

No. 18 A 435

IN THE  
SUPREME COURT OF THE UNITED STATES

Dr. Lakshmi Arunachalam PETITIONER  
(Your Name)

VS.

Apple, Inc. et al RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Please check the appropriate boxes:

☐ Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):  
\_\_\_\_\_  
\_\_\_\_\_

☐ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

☒ Petitioner's affidavit or declaration in support of this motion is attached hereto.

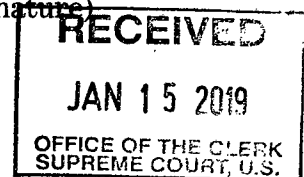
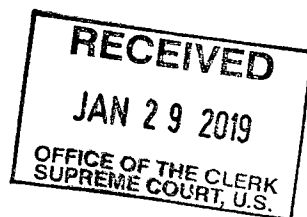
☐ Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

☐ The appointment was made under the following provision of law: \_\_\_\_\_  
\_\_\_\_\_, or

☐ a copy of the order of appointment is appended.

Lakshmi Arunachalam

(Signature)



**AFFIDAVIT OR DECLARATION  
IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

I, Dr. Lakshmi Arunachalam, am the petitioner in the above-entitled case. In support of my motion to proceed *in forma pauperis*, I state that because of my poverty I am unable to pay the costs of this case or to give security therefor; and I believe I am entitled to redress.

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ _____	\$ _____	\$ _____	\$ _____
Self-employment	\$ _____	\$ _____	\$ _____	\$ _____
Income from real property (such as rental income)	\$ _____	\$ _____	\$ _____	\$ _____
Interest and dividends	\$ _____	\$ _____	\$ _____	\$ _____
Gifts	\$ _____	\$ _____	\$ _____	\$ _____
Alimony	\$ _____	\$ _____	\$ _____	\$ _____
Child Support	\$ _____	\$ _____	\$ _____	\$ _____
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>17256</u> / <u>12</u> = <u>1439</u>	\$ _____	\$ <u>1480</u>	\$ _____
Disability (such as social security, insurance payments)	\$ _____	\$ _____	\$ _____	\$ _____
Unemployment payments	\$ _____	\$ _____	\$ _____	\$ _____
Public-assistance (such as welfare)	\$ _____	\$ _____	\$ _____	\$ _____
Other (specify): _____	\$ _____	\$ _____	\$ _____	\$ _____
<b>Total monthly income:</b>	\$ <u>1439</u>	\$ _____	\$ <u>1480</u>	\$ _____

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
webxchange, Inc	222 Stanford Ave	4/18/1996 -	\$ 0
	Menlo Park	Present	\$
	CA 94025		\$

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.) I am single, no spouse

Employer	Address	Dates of Employment	Gross monthly pay
N/A			\$ N/A
			\$
			\$

4. How much cash do you and your spouse have? \$ 154  
Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Type of account (e.g., checking or savings)	Amount you have	Amount your spouse has
checking	\$ 128	\$ N/A
Savings	\$ 26	\$
	\$	\$

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

<input type="checkbox"/> Home	<input type="checkbox"/> Other real estate
Value _____	Value _____

<input checked="" type="checkbox"/> Motor Vehicle #1	<input type="checkbox"/> Motor Vehicle #2
Year, make & model 2000, Mercedes Benz	Year, make & model _____
Value \$ 498	Value _____
	5430

☐ Other assets  
Description \_\_\_\_\_  
Value \_\_\_\_\_

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
George Pazuniak	\$ TBD at trial.	\$ N/A
All Defendants in all of my cases	\$ Per web application TBD at trial	\$
	\$	\$

7. State the persons who rely on you or your spouse for support. For minor children, list initials instead of names (e.g. "J.S." instead of "John Smith").

Name	Relationship	Age
N/A		

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, or annually to show the monthly rate.

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ 0	\$ N/A
Are real estate taxes included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 425	\$ N/A
Home maintenance (repairs and upkeep)	\$ 250	\$ N/A
Food	\$ 300	\$ N/A
Clothing	\$ 0	\$ N/A
Laundry and dry-cleaning	\$ 0	\$ N/A
Medical and dental expenses	\$ 475	\$ N/A

I am single, no spouse

	You	Your spouse
Transportation (not including motor vehicle payments)	\$ <u>100</u>	\$ <u>N/A</u>
Recreation, entertainment, newspapers, magazines, etc.	\$ <u>0</u>	\$ <u>N/A</u>
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	\$ <u>0</u>	\$ <u>N/A</u>
Life	\$ <u>0</u>	\$ <u>N/A</u>
Health	\$ <u>390</u>	\$ <u>N/A</u>
Motor Vehicle	\$ <u>50</u>	\$ <u>N/A</u>
Other: _____	\$ <u>0</u>	\$ <u>N/A</u>
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	\$ <u>0</u>	\$ <u>N/A</u>
Installment payments		
Motor Vehicle	\$ <u>0</u>	\$ <u>N/A</u>
Credit card(s)	\$ <u>824</u>	\$ <u>N/A</u>
Department store(s)	\$ <u>0</u>	\$ <u>N/A</u>
Other: _____	\$ <u>0</u>	\$ <u>N/A</u>
Alimony, maintenance, and support paid to others	\$ <u>0</u>	\$ <u>N/A</u>
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ <u>0</u>	\$ <u>N/A</u>
Other (specify): _____	\$ <u>0</u>	\$ <u>N/A</u>
<b>Total monthly expenses:</b>	\$ <u>1990</u> + <u>824</u> <hr/> <u>2814</u>	\$ <u>N/A</u>

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

☐ Yes

☒ No

If yes, describe on an attached sheet.

10. Have you paid – or will you be paying – an attorney any money for services in connection with this case, including the completion of this form? ☐ Yes ☒ No

If yes, how much? \_\_\_\_\_

If yes, state the attorney's name, address, and telephone number:

11. Have you paid—or will you be paying—anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

☐ Yes

☒ No

If yes, how much? \_\_\_\_\_

If yes, state the person's name, address, and telephone number:

12. Provide any other information that will help explain why you cannot pay the costs of this case.

*See Attached "Equitable Enforcement of Administrative Constitutional Redress in the Interest of Justice and Fundamental Fairness for Fee Waiver to Access the Court"*

I declare under penalty of perjury that the foregoing is true and correct. *A Certificate of Service is attached.*

Executed on: January 8, 2019 2019

*Resubmitted on January 23, 2019*

*LA*

Lakshmi Arumachalam

(Signature)

**EQUITABLE ENFORCEMENT OF  
ADMINISTRATIVE [CONSTITUTIONAL] REDRESS  
'IN THE INTEREST OF JUSTICE AND FUNDAMENTAL FAIRNESS'**

**FOR**

**FEE WAIVER TO ACCESS THE COURT**

**'A THING CONTINUES TO EXIST AS LONG AS IS USUAL WITH THINGS OF THAT NATURE'**

Petitioner compliantly moves the Supreme Court of the United States to grant 'ADMINISTRATIVE [CONSTITUTIONAL] REDRESS' authorizing the CLERK OF THE COURT to 'WAIVE THE FILING FEE' for the attached Petition for Writ of Certiorari filing on equitable (*extraordinary*) circumstances regarding the question of due process itself; denied, by the Trial Court and Circuit Court. Hindering such access to the courts by making it *difficult and expensive*; which, has continued (*with things of that nature*) was procedurally an integral part relied upon [By the Court and Clerks.] against Petitioner [Disparately, excluded from the Equal Protection of the Federal Circuit's Reversal in *Aqua Products*' existing. Now, existing before this Tribunal to concede — *compromisingly in furtherance* —; which, this Tribunal must not abide by.

**Undisputed Facts In Support Of  
Equitable Consideration of Entitled Constitutional Redress**

For decades, the USPTO, its CERTIFIED ATTORNEY MEMBERS, and APPEAL BOARD (PTAB) have been *corruptly* using (*Ultra vires*) a 'REEXAMINING PROCESS-ON-REQUEST' — by Infringers, Competitors, and Others [So vested(-ly) interested in having Petitioner's 'GOVERNMENT CONTRACT GRANTED PATENT' rescinded—in—'*Breach*' thereof). Without, considering 'PATENT PROSECUTION HISTORY'; concertedly, by venue to the Federal Circuit Court to adjudicate the PTAB's 'INVALIDATING REEXAMINATION'; complained, of by Petitioner [On 'FIRST IMPRESSION' conflicting 'CONSTITUTIONAL ISSUE' — (prohibiting) — 'INVALIDATING GOVERNMENT ISSUED GRANTS' which all Federal Courts have (*concertedly*) failed to adjudicate. In 2011, the Legislature enacted 'America Invents Act.' Authorizing, by inserted provision of the *same* 'Reexamination Process.'

Subsequently, 'Constitutional[-ized]' by Supreme Court declaration in *Oil States*; concertedly, with the Federal Circuit's 'POST-REVERSAL' in its *AQUA PRODUCTS* ruling; preempting, notice of the decades-long *silence (as fraud)* of the PTAB's 'BREACH OF CONTRACT GRANT' EFFECTUATED BY THE 'CORRUPTED REEXAMINING PROCESS' [Requiring the Agency to 'Duly Consider' the entire 'Patent Claim' [and applying 'PATENT PROSECUTION HISTORY']. — in the 'INVALIDATING PROCESS.' Further, requiring the Agency to 'REDRESS ALL

**REEXAMINATION REQUESTS (FRAUDULENTLY) ENFORCED** [One being Petitioner's; *which*, the '**REVERSING CIRCUIT COURT**' — specifically **EXCLUDED** from the (*entitled*) '**REVERSAL REDRESS**' — **Object** — to avoid **adjudicating** the *countervailing*: '**MANDATED PROHIBITION**' — incidentally — comforting the abusive object of the infringers' (18) requests to reexamine Petitioner's patent contract grant.

II. **Excluding**, Petitioner from *enjoying* the benefit of the Federal Circuit's reversal and wanton '**FAILURES TO ADJUDICATE**' the '**MANDATED PROHIBITION**' has been **unduly** oppressive, difficult, and very expensive [For no good public or private reason other than '**CAPITALIZING ON THEIR COLLECTIVE SILENCE**'.]. **COMPOUNDED**, by the Supreme Court; *concertedly*, *enjoining* the Separation of Powers Clause; *by*, — Allowing the '**LEGISLATIVE ACT**' to '**ADJUDICATIVE(-LY) QUASI-REVERSE**' the '**LAW OF THE LAND—MANDATED PROHIBITION**' against rescinding Government-issued contract grants, once issued; *inciting*, the **INFRINGERS** to continue '**NON-PAYMENT OF ROYALTIES**' owed to Petitioner — Cumulatively, resulting in this Prayer; for,

III. **Equitable Enforcement of Administrative Constitutional Redress:**

"If the parties to litigation have been given a fair hearing in their case, in a manner appropriate to the occasion, neither can complain that his property has been taken without due process merely because a court has erroneously decided against him. Due process does not assure a correct decision, but only a fair hearing<sup>7</sup>. The requirement of due process does, however, entitle a litigant to an *honest*, though not a *learned* tribunal. If a litigant is injured through the *corruption or fraud* of the court or other body disposing of his case, s/he is entitled to redress under this constitution<sup>8</sup>." Vol. XII, Constitutional Law, Chapter 7. Sec. 140. *Erroneous and Fraudulent Decisions. Due Process and Equal Protection of Law: Procedure. Sec. 1. Due Process of Law*

**CONCLUSIVELY**

"The courts may ultimately decide that the decisions of administrative officers, with or without a hearing according to circumstances, are due process of law, but the final decision of this ultimate question cannot be conclusively confided to any non-judicial tribunal. Any legislative attempt to do this, whether by direct denial of access to the courts upon

---

<sup>7</sup> *Central Land Co. v. Laidley*, 159 U.S. 103

<sup>8</sup> *Fallbrook Irrigation District v. Bradley*, 164 U.S. pp. 167-70; *Louisville & Nashville Railway Co. v. Kentucky*, 183 U.S. pp. 515-16; *C.B. & Q. Railway v. Babcock*, 204 U.S. 585.

this question, or by *hindering such access* by making resort to the courts upon it difficult, expensive, or hazardous, all alike violate the constitutional provision."

Respectfully prayed for,

*Lakshmi Arunachalam.*

Dr. Lakshmi Arunachalam,  
Pro Se Petitioner.

222 Stanford Avenue, Menlo Park, CA 94025

Tel: 650 690 0995; laks22002@yahoo.com

December 24, 2018

ReSubmitted on 1/8/2019

Re-submitted on 1/23/19.

**CERTIFICATE OF SERVICE**

LA January 8, 2019 and on 1/23/19 LA  
I certify that on ~~December 24, 2018~~, I filed an original and ten copies of the foregoing "PETITION FOR WRIT OF CERTIORARI," Appendices, Certificate of Counsel/*Pro Se* Petitioner of the number of words and Verification and "EQUITABLE ENFORCEMENT OF ADMINISTRATIVE [CONSTITUTIONAL] REDRESS *In the Interest of Justice and Fundamental Fairness*' For FEE WAIVER TO ACCESS THE COURT" with the Clerk of the Court in the Supreme Court of the United States, by Express Mail via the U.S. Postal Service for overnight delivery to: Clerk of Court, Supreme Court of the United States, 1 First Street, NE Washington, DC 20543 *and Motion for leave to proceed in forma pauperis and Affidavit in support of motion for leave to proceed in forma pauperis.*

and I certify that I served a copy on counsel of record for all Respondents Apple, Inc. *et al*, via email and by Express Mail via the U.S. Postal Service for overnight delivery at the following addresses and upon Respondent Judge Davila:

**Judge Edward J. Davila,**  
District Court Judge of the Northern District of California, San Jose Division,  
280 South 1st Street, San Jose, CA 95113  
*Respondent and Presiding Judge;*

**Apple, Inc.;**  
**Brian E. Ferguson,** Weil Gotshal & Manges LLP, Ste 600, 2001 M Street, N.W.,  
Washington, DC 20036;  
202-682-7516; brian.ferguson@weil.com  
*Counsel for Apple, Inc.*

**Samsung Electronics America, Inc.;**  
**Anita Fern Stork, Esq.,** Covington & Burling LLP, One Front Street, 35<sup>th</sup> Floor,  
San Francisco, CA 94111; 415-591-6000; astork@cov.com  
*Counsel for Samsung Electronics America, Inc.*

**Facebook, Inc.;**  
**Heidi Lyn Keefe,** Cooley LLP, 3175 Hanover Street, Palo Alto, CA 94304;  
650-843-5000; hkeefe@cooley.com  
*Counsel for Facebook, Inc.*

**Alphabet, Inc.;**  
**Ryan R. Smith,** Wilson Sonsini Goodrich & Rosati,  
650 Page Mill Road, Palo Alto, CA 94304-1050;  
650/493-9300; rsmith@wsgr.com;  
*Counsel for Alphabet, Inc.*

**Microsoft Corporation;**

**Klaus Hemingway Hamm**, Klarquist Sparkman LLP; 121 SW Salmon St., Suite 1600, Portland, OR 97204;

503-595-5300; klaus.hamm@klarquist.com

*Counsel for Microsoft.*

**IBM;**

**Kevin James Culligan**, Maynard, Cooper & Gale, P.C.; 551 Fifth Avenue, Suite 2000; New York, NY 10176;

646-609-9282; kculligan@maynardcooper.com;

*Counsel for IBM.*

**SAP America, Inc.;**

**Joseph M Beauchamp**, Jones Day, 717 Texas Avenue, Suite 3300, Houston, TX 77002;

832-239-3939; jbeauchamp@jonesday.com.

*Counsel for SAP;*

**JPMorgan Chase and Company;**

**Doug Nemec**, Skadden Arps Slate Meagher and Flom, LLP, Four Times Square New York, NY 10036;

(212) 735-2419; Douglas.Nemec@skadden.com;

*Counsel for JPMorgan Chase & Co;*

**Fiserv, Inc.;**

**Ramsey M. Al-Salam**; Perkins Coie LLP, 1201 Third Avenue, Suite 4000, Seattle, WA 98101-3099;

206-359-8000; ralsalam@perkinscoie.com;

*Counsel for Fiserv;*

**Wells Fargo Bank, N.A.;**

**David S. Bloch**, Winston and Strawn, 101 California Street, San Francisco, CA 94111-5802;

415-591-1452; dbloch@winston.com

*Counsel for Wells Fargo Bank;*

**Citi Group, Inc., Citicorp, CitiBank, N.A.;**

**Sarah S Eskandari**, DENTONS US LLP; One Market Plaza, Spear Tower, 24<sup>th</sup> Floor,

San Francisco, CA 94105;

415-267-4000; sarah.eskandari@dentons.com

*Counsel for Citi Group, Inc., CitiBank, N.A;*

**Fulton Financial Corporation;**

**David S. Bloch**, Winston and Strawn, 101 California Street, San Francisco, CA 94111-5802;

415-591-1452; Email: dbloch@winston.com

*Counsel for Fulton Financial Corporation;*

**Eclipse Foundation, Inc.;**

**Baldassare Vinti**, Proskauer Rose LLP, 1585 Broadway, New York, NY 10036-8299;

212-969-3000; bvinti@proskauer.com

*Counsel for Eclipse Foundation, Inc.*

~~December 24, 2018~~

January 8, 2019

LA  
Resubmitted

January 23, 2019

LA

Respectfully submitted,

Lakshmi Arunachalam

Dr. Lakshmi Arunachalam

222 Stanford Ave,

Menlo Park, CA 94025

650 690 0995;

laks22002@yahoo.com

*Pro Se Petitioner*

*Dr. Lakshmi Arunachalam*