2000, INC., and  
DELL COMPUTER CORP.,

Defendants.

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Nos. 97-2523 & 97-2526 (JGP)

UNIBOARD AKTIEBOLAG

Plaintiff,

v.

ACER AMERICA CORP., *et al.*,

Defendants.

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No. 99-3153 (JGP)

**DECLARATION OF ARNON D. SIEGEL  
IN SUPPORT OF THE MOTION FOR PROMPT DECISION ON  
THE PENDING MOTION FOR RECONSIDERATION  
AND REQUEST FOR A HEARING**

Arnon D. Siegel declares:

1. I am an attorney admitted to practice in the United States District Court for the District of Columbia. I represent Plaintiffs Dr. Håkan Lans and Uniboard Aktiebolag in the above-

captioned actions. I make this Declaration on personal knowledge in support of the Motion for Prompt Decision on the Pending Motion for Reconsideration of the Court's September 6, 2001 Order Concerning Attorney's Fees and Request for a Hearing.

2. Attached as Exhibit A to this Declaration is a true and correct copy of a letter dated December 12, 2002, from Erika Mann, Carlos Westendorp y Cabeza, and Göran Färm, members of the European Parliament, to their colleagues.

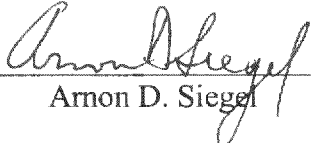
3. Attached as Exhibit B to this Declaration is a true and correct copy of a letter dated June 26, 2002, from Ambassador Carl Henrik Ehrekrona, Director-General for Legal Affairs of the Swedish Ministry of Foreign Affairs, to Bruce Swartz, Deputy Assistant Attorney General for International Affairs in the Criminal Division of the United States Department of Justice.

4. Attached as Exhibit C to this Declaration is a true and correct copy of a letter dated November 28, 2003, from Ambassador Carl Henrik Ehrekrona, Director-General for Legal Affairs of the Swedish Ministry of Foreign Affairs, to William H. Taft IV, Legal Advisor to the United States Department of State.

5. Attached as Exhibit D to this Declaration is a true and correct copy of a letter dated March 28, 2002, from Julia L. Porter, Senior Assistant Bar Counsel of the Office of Bar Counsel of the District of Columbia to Louis S. Mastriani.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 24th day of February, 2004, in Washington, D.C.

  
Arnon D. Siegel

## EXHIBIT A



Erika Mann

Carlos Westendorp Y Cabeza

Göran Färm

MEMBER OF THE EUROPEAN PARLIAMENT

Brussels, 12 December 2002

Dear Colleague,

We are writing to you to alert you to a case that is pending in the US District Court of Columbia, but where the judicial action seems to have stalled. This matter is of great concern to us, and we therefore sincerely hope that you as one of our American colleagues can find the time to look into the circumstances surrounding the present lack of momentum in this process.

The case in question is a motion for reconsideration made by the Swedish inventor Håkan Lans regarding a judgement in a patent case. The Swedish government has submitted an official letter to the US Attorney General's office to ask for an investigation into the behaviour of the court. No reply has yet been given to this letter despite continued pressure by the Swedish embassy in Washington D.C. Therefore we now turn to you as your European colleagues to respectfully ask you to investigate the circumstances surrounding the case.

Dr. Lans is the inventor behind several groundbreaking technologies and world standards. The most relevant of these inventions is his patent on satellite navigation systems. This patent is already cleared to be a world standard for sea transport, and a world standard for aviation is in the making based on the same patent. The development of these patents has largely been sponsored by the European Union and are closely connected to central European projects such as Galileo and the completion of the Single European Sky.

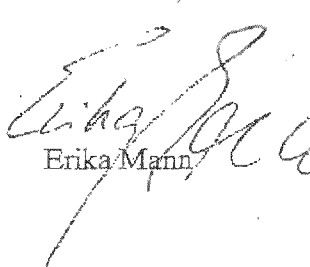
Here follows a brief outline of the events of the case:


- Swedish inventor Dr. Håkan Lans tried in the mid-nineties to raise licensing fees from computer companies that had been using his computer graphics world standard without honouring the licensing fees. The dispute was settled in the US District Court for the District of Columbia. But there is some evidence that Dr. Lans' lawyers at that time (Law Firm Aducci, Mastriani and Schaumberg) ran a faulty process.

- Consequently, Dr. Lans lost his case and it was ruled that he should pay the legal expenses for the other parties, which might very well result in him losing all his other patents, including his satellite navigation world standard, to these parties.
- Almost a year ago, a motion for reconsideration was made by Dr. Lans' new lawyers (Forrest A. Hainline III) but no action has to this date been taken by the Court.
- The 26th of June 2002 a formal letter was sent from the Swedish Ministry for Foreign Affairs to Mr. Bruce Swartz at the US Attorney General's Office. No reply has yet been given to this letter, despite continued pressure from the Swedish embassy in Washington D.C.
- A malpractice suit was instigated by Dr. Lans' new lawyers in November of 2002 against his former lawyers.

We would respectfully like to ask you to investigate the reasons behind the current inaction of the US District Court for the District of Columbia as well as that of the US Attorney Generals' office. It is of utmost importance that foreign, as well as American, inventors feel that they are protected by the American judicial system.

Best regards,

  
Erika Mann

  
Carlos Westendorp Y Cabeza

  
Göran Färm

## EXHIBIT B



REGERINGSKANSLIET

Stockholm, 26 June 2002

Ministry for Foreign Affairs

Director-General for Legal Affairs

U.S. Department of Justice  
Att.: Bruce C. Swartz  
Deputy Assistant Attorney General  
International Affairs  
Criminal Division, Room 2732  
WASHINGTON DC 20530

Håkan Lans

Dear Mr. Swartz,

I am writing to request that the United States Department of Justice take note of a legal action involving the respected and well-known Swedish inventor Håkan Lans that is pending in the United States District Court for the District of Columbia. The action is being considered under Case Numbers 97-2523; 97-2526; and 97-3153 (JGP).

Based on a review of papers filed in the case, it appears that the action might warrant an investigation by the U.S. Department of Justice. According to Mr. Lans' attorney Christopher R. Wall at Pillsbury Winthrop LLP, false statements under oath have been made to the Court by Dr. Lans' former attorneys that might constitute violations of U.S. criminal law and the matter has been reported to the Office of Bar Counsel of the District of Columbia Bar.

Håkan Lans is one of Sweden's best known scientists. He has been awarded numerous patents for groundbreaking technologies. He is a distinguished member of the Swedish Royal Academy of Engineering Sciences and has been honored by the King of Sweden for his outstanding achievements as an innovator.

By way of background, this matter arises out of a lawsuit filed by Dr. Lans' former attorneys against a number of companies alleging infringement of a patent related to computer graphics. During the course of the proceeding, it was shown that Dr. Lans had assigned the relevant patent to a company he owned called Uniboard AB and the action was dismissed. Dr. Lans' former attorneys then brought an action in Uniboard's name but the notices of infringement had been sent in Dr. Lans' name rather than Uniboard's and the time period for new notices had expired, so that action was dismissed as well.

The defendants in these actions moved to assess costs against Dr. Lans and his former law firm, Adduci, Mastriani & Schaumburg.

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Ministry for Foreign Affairs

Stockholm, 26 June 2002

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The law firm claimed that Dr. Lans had not told them about the assignment.

However, according to Mr. Lans' attorney Dr. Lans had written to Mr. Mastriani concerning the assignment before the first complaint was filed informing him about that the license had been signed with a company (UNIBOARD AB).

According to Mr. Lans' present attorney this is one of many examples where Mr. Mastriani made false statements to the Court.

As a result of Mr. Mastriani's statements, the Court decided to assess costs solely against Dr. Lans and not to assess costs against Dr. Lans' attorneys.

To provide further information on the case, I have enclosed a pending Motion for Reconsideration of the Court's Order Concerning Attorneys' Fees, two pending motions for sanctions under Rule 11 of the Federal Rules of Civil Procedure against Adduci, Mastriani & Schaumburg and that law firm's current counsel, as well as a Rule 8.3 Report to the Office of Bar Counsel of the District of Columbia Bar. No action has yet been taken on these submissions.

Obviously, the truthfulness of lawyers before the courts is essential to the integrity of a nation's legal system. Dr. Lans seems to have been seriously harmed by the acts of his former lawyers. I write to you to express my Government's concern in the matter and to draw your attention to it in order to give you the opportunity to see if an investigation of the actions of Dr. Lans' former attorneys is called for.

If you would like further information on the case, please feel free to contact Dr. Lans' present attorneys in Washington, D.C., Christopher R. Wall at Pillsbury Winthrop LLP, 1133 Connecticut Avenue, N.W., Washington, D.C. 20036 (telephone 202-775-9850), or Forrest Hainline, 5335 Wisconsin Avenue, N.W., Suite 440, Washington, DC 20015 (telephone number 202-966-1962).

Very truly yours,

  
Carl Henrik Ehrenkrona

Enclosures



## EXHIBIT C



REGERINGSKANSLIET

Stockholm, 28 November 2003

**Ministry for Foreign Affairs  
Sweden**

*Director-General for Legal Affairs*

Ambassador William H. Taft, IV  
Legal Adviser  
Office of the Legal Adviser  
U.S. Department of State  
2201 C Street, N.W.  
WASHINGTON D.C. 20520  
U S A

**Re: Håkan Lans' Litigation**

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Dear Mr. Taft,

I am writing with regard to a complex litigation matter that is pending in the United States District Court in Washington, D.C. involving a Swedish citizen, Dr. Håkan Lans, who is a distinguished inventor and the recipient of numerous awards and honors. I wish to express my Government's concern regarding the Court's delay in responding to Dr. Lans' claims of perjury in the matter. This delay is causing serious hardship to Dr. Lans.

By way of background, a number of years ago Dr. Lans engaged a law firm in the United States to represent him in a patent infringement action. That action was dismissed because it was determined that the attorneys had brought the action in the name of the wrong party (Dr. Lans) instead of the company to which Dr. Lans had assigned the patent (Uniboard AB). A subsequent action brought by Uniboard was dismissed because the notices of infringement had been sent in Dr. Lans' name rather than Uniboard's and the time period for new notices had expired.

The defendants in these actions then moved to assess costs against Dr. Lans and his attorneys. The law firm claimed in sworn statements to the court that Dr. Lans did not tell them about the assignment. However, Dr. Lans is of the opinion that there is evidence to show that Dr. Lans had informed the lawyers of the assignment months before the original complaint was filed. As a result of the lawyers' statements, the Court decided to assess costs solely against Dr. Lans and not to assess costs against Dr. Lans' attorneys.

Dr. Lans subsequently retained new attorneys who filed a motion in January 2002 requesting the Court to reconsider its order granting attorneys fees based on the alleged false statements of Dr. Lans' former attorneys. In May

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Stockholm, 28 November 2003

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2002, Dr. Lans filed a motion for sanctions under Federal Rule of Civil Procedure 11 against his former law firm. Also in May 2002, Dr. Lans filed a Rule 8.3 Report to the Office of Bar Counsel of the District of Columbia Bar against the attorneys regarding their – in Dr. Lans' opinion – professional misconduct. No action has been taken on these submissions. Specifically, the motion for reconsideration has been pending before the Court for nearly two years.

The delay is especially troubling because, in Dr. Lans' opinion, the claims documented by him in the motion for reconsideration show that knowingly false statements were made by Dr. Lans' former attorneys under penalty of perjury and that these false statements were material to the Court's decisions adverse to Dr. Lans. Thus it seems that there is also a criminal law aspect involved in the case in that Dr. Lans actually argues that his former attorneys have committed perjury which is of course a very serious accusation. It is my understanding that the statute of limitations in the United States for perjury will expire in less than a year.

Dr. Lans and Uniboard filed a separate lawsuit in November 2002 against the former attorneys and related parties in the United States and Sweden for professional negligence and other claims. All of the defendants in this matter have filed motions, which are pending before the Court, and it is hoped that these motions will be addressed with all due speed.

In addition, certain defendants in this matter, a Swedish law firm and individuals in Sweden brought an action in a Swedish court seeking a declaration that the claims against them should be governed by Swedish law. This action was dismissed by the Swedish court due to lack of competence regarding the dispute, since the case was already pending before a U.S. court.

It goes without saying that my Government can take no stand in a civil lawsuit of the present character between two private parties. However, it is concerned about the fact that Dr. Lans' motion for reconsideration has been pending before a U.S. court for nearly two years without any action having been taken by the court on his submissions.

I would therefore appreciate – well aware of the independence enjoyed by a U.S. court under the Constitution of the United States – if you would please make my Government's concern known to the appropriate authorities and – if possible – through any appropriate channels to the Court in question.

Stockholm, 28 November 2003

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Finally, I wish to inform you that the attention of the U.S. Department of Justice has been drawn to the matter, and I enclose my letter to Mr. Bruce C. Swartz at this department of June 26, 2002, as well as his reply of August 28, 2003. The matter has been discussed further in meetings between Dr. Lans' counsel, representatives of the Swedish Embassy and Mr. Swartz.

Yours sincerely,

Carl Henrik Ehrenkrona  
Ambassador  
Director-General for Legal Affairs

## EXHIBIT D

# OFFICE OF BAR COUNSEL

March 28, 2002

## CONFIDENTIAL

Louis S. Mastriani, Esquire  
c/o Aaron L. Handleman, Esquire  
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*Serving the District  
of Columbia Court  
of Appeals and its Board  
on Professional  
Responsibility*

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Senior Assistant Bar Counsel  
Elizabeth A. Herman  
Julia L. Porter

Assistant Bar Counsel  
Ross T. Dicker  
Judith Hetherton  
Catherine L. Kello

John T. Rooney  
H. Clay Smith, III  
Traci M. Tait

Re: Mastriani/Bar Counsel; Docket No. 29-02

Dear Mr. Mastriani:

Pursuant to Board Rule 4.1, the above-captioned matter has been deferred pending further developments in the underlying civil matter, *Hakan Lans v. Gateway 2000, Inc., et al.*, Civil Action Nos. 97-2523, *et al.*, (JGP), pending in the United States District Court for the District of Columbia. Please submit a report to this office commencing 60 days from the date of this letter and continuing every 60 days thereafter concerning the status of the civil matter. We thank you for your continued cooperation.

Sincerely,



Julia L. Porter  
Senior Assistant Bar Counsel

cc: Forrest A. Hainline III, Esquire