

IN THE CIRCUIT COURT FOR PALM BEACH COUNTY, FL

IN RE: ESTATE OF

PROBATE DIVISION

SHIRLEY BERNSTEIN,

File No. 502011CP000653XXXXSB

Deceased.

2013 SEP 25 AM 10:20

SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
SOUTH CTY BRANCH-FILED

**AGREED ORDER TO REOPEN ESTATE
AND APPOINT SUCCESSOR PERSONAL
REPRESENTATIVES**

On the motion of Tescher & Spallina, PA for administration of the Estate of Shirley Bernstein, deceased, and pursuant to an agreement announced in open Court on the record by the persons in attendance at a hearing on September 13, 2013 regarding the estate of the decedent, the Court finding that the decedent died on December 8, 2010, that the personal representative of the estate, Simon Bernstein, died on September 13, 2012, and that Ted S. Bernstein is entitled to appointment as personal representative by reason of being named in the decedent's Will dated May 20, 2008 as successor personal representatives, it is:

ADJUDGED that the estate shall be reopened and that Ted S. Bernstein is appointed as successor personal representative of the estate of the decedent, and that upon taking the prescribed oaths, filing designations and acceptances of resident agent, and entering into bond in the sum of \$, Successor Letters of Administration shall be issued.

DONE and ORDERED in Delray Beach, Palm Beach County, FL, on 9/24/13,
2013.


Circuit Judge

cc: Mark Manceri, Esq.
Eliot I. Bernstein
All Interested Persons

R E C E I P T

PALM BEACH CTY CIR CT JISPROD

Receipt Number: SBCV227286

Date: 26-SEP-2013

Cashier: MCONTRERAS

Payor: BERNSTEIN COPIES
Addr:

Quantity	Description	Amount
3	COPY - CP, GA, MH	3.00
	CASH RECEIVED GENERAL ACCOUNT	-3.00
	Total Fees:	3.00
	Total Payment:	3.00



"Surf with Vision"

Eliot I. Bernstein
Founder & Inventor
Direct Dial: (561) 245-8588 (o)
(561) 886-7628 (c)

Sent: Hand Delivered to Chambers

Monday, September 23, 2013

The Honorable Martin H. Colin
CIRCUIT COURT OF THE FIFTEEN JUDICIAL
CIRCUIT IN AND FOR PALM BEACH COUNTY, FLORIDA
South County Courthouse
Second Floor, Courtroom 8
200 West Atlantic Ave.,
Delray Beach, FL 33444

Re: SHIRLEY BERNSTEIN ESTATE CASE NO. 50 2011CP000653 - ORDERS

Dear Honorable Judge Martin H. Colin,

I hand delivered on Friday, September 20, 2013, a copy of the attached herein letter but believe that some of the exhibited correspondences regarding the Orders between opposing counsel and myself was left out inadvertently and therefore I have enclosed them all herein for your review in drafting your Orders from the hearing.

I will submit this letter to opposing counsel.

A handwritten signature in black ink, appearing to be "E. Bernstein", is written over a blue circular ink stamp. The stamp has some illegible text inside it.

Page 1 of 2
Monday, September 23, 2013

Re: SHIRLEY BERNSTEIN ESTATE CASE NO. 50 2011CP000653 - ORDERS

Respectfully Yours,



Eliot I. Bernstein
Founder & Inventor

Iviewit Holdings, Inc. – DL
Iviewit Holdings, Inc. – DL
Iviewit Holdings, Inc. – FL
Iviewit Technologies, Inc. – DL
Uview.com, Inc. – DL
Iviewit.com, Inc. – FL
Iviewit.com, Inc. – DL
I.C., Inc. – FL
Iviewit.com LLC – DL
Iviewit LLC – DL
Iviewit Corporation – FL
Iviewit, Inc. – FL
Iviewit, Inc. – DL
Iviewit Corporation

cc/ec:

Enclosure(s)/Attachment(s)/URL's

Eliot Bernstein

From: Eliot Bernstein <iviewit@gmail.com>
Sent: Wednesday, September 18, 2013 4:31 PM
To: 'Myra'
Cc: Caroline Prochotska Rogers Esq. (caroline@cprogers.com); Michele M. Mulrooney ~ Partner @ Venable LLP (mmulrooney@Venable.com); Andrew R. Dietz @ Rock It Cargo USA
Subject: RE: Estate of Shirley Bernstein - Draft Agreed Order
Attachments: Estate of Shirley Bernstein - Draft Agreed Order, etc.pdf

Mr. Manceri and Myra,

First, Ted Bernstein should not be appointed as Successor Trustee or Personal Representative as there are conflicts of interest and more with Ted and myself and beneficiaries of the estate. The judge should determine who will be the new Personal Representative and it should be left open for him to decide after the evidentiary hearing. Hopefully, after he reviews the gross negligence and misconduct and more by Tescher & Spallina, Robert Spallina, Donald Tescher & Ted Bernstein discovered in the hearing, he will also demand new estate counsel. After stating he should read you all your Miranda Rights now at the hearing due to the fraud on the court in having dead men sign and notarize documents to close the estate and then failing to contact the court to notify him he was deceased when filing them, well I am not sure we can rely on your client's advice or services any longer. Ted has several other conflicts which are well defined in my 7 Petitions/Motions. I am surprised to learn after Ted claimed in court that he was there as "trustee for the estate" that Ted who misrepresented himself at the hearing as already appointed would be someone you would elect as a fiduciary, especially after learning there was no Personal Representative or Successor Trustee approved by the Court for months after Simon died, while the estate was still open and then the estate was closed with Simon's and others fraudulently notarized documents after Simon's death. Simon's admittedly fraudulent and allegedly forged signature was used on a recreated document after his death and where these felonious documents were learned at the hearing to have been sent from your client Tescher & Spallina's office all the beneficiaries have cause for concern. Your clients are responsible for the acts of their Notary Public Kimberly Moran under Florida law. I also think your client Tescher & Spallina, P.A. should resign immediately as estate counsel and you should ask the judge to appoint new estate counsel as well. In fact, from the following statement of the judge at the hearing, I am not sure if you too should be seeking personal and professional representative counsel. The court testimony regarding my comments above below,

6 THE COURT: So let me tell you because I'm

7 going to stop all of you folks because I think

8 you need to be read your Miranda warnings.

9 MR. MANCERI: I need to be read my Miranda

10 warnings?

11 THE COURT: Everyone of you [Tescher, Spallina, Tescher & Spallina, P.A., Ted Bernstein and you Mr. Manceri] might have to

12 be.

13 MR. MANCERI: Okay."

And then



5 MR. MANCERI: Okay.

6 THE COURT: All right, so stop, that's

7 enough to give you Miranda warnings. Not you

8 personally --

9 MR. MANCERI: Okay.

10 THE COURT: Are you involved? Just tell

11 me yes or no.

12 MR. SPALLINA: I'm sorry?

13 THE COURT: Are you involved in the

14 transaction?

15 MR. SPALLINA: I was involved

We should leave all these items open for the Judge to approve and appoint after the Evidentiary Hearing and after the determination if he will read your Miranda Rights to you and your clients and then arrest you. If you would like me to edit your draft more appropriately let me know but those are my comments thus far. Please let me know your response before any draft is sent to the court. I do not approve of Ted for any fiduciary capacity, nor do I think Spallina & Tescher P.A. should be nominating anyone at this time and resigning and if you would like to put someone in this document you can feel free to elect me Personal Representative. Is Ted your client yet, as you mentioned at the hearing you may be representing him in the proceedings too?

Thanks

Eliot I. Bernstein

Inventor

Iviewit Holdings, Inc. – DL

2753 N.W. 34th St.

Boca Raton, Florida 33434-3459

(561) 245.8588 (o)

(561) 886.7628 (c)

(561) 245-8644 (f)

iviewit@iviewit.tv

<http://www.iviewit.tv>

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A handwritten signature in black ink is written over a blue ink fingerprint. The signature appears to be "E.I. Bernstein".

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From: Myra [<mailto:mrmlaw1@gmail.com>]
Sent: Wednesday, September 18, 2013 2:03 PM
To: iviewit@gmail.com
Subject: Re: Estate of Shirley Bernstein - Draft Agreed Order

Eliot,

Pursuant to Judge Colin's instructions, attached is a draft Agreed Order from the Hearing on September 13, 2013. Please provide any Objection(s), comments to me by 12:00 p.m. tomorrow. If I do not receive anything from you, I will forward the Agreed Order to Judge Colin for signature.

Thank you.

Mark R. Manceri, Esq.

Mark R. Manceri, P.A.
2929 E. Commercial Blvd., Suite 702
Fort Lauderdale, Florida 33308
E-mail: mrmlaw@comcast.net
(954) 491-7099
(954) 771-0545 (fax)



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Eliot Bernstein

From: Eliot Bernstein <iviewit@gmail.com>
Sent: Thursday, September 19, 2013 3:01 PM
To: Myra (mmmlaw1@gmail.com)
Cc: Caroline Prochotska Rogers Esq. (caroline@cprogers.com); Michele M. Mulrooney ~ Partner @ Venable LLP (mmulrooney@Venable.com); Andrew R. Dietz @ Rock It Cargo USA
Subject: RE: Estate of Shirley Bernstein

Myra, additionally I will not be able to make the hearing on October 28th 2013 as I am traveling to testify at the Moreland Commission on Public Corruption in Albany NY and I am slated tentatively to travel from the 10.23.13 to 11.1.13. What other days' work? Please be sure to include this correspondence per my request below to Judge Colin when you submit your orders and my comments. Thank you, Eliot

From: Eliot Bernstein [mailto:iviewit@gmail.com]
Sent: Thursday, September 19, 2013 2:16 PM
To: 'Myra'
Cc: Caroline Prochotska Rogers Esq. (caroline@cprogers.com); Michele M. Mulrooney ~ Partner @ Venable LLP (mmulrooney@Venable.com); Andrew R. Dietz @ Rock It Cargo USA
Subject: RE: Estate of Shirley Bernstein

I do not agree with your Order at all. Again, I think estate counsel Tescher & Spallina should resign immediately as counsel to the estate for the Fraud on the Court already identified and admitted to at the hearing as the transcripts clearly show.

My response,

1. The proposed Order is false and misleading in the first part of your draft order, as the Emergency Motion was not denied in toto and there are many parts to it and the remainder to be heard on the 28th or whatever date the judge selects, according to the Judge. From the hearing transcript,

18 It's only really that there's

19 no emergency here. Everything everyone raises

20 on the 28th.

21 MR. MANCERI: Very good, Judge. Do you

22 think we can do it in an hour, Judge?

23 THE COURT: We'll try.

The hearing cannot be solely on Shirley's estate as the matters in Shirley's estate pertain to Simon's estate. I do understand that Simon's estate is administered by Judge French and orders in that estate will come from him. Have you thought of inviting him to attend the hearings as they relate to Simon's estate?

2. I thought the judge wanted the evidentiary hearing moved up from the 10/28/13 to mid-September.
3. I would add that the hearing will also be in regard to any documents or issues in Simon's estate that relate to the closing of Shirley's estate or any documents or issues that effected both estates, including



beneficiary changes in either estate and all the documents that effectuated any changes to their 2008 estate plans that appear properly signed and executed.

4. Again, I believe you should advise your clients to withdraw as counsel to the estate as all of these issues relate to their alleged fraudulent acts and their legal assistant, Kimberly Moran and their admitted fraudulent notarizations that are alleged forged and this puts them in conflict now. Finally, I am not sure how the judge is to allow them to continue to represent any parties in these matters until all of the ongoing investigations both criminally and civilly against them are rectified in light of the fact that they have already committed Fraud upon the Court and more and admitted to it in the hearing.

Your cover email states that you will "advise Judge Colin that you do not agree with the provisions of the Agreed Order and will be submitting your own Orders to the Court for its consideration" and instead I would prefer if you not only advise the Judge but submit my entire replies to your proposed orders, including this email and my last, with the original proposed orders I reviewed to the Judge, along with any other advice you will be giving him. If you do not intend on complying with this request please let me know so that I may send them in if I have to file my own proposed orders, either way, did not want to burden the Court with the same documents.

Thank you,

Eliot

Eliot I. Bernstein
Inventor
Iviewit Holdings, Inc. – DL
2753 N.W. 34th St.
Boca Raton, Florida 33434-3459
(561) 245.8588 (o)
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From: Myra [<mailto:mrmlaw1@gmail.com>]
Sent: Thursday, September 19, 2013 11:53 AM
To: iviewit@gmail.com
Cc: rspallina@tescherspallina.com
Subject: Estate of Shirley Bernstein

Dear Mr. Bernstein,

I am in receipt of your e-mail dated September 18, 2013 regarding the Agreed Order to Reopen Estate and Appointing Successor Personal Representatives. I do not agree with your comments; changes as they do not comport with the Order of the Court.

I am attaching a draft Order on Notice of Emergency Motion to Freeze Estates for your review, comments, etc., which I will need to receive from you by noon (12:00 PM) tomorrow. If I do not hear from you, I will submit both Orders to the Court and advise Judge Colin that you do not agree with the provisions of the Agreed Order and will be submitting your own Orders to the Court for its consideration.

Mark R. Manceri, Esq.

Mark R. Manceri, P.A.
2929 E. Commercial Blvd., Suite 702
Fort Lauderdale, Florida 33308
E-mail: mrmlaw@comcast.net
(954) 491-7099
(954) 771-0545 (fax)



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Cc: rspallina@tescherspallina.com
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Mark R. Manceri, Esq.

Mark R. Manceri, P.A.
2929 E. Commercial Blvd., Suite 702
Fort Lauderdale, Florida 33308
E-mail: mrmlaw@comcast.net
(954) 491-7099
(954) 771-0545 (fax)



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Eliot Bernstein

From: Eliot Bernstein <iviewit@gmail.com>
Sent: Thursday, September 19, 2013 2:16 PM
To: 'Myra'
Cc: Caroline Prochotska Rogers Esq. (caroline@cprogers.com); Michele M. Mulrooney ~ Partner @ Venable LLP (mmulrooney@Venable.com); Andrew R. Dietz @ Rock It Cargo USA
Subject: RE: Estate of Shirley Bernstein
Attachments: Estate of Shirley Bernstein - Draft Order on Emergency Motion to Freezepdf

I do not agree with your Order at all. Again, I think estate counsel Tescher & Spallina should resign immediately as counsel to the estate for the Fraud on the Court already identified and admitted to at the hearing as the transcripts clearly show.

My response,

1. The proposed Order is false and misleading in the first part of your draft order, as the Emergency Motion was not denied in toto and there are many parts to it and the remainder to be heard on the 28th or whatever date the judge selects, according to the Judge. From the hearing transcript,

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2. I thought the judge wanted the evidentiary hearing moved up from the 10/28/13 to mid-September.
3. I would add that the hearing will also be in regard to any documents or issues in Simon's estate that relate to the closing of Shirley's estate or any documents or issues that effected both estates, including beneficiary changes in either estate and all the documents that effectuated any changes to their 2008 estate plans that appear properly signed and executed.
4. Again, I believe you should advise your clients to withdraw as counsel to the estate as all of these issues relate to their alleged fraudulent acts and their legal assistant, Kimberly Moran and their admitted fraudulent notarizations that are alleged forged and this puts them in conflict now. Finally, I am not sure how the judge is to allow them to continue to represent any parties in these matters until all of the ongoing investigations both criminally and civilly against them are rectified in light of the fact that they have already committed Fraud upon the Court and more and admitted to it in the hearing.

Your cover email states that you will "advise Judge Colin that you do not agree with the provisions of the Agreed Order and will be submitting your own Orders to the Court for its consideration" and instead I would prefer if you not only advise the Judge but submit my entire replies to your proposed orders, including this email and my last,

A handwritten signature in black ink is written over a blue circular ink stamp. The signature appears to be "Eliot Bernstein". The stamp is partially obscured by the signature.

with the original proposed orders I reviewed to the Judge, along with any other advice you will be giving him. If you do not intend on complying with this request please let me know so that I may send them in if I have to file my own proposed orders, either way, did not want to burden the Court with the same documents.

Thank you,

Eliot

Eliot I. Bernstein

Inventor

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Boca Raton, Florida 33434-3459

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From: Myra [<mailto:mrmlaw1@gmail.com>]

Sent: Thursday, September 19, 2013 11:53 AM

To: iviewit@gmail.com

Cc: rspallina@tescherspallina.com

Subject: Estate of Shirley Bernstein



Eliot Bernstein

From: Eliot Bernstein <iviewit@gmail.com>
Sent: Friday, September 20, 2013 5:01 AM
To: 'Myra'
Cc: Ted Bernstein; Pamela Beth Simon (psimon@stpcorp.com); Jill M. Iantoni (jilliantoni@gmail.com); Lisa (lisa.friedstein@gmail.com); Lisa S. Friedstein (Lisa@friedsteins.com); Caroline Prochotska Rogers Esq. (caroline@cprogers.com); Michele M. Mulrooney ~ Partner @ Venable LLP (mmulrooney@Venable.com); Andrew R. Dietz @ Rock It Cargo USA
Subject: RE: Estate of Shirley Bernstein

Mr. Manceri, do you represent Tescher & Spallina P.A., Robert Spallina and Donald Tescher as estate counsel in Shirley or represent them personally? I believe they are listed both personally and professionally in the instant action and would require separate counsel for each capacity they act in? Do you represent them in both Simon and Shirley's estates and in Simon do you represent them as estate counsel or alleged personal representatives or personally or in all three capacities? Please clearly indicate what parties specifically you are representing in each estate and in what capacities you represent them? Do you represent the estates in any other matters and in what capacities and for whom? I will send Judge Colin's my proposed Orders and comments, what day are they due? I look forward to your prompt reply and please also include all the information requested in my prior email regarding the insurance policies your clients have for liabilities and their Notary Public as requested in my last email reply to Ted's correspondence. Have your clients notified their carriers of the massive liabilities and serious allegations alleged against them yet? Ted stated in his prior correspondence with us that the legal fees, forensic fees, etc. would be massive alone resulting from your clients and their notary's actions thus far. Also, could you please hit reply to all when responding to my emails? Finally, I do not believe I asked for or would want your legal advice and never asked you to contact the judge on my behalf, I was just trying to make our efforts less cumbersome on the Judge, but oh well. Thanks, Eliot

From: Myra [mailto:mrmlaw1@gmail.com]
Sent: Thursday, September 19, 2013 3:05 PM
To: iviewit@gmail.com
Subject: RE: Estate of Shirley Bernstein
Mr. Bernstein,

I do not represent you and will not be communicating with Judge Colin either directly or indirectly on your behalf. If you wish to communicate with Judge Colin, you should so as you see fit. In the mean time, I am going to submit both proposed Orders to Judge Colin and will advise him that I advised you that you can submit your own Orders to the Court for consideration.

Mark R. Manceri, Esq.

Mark R. Manceri, P.A.
2929 E. Commercial Blvd., Suite 702
Fort Lauderdale, Florida 33308
E-mail: mrmlaw@comcast.net
(954) 491-7099
(954) 771-0545 (fax)



-----Original Message-----

From: Eliot Bernstein

Date: 09/19/2013 03:00:52 PM

To: Myra

Cc: [Caroline Prochotska Rogers Esq.](#); [Michele M. Mulrooney ~ Partner @ Venable LLP](#); [Andrew R. Dietz @ Rock It Cargo USA](#)

Subject: RE: Estate of Shirley Bernstein

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Sent: Thursday, September 19, 2013 2:16 PM

To: 'Myra'

Cc: [Caroline Prochotska Rogers Esq. \(caroline@cprogers.com\)](#); [Michele M. Mulrooney ~ Partner @ Venable LLP \(mmulrooney@Venable.com\)](#); [Andrew R. Dietz @ Rock It Cargo USA](#)

Subject: RE: Estate of Shirley Bernstein

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Thank you,

Eliot

Eliot I. Bernstein
Inventor
Iviewit Holdings, Inc. — DL
2753 N.W. 34th St.
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(561) 886.7628 (c)
(561) 245-8644 (f)
iviewit@iviewit.tv
<http://www.iviewit.tv>

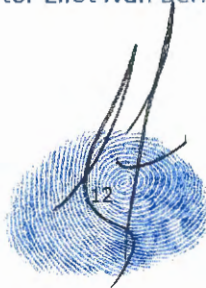
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A handwritten signature in black ink, appearing to be "Eliot", is written over a blue circular stamp. The stamp has some illegible text and a central emblem. The signature is written in a cursive, flowing style.

Eliot Bernstein

From: Eliot Bernstein <iviewit@gmail.com>
Sent: Thursday, September 19, 2013 4:10 PM
To: 'Ted Bernstein'; 'Pamela Beth Simon'; 'Jill M. Iantoni'; 'Lisa'; 'Lisa S. Friedstein'
Cc: 'ROBERT SPALLINA (rspallina@tescherspallina.com)'; 'Donald R. Tescher (dtescher@tescherspallina.com)'; 'mrm1aw@comcast.net'; Caroline Prochotska Rogers Esq. (caroline@cprogers.com); Michele M. Mulrooney ~ Partner @ Venable LLP (mmulrooney@Venable.com); Andrew R. Dietz @ Rock It Cargo USA
Subject: RE: Estate of Shirley Bernstein
Attachments: 20130913 TRANSCRIPT Emergency Hearing Colin Spallina Tescher Ted Manceri.pdf

Tracking:

Recipient	Read
'Ted Bernstein'	
'Pamela Beth Simon'	
'Jill M. Iantoni'	
'Lisa'	
'Lisa S. Friedstein'	
'ROBERT SPALLINA (rspallina@tescherspallina.com)'	
'Donald R. Tescher (dtescher@tescherspallina.com)'	Read: 9/19/2013 4:19 PM
'mrm1aw@comcast.net'	
Caroline Prochotska Rogers Esq. (caroline@cprogers.com)	
Michele M. Mulrooney ~ Partner @ Venable LLP (mmulrooney@Venable.com)	
Andrew R. Dietz @ Rock It Cargo USA	
Eliot I. Bernstein, Inventor ~ Iviewit Technologies, Inc.	
'tourcandy@gmail.com' (tourcandy@gmail.com)'	

Ted, if you need a full transcript I have attached one for your review. What the judge said to all of you collectively (you Ted, Tescher, Spallina, Tescher & Spallina and Mark Manceri), was far worse and indicated that criminal acts had been committed and Miranda Warnings should be read to all of you now for the fraud on the court that he saw with his own eyes that took place in his court and upon him personally and where he said it twice. I am surprised you were not arrested on the spot but he did not say he would not do that next time, he just indicated he should do it right then. Not just due to Tescher & Spallina Law Firm and Moran's admittedly fraudulent and alleged forged documents but the fraud on the court and failure to notify the court of dad's passing while depositing these felonious official records in official proceedings. I hope the transcript frees up your recollection.

I do believe that much of these costs will not be paid by the estate or the beneficiaries in the end but by those guilty of committing these crimes and in fact the judge can offer broad relief in these situations to the victims, especially with forensic costs, etc. caused by others bad behavior. I believe there will be bonding and other reliefs that will be ordered by the judge to bear the burdens caused here by you, Tescher and Spallina and others trying to thwart dad's desires and intents and substituting them with your own using felonious documents. Has Robert and Donald reported this to their insurance companies yet? Has Kimberly reported these matters and admissions to her bonding company? I do believe all damages caused by a Notary Public in the employ of a Law Firm while doing business are fully covered by the Law Firm under Florida law. I note Robert and Donald and Mr. Manceri are included in this email



and I ask each of you who are you policies with and to please send all parties in this email the carriers, policy numbers, etc. and demand that you report these matters and the litigations that will result, as Ted astutely points out in his letter. Robert do you have the bonding information for Kimberly's carrier? if so please forward that and her policy number too. I would advise all of you involved in the estate to now get counsel in whatever alleged fiduciary, legal or other roles you are claiming. I also note that it was determined in the hearing that Dad died as the Personal Representative and Trustee of Mom's estate and no successors were chosen and approved by the court due to the fraud on the court. I have tax forms and other forms you filed for the sale of the Condo Ted where you were signing as Personal Representative and Successor Trustee of the estate, I just want to clarify exactly what roles you have and are representing yourself in. I did note in the transcript you claimed to the Judge that you were there as Trustee of the Estate of mom, yet how can that be true in light of what we learned in the hearings? I believe you, Spallina, Tescher, Moran and others attempting to perpetrate this fraud are the ones costing the estates and will bear all of the damages for your improper and unlawful actions.

My answer to the Judge's advice to meet with you was plain and clear and the whole of the conversation is in the transcript and relates to my refusal to meet and participate in any ongoing frauds. If you would like to meet it would be best after you, Tescher, Spallina and Manceri have all resigned from any fiduciary or legal roles you have in the estates, turn over all documents, records and assets to counsel I will secure at that time you comply with this request. Then we can meet and discuss the matter with all of parties and their representative counsel to discuss any settlements. Once again, I caution you that each and every action that you and Robert and Donald and others do in the estate may result in further criminal and civil liabilities against you.

I am confused as to who is representing you at this point or are you representing yourself still individually and as alleged and mistaken "Trustee of the Estate" and "Personal Representative" of mom's estate? With your children now as potential alleged beneficiaries of mom's estate based on legally defective documents that appear to have been done after dad's passing and you acting as their trustee, you may have conflicts and other problems in acting in any fiduciary capacity in the estate and you should not be elected in any fiduciary capacities, especially without counsel. Let me know what your attorney says?

Eliot

From: Ted Bernstein [mailto:tbernstein@lifeinsuranceconcepts.com]
Sent: Thursday, September 19, 2013 3:04 PM
To: 'Eliot Bernstein'; Pamela Beth Simon; Jill M. Iantoni; Lisa; Lisa S. Friedstein
Cc: ROBERT SPALLINA (rspallina@tescherspallina.com); Donald R. Tescher (dtescher@tescherspallina.com); 'mrmlaw@comcast.net'
Subject: RE: Estate of Shirley Bernstein

Eliot > I believe this is a gross misrepresentation of what happened in court on Friday. From my recollection, the judge was quite specific about what he intends to hear on the 28th.

I am also concerned about the way in which the transcripts are being diced. It appears as if there are words being inserted that were not on the record and only partial statements being pasted into your emails. I would ask that you cease from continuing these distortions. Admittedly, I have not yet seen the transcript but I am almost certain that Robert Spallina said more than what you pasted in an earlier email:

12 MR. SPALLINA: I'm sorry?

13 THE COURT: Are you involved in the



14 transaction?

15 MR. SPALLINA: I was involved

I am fairly certain that Robert continued that sentence and explained to Judge Colin, in detail, how he and his firm, including Kim Moran (whom Mom and Dad were both very fond of), were involved in the notary matter addressed by Judge Colin. I believe his explanation was rather lengthy, yet your email would lead one to believe he answered by saying, "I was involved". Maybe this was an oversight on your part so I shall give you the benefit of the doubt. However, you appear to be adept at the use of cut and paste so I would ask that you try to be more cautious if you intend to continue down this path.

I remind you again that you are causing the assets of the trusts, as well as Dad's estate, to diminish. The money used for hearings, analysis and preparation of your allegations and petitions comes directly from trust and estate assets. As a result, the amount of money that will ultimately be paid to the beneficiaries is going to be less.

I believe the Judge advised you to meet with us. If you would like to do so, please email me and Robert and we can arrange to meet with you at a time that is convenient for you.

Take care,

Ted

From: Eliot Bernstein [<mailto:iviewit@gmail.com>]
Sent: Thursday, September 19, 2013 2:25 PM
To: Ted Bernstein; Pamela Beth Simon; Jill M. Iantoni; Lisa; Lisa S. Friedstein
Subject: FW: Estate of Shirley Bernstein

From: Eliot Bernstein [<mailto:iviewit@gmail.com>]
Sent: Thursday, September 19, 2013 2:16 PM
To: 'Myra'
Cc: Caroline Prochotska Rogers Esq. (caroline@cprogers.com); Michele M. Mulrooney ~ Partner @ Venable LLP (mmulrooney@Venable.com); Andrew R. Dietz @ Rock It Cargo USA
Subject: RE: Estate of Shirley Bernstein

I do not agree with your Order at all. Again, I think estate counsel Tescher & Spallina should resign immediately as counsel to the estate for the Fraud on the Court already identified and admitted to at the hearing as the transcripts clearly show.

My response,

1. The proposed Order is false and misleading in the first part of your draft order, as the Emergency Motion was not denied in toto and there are many parts to it and the remainder to be heard on the 28th or whatever date the judge selects, according to the Judge. From the hearing transcript,

18 It's only really that there's

19 no emergency here. Everything everyone raises

A handwritten signature, possibly "4", is written over a blue circular ink stamp.

20 on the 28th.

21 MR. MANCERI: Very good, Judge. Do you

22 think we can do it in an hour, Judge?

23 THE COURT: We'll try.

The hearing cannot be solely on Shirley's estate as the matters in Shirley's estate pertain to Simon's estate. I do understand that Simon's estate is administered by Judge French and orders in that estate will come from him. Have you thought of inviting him to attend the hearings as they relate to Simon's estate?

2. I thought the judge wanted the evidentiary hearing moved up from the 10/28/13 to mid-September.
3. I would add that the hearing will also be in regard to any documents or issues in Simon's estate that relate to the closing of Shirley's estate or any documents or issues that effected both estates, including beneficiary changes in either estate and all the documents that effectuated any changes to their 2008 estate plans that appear properly signed and executed.
4. Again, I believe you should advise your clients to withdraw as counsel to the estate as all of these issues relate to their alleged fraudulent acts and their legal assistant, Kimberly Moran and their admitted fraudulent notarizations that are alleged forged and this puts them in conflict now. Finally, I am not sure how the judge is to allow them to continue to represent any parties in these matters until all of the ongoing investigations both criminally and civilly against them are rectified in light of the fact that they have already committed Fraud upon the Court and more and admitted to it in the hearing.

Your cover email states that you will "advise Judge Colin that you do not agree with the provisions of the Agreed Order and will be submitting your own Orders to the Court for its consideration" and instead I would prefer if you not only advise the Judge but submit my entire replies to your proposed orders, including this email and my last, with the original proposed orders I reviewed to the Judge, along with any other advice you will be giving him. If you do not intend on complying with this request please let me know so that I may send them in if I have to file my own proposed orders, either way, did not want to burden the Court with the same documents.

Thank you,

Eliot

Eliot I. Bernstein
Inventor
Iviewit Holdings, Inc. – DL
2753 N.W. 34th St.
Boca Raton, Florida 33434-3459
(561) 245.8588 (o)
(561) 886.7628 (c)
(561) 245-8644 (f)
iviewit@iviewit.tv
<http://www.iviewit.tv>

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From: Myra [<mailto:mrmlaw1@gmail.com>]
Sent: Thursday, September 19, 2013 11:53 AM
To: iviewit@gmail.com
Cc: rspallina@tescherspallina.com
Subject: Estate of Shirley Bernstein

Dear Mr. Bernstein,

I am in receipt of your e-mail dated September 18, 2013 regarding the Agreed Order to Reopen Estate and Appointing Successor Personal Representatives. I do not agree with your comments, changes as they do not comport with the Order of the Court.

I am attaching a draft Order on Notice of Emergency Motion to Freeze Estates for your review, comments, etc., which I will need to receive from you by noon (12:00 PM) tomorrow. If I do not hear from you, I will submit both Orders to the Court and advise Judge Colin that you do not agree with the provisions of the Agreed Order and will be submitting your own Orders to the Court for its consideration.

Mark R. Manceri, Esq.

Mark R. Manceri, P.A.
2929 E. Commercial Blvd., Suite 702
Fort Lauderdale, Florida 33308
E-mail: mrmlaw@comcast.net
(954) 491-7099
(954) 771-0545 (fax)

A handwritten signature in black ink, appearing to be "M. Manceri", is written over a blue circular ink smudge or stamp.