

**PALM BEACH COUNTY
SHERIFF'S OFFICE**

3228 Gun Club Road • West Palm Beach, FL 33406-3001 • (561) 688-3000 • http://www.pbso.org



THIS COMPLIES WITH FLORIDA STATE STATUTE §960.001/VICTIM ASSISTANCE ACT

VICTIM/WITNESS RIGHTS AND CASE INFORMATION FORM

(PLEASE PRINT ONLY)

DATE: 07/15/13 TIME: 1242 PBSO CASE REPORT #: 13-097087
 SIGNAL #: 53 TYPE OF OFFENSE: FRAUD
 REPORTING OFFICER: LONGSWORTH ID #: 7657
 OFFICER'S TELEPHONE #: (Sd) 558-2700 DIST./BUREAU/SECTION: 7/RD/4301

The above includes information you will need if you contact the Sheriff's Office to provide further information about the case or to receive copies of reports.

Every possible effort will be made to solve the crime, apprehend the perpetrators, and retrieve any property you may have lost. You will be contacted if we are able to solve or make any significant progress in solving the case.

If you learn of any information which may assist in solving the case, but have not been contacted by a PBSO investigator, and the information is not urgent, please call the District phone number listed below between 8:30 A.M. and 5:00 P.M.

If this information is urgent, please call the Sheriff's Office at the following locations: West Palm Beach (561) 688-3000 or Belle Glade (561) 996-1670.

Information communicated to this agency must be accompanied by the CASE REPORT NUMBER. Copies of most reports may be obtained at our Central Records Section, 3228 Gun Club Road, West Palm Beach, approximately seven to ten days after the date the crime was reported. Call Central Records at (561) 688-3140 for any inquiries regarding copies of reports. Note that certain investigations are not made available until the investigation is completed.

**FOR INFORMATION REGARDING THE SERVICES AVAILABLE TO YOU AS
A CRIME VICTIM OR WITNESS, REFER TO THE REVERSE SIDE OF THIS FORM.
FOR YOUR VICTIM'S RIGHTS, REFER TO THE REVERSE OF THIS FORM.**

PBSO Domestic Violence/Victim Witness Unit

ADVOCATES: (561) 688-4195 • (561) 688-3974 • (561) 688-3978

Spanish (561) 688-3972 • Belle Glade (561) 992-1016

DETECTIVES: (561) 688-3975 • Belle Glade (561) 992-1015

DOMESTIC VIOLENCE

Atty. General's Office (Criminal Appeals).....	561-837-5000 Ext. 168
Clerk of Court-Restraining Orders.....	561-355-2277
Court Services (SOR, etc.)	561-355-6308
Crime Compensation	1-800-226-6667
Dept. of Children & Family Services	561-837-5078
Florida Resource Center for Women & Children	561-848-8383
Juvenile Assessment Center	561-682-0000
Legal Aid - Central	561-655-8944
South	1-800-403-9353
PBC Victim Services - North.....	561-624-6648
Central.....	561-355-2418
South.....	561-274-1500
West.....	561-996-4871
Pride Probation (County).....	561-683-6776
State Probation Dept. (DOC).....	561-837-5175
Family Violence Section	561-355-7433
State Attorney's Office	561-355-7100
Victim Compensation	800-226-6667
VINE (Inmate Release Notification).....	877-727-6846

COUNSELING AND SUPPORT GROUPS

CARP/PATH (Substance Abuse).....	561-844-6400
Center for Info. & Crisis Services	211 or 1-866-882-2991
Comprehensive Aids Program.....	561-472-9160
Crossroads	561-868-3586
Drug Abuse Foundation	561-732-0800
Drug Testing and Counseling Services.....	561-433-0123
Families First	561-243-8668

COUNSELING AND SUPPORT GROUPS (continued)

Compass House (Gay & Lesbian).....	561-533-9699
Jerome Golden Center for Behavior Health ^(45th Street Mental Health Center)	561-383-8000
South County Mental Health Center	561-737-8400/561-495-0522
Women in Transition - YWCA.....	561-640-9844

SHELTERS

AVDA (Southern PBC)	561-265-2900
YWCA Harmony House (WPB).....	800-973-YWCA

FAMILY AND CHILDREN SERVICES

AAA-Area Agency on Aging	561-684-5885
Center for Family Services	561-616-1222
Children's Home Society of South Coastal Florida	561-868-4300
Main.....	1-800-433-0010
Children's Healing Institute.....	561-585-1650
Children's Place at Home Safe.....	561-433-0060
CILO-Coalition for Independent Living Options (Disabilities).....	561-966-4288
Elder Justice Center	561-355-4385
Family Connection.....	561-355-3200
Florida Resource Center for Women & Children	561-848-8383
Gratitude House	561-833-6826
Guardian ad Litem.....	561-355-2773
Haitian Family Services	561-202-9027
High Ridge Family Center	561-840-4540
Hispanic Human Resources.....	561-641-7400
Homeless Coalition	561-478-5351
Home Safe (State Attorney's Office).....	561-433-0060
MADD	561-683-5888
Parent Child Center	561-841-3500
Safety Net Program	561-433-0060
The Haven	561-483-0962
Youth Service Bureau	561-712-6640

PALM BEACH COUNTY SHERIFF'S OFFICE – **SWORN STATEMENT**

Per FL statute 837.012, whoever knowingly makes a false statement under oath shall be guilty of a misdemeanor of the first degree punishable by imprisonment up to 1 year.



WITNESS VICTIM OTHER

CASE #: 13-097087	ZONE: 7-52	SUSPECT: —	DATE & TIME OF ORIGINAL EVENT/OFFENSE: 07/15/13 1241
EVENT TYPE: FRAUD		DEPUTY: LONGSWORTH	ID#: 7657

COMPLETE EVERYTHING BELOW – PRINT LEGIBLY

LAST NAME: Bernstein		FIRST NAME: Eliot		MIDDLE INITIAL: I	RACE: W	SEX: M
DATE OF BIRTH: 9/30/1963	YOUR HEIGHT: 58	YOUR WEIGHT: 200	YOUR HAIR COLOR: brwn	YOUR EYE COLOR: hazel		
YOUR HOME ADDRESS: 2753 NW 34TH Street		<input type="checkbox"/> CHECK IF HOMELESS	CITY: Boca Raton	STATE: FL	ZIP: 33434	
YOUR WORK NAME & ADDRESS: —		<input type="checkbox"/> CHECK IF UNEMPLOYED OR RETIRED	CITY: —	STATE: —	ZIP: —	
WORK PHONE: <input type="checkbox"/> CHECK IF NONE () —	CELL PHONE: <input type="checkbox"/> CHECK IF NONE (561) 886-7628	HOME PHONE: <input type="checkbox"/> CHECK IF NONE (561) 245-8588	EMAIL: —		<input type="checkbox"/> CHECK IF NONE	

WRITE WHAT HAPPENED IN YOUR WORDS IN FULL DETAIL – PRINT LEGIBLY

YOUR NAME: I Eliot Ivan Bernstein	DO HEREBY VOLUNTARILY MAKE THE FOLLOWING STATEMENT WITHOUT THREAT, COERCION, OFFER OF BENEFIT, OR FAVOR BY ANY PERSONS WHOMSOEVER...
<p>I, Eliot Ivan Bernstein, state the following to be true to the best of my knowledge. That through a series of forged and fraudulent documents (evidence #1), prepared and executed by Attorneys at Law, Donald Tescher and Robert Spallina of Tescher + Spallina P.A. and their Notary Public Kimberly Moran, crimes are being committed to misappropriate assets illegally from the estates of Simon (case no. 2012cp004391) and Shirley Bernstein (case no. 502011cp00653xxxxSB). The fraudulent and forged documents constitute both a fraud on the court (circuit court of the 15th judicial circuit in and for Palm Beach County, Florida) and a fraud on the beneficiaries of those estates and are fundamental documents that give the alleged criminals legal powers over the estates. The estates are believed to be worth between \$20-50 million dollars and Tescher and Spallina were the estate planners for both Simon and Shirley prior to their passing. Other assets held by the estate include unlisted stocks in a company that holds patents with an estimated value of several billion dollars. That said forged and fraudulent documents are part of each estate court record and are the documents giving Tescher and Spallina powers over the estates to act as Personal Representatives that were prepared and witnessed by Tescher and Spallina immediately prior to Simon's death and submitted to the court after Simon's death. That a full breakdown and summary of the fraudulent and forged documents in the estates has been tendered herewith (evidence #1) as prima facie evidence of these crimes.</p> <p>It is further believed that Tescher + Spallina are working together in conspiracy with Simon and Shirley's son, Theodore "Ted" Bernstein to steal and convert estate assets to them. Ted Bernstein with his sister, Pamela Simon, had been cut out of the estates and both were previously angry over being excluded, despite the fact that they had already inherited, while my parents were still alive,</p>	
PAGE <u>1</u> OF <u>4</u>	

READ AND SIGN

I SWEAR AND AFFIRM THIS AND/OR THE ATTACHED STATEMENTS ARE CORRECT AND TRUE:	<input checked="" type="checkbox"/> DEPUTY SHERIFF <input type="checkbox"/> NOTARY PUBLIC FSS: 117.10
YOUR SIGNATURE: X <i>[Signature]</i>	SWORN TO AND SUBSCRIBED BEFORE ME TODAY:
	DATE: 07/15/13 TIME: 1242
	SIGNATURE: <i>[Signature]</i> ID: 7687

IF YOU DO NOT WISH TO PROSECUTE, COMPLETE THE ABOVE STATEMENT, READ THIS DISCLAIMER AND INITIAL BELOW: I AM OF LEGAL AGE AND I AM THE REPORTED VICTIM OF A CRIME UNDER FLORIDA LAW. I HEREBY STATE THAT I WILL NOT COOPERATE ANY FURTHER WITH THE INVESTIGATION OF THE ALLEGED CRIME. I FURTHER RELEASE THE PALM BEACH COUNTY SHERIFF'S OFFICE OF ANY PRESENT OR FUTURE RESPONSIBILITY AS TO MY CASE. I ACKNOWLEDGE THAT I UNDERSTAND MY RIGHTS AS A CRIME VICTIM, PARTICULARLY REGARDING VICTIM COMPENSATION ELIGIBILITY, WHICH INCLUDES SUCH BENEFITS AS REIMBURSEMENT FOR: DISABILITY; LOST WAGES; LOSS OF SUPPORT; MEDICAL, DENTAL, MENTAL HEALTH COUNSELING AND FUNERAL EXPENSES. I AM AWARE I MAY BE GIVING UP THESE RIGHTS FOR MY FAMILY AND MYSELF BY INITIALLING BELOW. I AM TAKING THIS POSITION OF MY OWN FREE WILL KNOWING THAT THE CASE CAN ONLY BE FURTHER INVESTIGATED AND PROSECUTED WITH MY COOPERATION. DO NOT WISH TO PROSECUTE (INITIAL _____)

(PROSECUTION WAIVER NOT TO BE USED FOR CASES INVOLVING DOMESTIC OR DATING VIOLENCE PER G.O. 508.00)

WHITE - RECORDS COPY CANARY - STATE ATTORNEY COPY PINK - OFFICER'S COPY GOLD - WITNESS / VICTIM COPY

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WITNESS VICTIM OTHER

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EVENT TYPE: FRAUD		DEPUTY: LONGSWORTH	ID#: 7657

COMPLETE EVERYTHING BELOW – PRINT LEGIBLY

LAST NAME: Bernstein		FIRST NAME: Eliot		MIDDLE INITIAL: I	RACE: W	SEX: M
DATE OF BIRTH: (MM/DD/YYYY) 9/30/1963	YOUR HEIGHT: 5'8	YOUR WEIGHT: 200	YOUR HAIR COLOR: Brown	YOUR EYE COLOR: hazel		
YOUR HOME ADDRESS: 2753 NW 34th St		<input type="checkbox"/> CHECK IF HOMELESS	CITY: Boca Raton	STATE: FL	ZIP: 33434	
YOUR WORK NAME & ADDRESS: ---		<input type="checkbox"/> CHECK IF UNEMPLOYED OR RETIRED	CITY: ---	STATE: ---	ZIP: ---	
WORK PHONE: <input type="checkbox"/> CHECK IF NONE ()	CELL PHONE: <input type="checkbox"/> CHECK IF NONE (561) 886-7628	HOME PHONE: <input type="checkbox"/> CHECK IF NONE (561) 245-8588	EMAIL: ---	<input type="checkbox"/> CHECK IF NONE		

WRITE WHAT HAPPENED IN YOUR WORDS IN FULL DETAIL – PRINT LEGIBLY

YOUR NAME: 1 Eliot Ivan Bernstein	DO HEREBY VOLUNTARILY MAKE THE FOLLOWING STATEMENT WITHOUT THREAT, COERCION, OFFER OF BENEFIT, OR FAVOR BY ANY PERSONS WHOMSOEVER...
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long standing family businesses worth millions of dollars each. That these near deathbed estate planning changes occurred while Simon was under extreme physical and mental duress from pressures placed upon him by Ted and Pamela several weeks before he passed away on September 13, 2012, as described more fully in the Petitions Filed with the probate court and submitted in entirety herewith as evidence (evidence # 5). On September 13, 2012, the day Simon passed, Ted Bernstein contacted the Palm Beach County Sheriff's Office and claimed that my father Simon might have been purposely murdered by his companion Maritza Puccio and opened a formal complaint case # 12-121313.

With the discovery of forged and fraudulent documents in the estates submitted to the Florida Probate Court as part of a fraud on the court, the question of just what happened to Simon from the time immediately prior to his passing and supposedly signing these documents, to his sudden and unexpected death, becomes a matter for further investigation into possible foul play. An autopsy was also ordered by Ted Bernstein on Simon, as yet, I do not have a copy of the report. Taking into account this new Prima facie evidence of foul play in submitting knowingly forged and fraudulent documents it may be prudent to do another more thorough autopsy and investigation into the death of Simon Bernstein and possibly Shirley Bernstein. For a full list of alleged crimes taking place in the estates by those named herein, a full copy of a petition that has been filed in both estates with the probate court has been submitted herewith as evidence (evidence # 5). The crimes alleged in the petition, include but are not limited to, theft of jewelry and art, attempted theft of life insurance proceeds, see evidence # 4, theft of securities accounts, fraud on the court, fraud on the beneficiaries, forgery and possible murder.

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READ AND SIGN

I SWEAR AND AFFIRM THIS AND/OR THE ATTACHED STATEMENTS ARE CORRECT AND TRUE:	<input checked="" type="checkbox"/> DEPUTY SHERIFF <input type="checkbox"/> NOTARY PUBLIC FSS: 117.10
YOUR SIGNATURE: X <i>[Signature]</i>	SWORN TO AND SUBSCRIBED BEFORE ME TODAY: DATE: 07/15/13 TIME: 1242 SIGNATURE: <i>[Signature]</i> ID: 7657

IF YOU DO NOT WISH TO PROSECUTE, COMPLETE THE ABOVE STATEMENT, READ THIS DISCLAIMER AND INITIAL BELOW: I AM OF LEGAL AGE AND I AM THE REPORTED VICTIM OF A CRIME UNDER FLORIDA LAW. I HEREBY STATE THAT I WILL NOT COOPERATE ANY FURTHER WITH THE INVESTIGATION OF THE ALLEGED CRIME. I FURTHER RELEASE THE PALM BEACH COUNTY SHERIFF'S OFFICE OF ANY PRESENT OR FUTURE RESPONSIBILITY AS TO MY CASE. I ACKNOWLEDGE THAT I UNDERSTAND MY RIGHTS AS A CRIME VICTIM, PARTICULARLY REGARDING VICTIM COMPENSATION ELIGIBILITY, WHICH INCLUDES SUCH BENEFITS AS REIMBURSEMENT FOR: DISABILITY; LOST WAGES; LOSS OF SUPPORT; MEDICAL, DENTAL, MENTAL HEALTH COUNSELING AND FUNERAL EXPENSES. I AM AWARE I MAY BE GIVING UP THESE RIGHTS FOR MY FAMILY AND MYSELF BY INITIALLING BELOW. I AM TAKING THIS POSITION OF MY OWN FREE WILL KNOWING THAT THE CASE CAN ONLY BE FURTHER INVESTIGATED AND PROSECUTED WITH MY COOPERATION. DO NOT WISH TO PROSECUTE (INITIAL _____)

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LAST NAME: Beinstein		FIRST NAME: Eliot		MIDDLE INITIAL: I	RACE: W	SEX: M
DATE OF BIRTH: 9/30/1963 (MM/DD/YYYY)	YOUR HEIGHT: 5'8"	YOUR WEIGHT: 200	YOUR HAIR COLOR: Brown	YOUR EYE COLOR: Hazel		
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YOUR NAME: Eliot Bernstein	DO HEREBY VOLUNTARILY MAKE THE FOLLOWING STATEMENT WITHOUT THREAT, COERCION, OFFER OF BENEFIT, OR FAVOR BY ANY PERSONS WHOMSOEVER...
The Evidence # <u>1</u> submitted herewith is part of a petition filed with each estate that gives the background and copies of the forged and fraudulent documents for inclusion with this complaint for review of crimes alleged herein.	
The Evidence # <u>2</u> submitted herewith, is a copy of complaints filed with the Governor of Florida Notary Public Fraud division for inclusion with this complaint for review of the crimes alleged herein.	
The Evidence # <u>3</u> submitted herewith is a copy of a recent correspondence between two lawyers who have been trying to help my family gain information refused by Tescher + Spallina regarding the beneficial interests of my family.	
The Evidence # <u>4</u> submitted herewith, is a copy of a recent US District Court Case that appears to reveal that Tescher + Spallina and Ted Bernstein, along with Pamela Simon's husband David Simon's brother Adam Simon, are working together to try and claim an insurance policy of the estates proceeds using what appear other types of fraudulent documents and claims on the Federal court in Illinois. The life insurance carrier has refused to release the benefits to them as they have proposed and have counter sued (not denying they owe a claim but claiming the claims of Theodore et al are unfounded), including adding me to the lawsuit as a counter-defendant.	
The Evidence # <u>5</u> submitted herewith, is a full copy of a petition filed in both Simon and Shirley Bernstein's estate case with the Circuit Court of the 15 th Judicial Circuit in and for Palm Beach County, Florida.	

PAGE 3 OF 4

<p>READ AND SIGN</p> <p>I SWEAR AND AFFIRM THIS AND/OR THE ATTACHED STATEMENTS ARE CORRECT AND TRUE:</p> <p>YOUR SIGNATURE: X <i>[Signature]</i></p>	<p><input checked="" type="checkbox"/> DEPUTY SHERIFF <input type="checkbox"/> NOTARY PUBLIC FSS: 117.10</p> <p>SWORN TO AND SUBSCRIBED BEFORE ME TODAY:</p> <p>DATE: 07/15/13 TIME: 1242</p> <p>SIGNATURE: <i>[Signature]</i> ID: 7657</p>
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YOUR NAME: 1 Eliot Bernstein	DO HEREBY VOLUNTARILY MAKE THE FOLLOWING STATEMENT WITHOUT THREAT, COERCION, OFFER OF BENEFIT, OR FAVOR BY ANY PERSONS WHOMSOEVER...
---------------------------------	--

- EVIDENCE # 1 =
- EVIDENCE # 2 =
- EVIDENCE # 3 =
- EVIDENCE # 4 =
- EVIDENCE # 5 =

* ALL EVIDENCE AVAILABLE PER REQUEST AS INSTRUCTED BY PALM BEACH COUNTY SHERIFF SUBSTATION 7 TO RETAIN DOCUMENTS FOR INVESTIGATING OFFICER
 Robert L. Spallina ESQ, DONALD TESCHER, ESQ AND KIMBERLY MORAN @ TESCHER & SPALLINA, P.A., BOCA VILLAGE CORPORATE CENTER 1, 4855 Technology Way, Suite 720, Boca Raton, FL 33431
 Theodore "Ted" Stuart Bernstein
 880 Berkeley Street
 Boca Raton, FL 33487

PAGE 4 OF 4

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