

Master Cover Memo — Litman v. Goldberg Exhibit Package

Index of Deliverables and Read Order

To: Counsel for Plaintiff (Richard C. Litman) **From:** Mike Litman (case-research support) **Date:** 2026-04-25 **Re:** Litman v. Goldberg, Index No. 524343/2025 — § 51 face-page liability set + cascade evidence

What's in this package

11 PDFs and 1 PNG, totaling roughly 100 pages of analysis, exhibits, and ready-to-serve discovery papers. Everything in this package is reproducible from local data + live USPTO Open Data Portal queries (api.uspto.gov, X-API-Key authenticated 2026-04-25).

#	File	Pages	What it is
1	Litman_Session_Summary_2026-04-25.pdf	16	Overall case summary (background context)
2	Litman_Originated_Client_Trust_Balances_2026-04-25.pdf	3	Per-client current trust balances
3	Litman_Post_SOL_AOR_Deep_Dive_2026-04-25.pdf	10	AOR analysis findings memo (the underlying research)
4	Litman_Exhibit_A_12_Patent_Binder_2026-04-25.pdf	66	The core liability binder (the headline)
5	Litman_Per_Patent_Mini_Exhibits_2026-04-25.pdf	13	One focus page per patent (use for talking points)
6	Litman_KISR_32366_97U_Focus_2026-04-25.pdf	5	Single-docket deep dive (highest-activity matter)
7	Litman_Pre_SOL_Willfulness_2026-04-25.pdf	~12	Companion willfulness binder (Halloran habit)
8	Litman_Exhibit_B_Capability_Rollup_2026-04-25.pdf	5	The 449-Goldberg capability exhibit
9	Litman_CPLR_3123_Notice_To_Admit_2026-04-25.pdf	8	70 numbered admissions ready to serve
10	Litman_Timeline_Full_Arc_2026-04-25.png	(chart)	Comprehensive 1,357-patent attribution timeline
11	Litman_Exhibit_Package_Full_2026-04-25.pdf	~110	All of the above concatenated

Suggested read order

For first review (~30 minutes): 1. Open the **timeline PNG** (#10) — establishes the dramatic 5-year arc visually in one glance. 2. Read the cover narrative pages of **Exhibit A binder** (#4, pages 1–6) — gives the legal framework + the 12-449-1 split + the three-way Box 2 smoking-gun comparison. 3. Skim **Exhibit B** (#8) — corroborates the per-patent election with the 449-patent capability denominator. 4. Read the **CPLR 3123 Notice to Admit** (#9) — see what’s being asked of Defendant.

For deeper review (~2 hours): 5. Read the **Post-SOL AOR Deep-Dive memo** (#3) — full methodology + per-staffer table + diagnostic findings. 6. Read **Per-Patent Mini-Exhibits** (#5) — one

page per patent; use as oral-argument talking points. 7. Read the **KISR Focus (#6)** — best single-docket example for narrative. 8. Read the **Pre-SOL Willfulness Binder (#7)** — the 4 pre-SOL patents that pair with the 12 to support Halloran habit / course of conduct.

For depositions / MSJ preparation: - The **per-patent labels** in Exhibit A binder (preceding each face page + PTOL-85B) are designed to function as deposition exhibit labels. - The **smoking-gun panel** in Exhibit A (pages 5–7) is the single most useful 3-page exhibit for any deposition of James Lafave (Reg. 71013), Joshua B. Goldberg (Reg. 44126), or Jerald L. Meyer (Reg. 41,194). Same form, same signer, three different names typed in Box 2.

Key findings synthesized

1. **The 12 face-page elections are NOT random.** They are the post-7/21/2024 grant tail of a documented 16-form Lafave-signed PTOL-85B pattern that ran 12/18/2023 → 6/5/2024 (169 days). Per-staffer roll-up: James Lafave signed 12/12 PTOL-85Bs (the Box 2 typist); Joshua B. Goldberg signed 8/12 of the companion POAs.
2. **Per-patent name election is now empirically proven, not inferred.** Three PTOL-85B forms by the same signer, same form, same firm, same registration number, in 2024: - 5/28/2024: “Richard C. Litman” in Box 2 (US 12,194,434) - 6/12/2024: “Joshua B. Goldberg” in Box 2 (US 12,060,336) - 9/25/2024: “James Lafave” in Box 2 (US 12,127,901)

Same hand, three different names, four months apart. Every “system default” / “ministerial routine” defense theory collapses on these three pages.

1. **The pattern is dramatic at scale.** Across the entire 5-year 10-month window (2020-06-15 → 2026-04-25): - Pre-SOL (4 yr 1 mo): 875 Litman-AOR / 5 Goldberg-AOR / 0 Lafave-AOR — **97.9% Litman** - Post-SOL (21 mo): 12 Litman-AOR / 449 Goldberg-AOR / 1 Lafave-AOR — **2.6% Litman** - The flip happened in a 7-day window June 5–12, 2024.
 2. **The cascade behind the 12 face pages is large.** Each patent’s prosecution generates ~50-60 IFW documents (each addressed to “Richard C. Litman / Nath, Goldberg & Meyer” via CN-37833) and ~10-15 Martha Long client emails. **769–880 separately-dated within-SOL § 51 uses** anchor to the 12-patent foundation. Including the 4-patent pre-SOL Lafave tail (which goes to willfulness), the combined pattern cascade is **1,060–1,171 dated uses**.
 3. **All 12 dockets are Litman-originated client matters.** Every one follows the legacy Litman Law Offices STI/PracticeMaster 5-digit.2-digit format (e.g., 33120.91U, 32366.97U, 33056.80A) — the matters Plaintiff brought to NGM in the 2017 transition.
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Decision points for counsel

1. **Service date for the CPLR 3123 Notice to Admit (#9)** — currently dated 2026-04-25 as a placeholder. Counsel to confirm.
 2. **Format of formal recitals** — the affirmation block uses CPLR 2106 (1/1/2024 amendment). If counsel prefers a different verification format, easy to swap.
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3. **Whether to lead with the 12 patents or the 449 capability roll-up** — the suggested approach is 12-then-449 (per-patent liability, then capability denominator), but reasonable minds could lead with the 449 to set up the per-patent election narrative first.
4. **OED grievance** — separate from the §51 case but parallel. Worth a separate consult on whether to file alongside or hold.
5. **Inclusion of pre-SOL exhibits** — the willfulness binder (#7) is presented under Halloran v. Va. Chems., 41 N.Y.2d 386 (1977) as habit / routine practice. Confirm comfort with the framing.

What's NOT in this package (and why)

- **The 6/5/2024 trigger document.** The corpus search (separate memo: `output/patent_count_refresh/findings/CAMPAIGN_END_TRIGGER_INVESTIGATION.md`) found no email or memo announcing the pattern end. The switchover appears to have been executed silently. Discovery target: NGM internal communications late May / early June 2024.
- **KSU/KISR per-staffer email mapping** beyond Martha Long. The 77-email cascade floor is from KFU primarily; KSU/KISR add a confirmed 0 Martha emails but the structured per-docket file picked up 6 KSU and 111 KISR mentions when the broader corpus was searched.
- **OED grievance update** — separate filing track. Stub at `output/GRIEVANCE_USPTO_OED_DRAFT.md` exists but has not been updated with the new findings (the Lafave self-substitution, the 449/12 split, and the pattern timeline).

Reproducibility / source pointers

- Live USPTO ODP API key was provided 2026-04-25; query rerun is one shell command via `scripts/verify_odp_litman.py` if `USPTO_ODP_API_KEY` is set.
- All raw data: `output/patent_count_refresh/`
- Detailed methodology: `output/patent_count_refresh/findings/POST_SOL_AOR_DEEP_DIVE_2026-04-25.md`
- Memory pointer: `~/claude/.../memory/project_post_sol_aor_split.md`

Questions or revisions: ping Mike (awesomemat@gmail.com).