From: Eliot Bernstein
To: "Ted Bernstein"
Cc: "Pamela Beth Simon"; "Jill M. Iantoni"; "Jill M. Iantoni"; "Lisa"; "Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A."; "Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A."; "Myra"; "Caroline Prochotska Rogers Esq."; "Michele M. Mulrooney ~ Partner @ Venable LLP"; "Andrew R. Dietz @ Rock It Cargo USA"; ""tourcandy@gmail.com" (tourcandy@gmail.com)"
Subject: RE: Service of Notice of Motion & Motion - Estate of Shirley Bernstein SHIRLEY CASE NO. 502011CP000653XXXXSB and Service of Petition in SIMON CASE NO. 502012CP004391XXXXSB
Date: Saturday, October 12, 2013 10:50:00 AM

Ted, further to my letter below, you are not qualified to be Trustee of the Trust of mom for all the following reasons,

1. you failed to provide notice and consent of your acceptance as Trustee with a full copy of the trust instrument to the beneficiaries within the 60 day legal requirement, see Florida Statutes 736.0813 - Duty to inform and account
2. you were never appointed and dad remained trustee and personal representative even after he was deceased as was evidenced in court leaving no successors
3. you have failed to provide accountings and keep the beneficiaries informed of the transactions you have been doing and in fact have worked to go behind the backs of some and secret information from them and their counsel
4. you are in conflict with the trust as you are named defendant in the Stansbury creditor claim against the trust and therefore you personally have conflicting interests with the estate in the outcome, as it sure would help you if the beneficiaries paid for your damages, as Stansbury claims you are the main person responsible for the damages and has sued you personally and corporately in that regard
5. you are in conflict with your children under the trust that you claim are beneficiaries and you are acting as their trustee to the trust, at the time the trust was written you had no conflict as you and your lineal descendants were excluded as beneficiaries explicitly and still may be if the incomplete Will and Amended Trust dad did fail, as it appears they will
6. you are in conflict with me and my children
7. you were notified of fraud and forgery in the estates back in April and earlier and given documents that showed dad had signed documents and notarized documents in the estate of mom while dead and did nothing to notify authorities or clarify these matters that would directly impact your claim that you are a successor trustee
8. you have failed to act responsibly in trust administration and despite knowing of creditor claims that you are centrally involved in the legal action against the trust and instead you have rushed to sell and disseminate assets, to what you were alerted may be the wrong beneficiaries due to the fraud and did nothing to clarify or correct these issues that might not benefit you and your children
9. you have stated in a public letter that your family did not exist any longer and your only family was Deborah and your children, this makes you unqualified to handle the affairs of those you consider not to exist
10. you have made false statements to a judge that you are “trustee of the estate” of Shirley, again acting far outside any true fiduciary role
11. you have truly failed on virtually all levels as a “Trustee” and you should take all steps now to remove yourself from any perceived title that you failed to properly give notice and consent on
12. you have failed to retain counsel

13. there is now fraudulent and forged documents in the estate of Shirley that have been admitted to that your involvement remains suspect
14. there is now evidence that dad was used as Trustee and Personal Representative of the estate to discharge and close the estate while he was dead and therefore many of the transactions of the estate and trusts may not have been legally allowed due to the fraud on the court, the identity theft and other crimes explained in my Petitions and Motions to the court that you are again suspect in all of these matters that have attempted to change the beneficiaries. Despite your knowing of these frauds and forgery, including your own name being forged you did nothing to protect the beneficiaries of the trusts by clarifying these beneficial issues with the courts and notifying any authorities of the felony crimes, until the day before the hearing on September 13, 2013 and after Moran's confession to fraud and forgery, months after you knew in April 2013 or earlier of these things. Instead you secreted that information and went rushing to sell assets and convert them to your children, knowing ultimately they may not be beneficiaries due to the crimes
15. you were not then and are not now qualified to act as Trustee for all the reasons stated herein.

Please immediately provide an accurate accounting of the trust, all documents of the trust and itemized expenses, legal fees, etc. that have taken place with the trust since your improper acceptance without notice and consent of your role. Please also include all trust transactions prior to your acceptance. Provide an inventory of all assets and ALL transaction details of any removal or sale or distribution of any real or personal properties. Please contact the Court and remove yourself as trustee for all those reason herein. You may feel free to elect me as your successor.

Eliot

From: Eliot Bernstein [mailto:iviewit@gmail.com]
Sent: Saturday, October 12, 2013 7:27 AM
To: 'Ted Bernstein'
Cc: 'Pamela Beth Simon'; 'Jill M. Iantoni'; 'Jill M. Iantoni'; 'Lisa'; 'Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A.'; 'Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A.'; 'Myra'; 'Caroline Prochotska Rogers Esq.'; 'Michele M. Mulrooney ~ Partner @ Venable LLP'; 'Andrew R. Dietz @ Rock It Cargo USA'; ''tourcandy@gmail.com' (tourcandy@gmail.com)'
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Ted, the length is due to the number of fiduciary violations and violations of law that have been committed in the estates thus far, it is harder for me to write it all but I am thorough and detailed. The proper case number was corrected with the clerk and I have attached a copy of the page herein, it is rather difficult to write for similar crimes in two cases versus one and I will try to get the judges to see the relation in cases. As far as I could tell, judge Colin was speaking to the three of you, Spallina, Manceri and yourself when he stated,

"6 THE COURT: So let me tell you because I'm
7 going to stop <u>all of you folks</u> 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 might have to
12 be.
13 MR. MANCERI: Okay.

Since you were sitting close to Robert it appeared he was speaking to all of you who were part of the group together and where it was unclear if they were representing you at times per the record but you can take that up with the judge. I am disseminating public information and it appears you were cautioned by the Judge as part of ALL OF YOU. You did not sit in the visitor section, you came and represented yourself as Ted Bernstein, Trustee for the Estate and later you stated you were representing yourself and further you appeared as a NAMED RESPONDENT and this email appears yet another of your lies as you spoke as a Pro Se respondent. Really you should seek counsel (as almost all real trustees do) as you do appear confused and this are very serious criminal allegations at this point. Please, I must ask you stop lying, it really is tiresome and sad. My commentary, as always, is accurate, your interpretation appears delusional.

When Judge Colin asked that I meet with you I am not sure you heard my answer clearly, so,

17 But in the meantime not knowing a whole
18 lot about this case, it's my first time I'm
19 really having this type of dialogue. I heard
20 some voice that said there's cash to feed your
21 children that could become readily in your
22 pocket or in someone's pocket to pay bills that
23 could help your children. I heard that. They
24 say the stumbling block to your children
25 getting the benefit of that money is you. I
00063
1 don't know whether that's true or not, but if
2 you want your children to imminently get money
3 and they have imminent money to give your
4 children, maybe you want to sit with Ted and
5 that other side and see if there's some money
6 that could come to your children.
7 MR. ELIOT BERNSTEIN: **Excuse me.**
8 THE COURT: Sure.
9 MR. ELIOT BERNSTEIN: **That's like asking**
10 **me to participate in what I allege is a fraud.**

I do not meet with fraudsters who impersonate fiduciaries and never will, despite that I am your brother I still do not negotiate with people who are doing bad bad things. You need to get counsel in those capacities you claim you have but I am sure that was hard not actually having those titles to find anyone to represent you. At the hearing it was learned that despite your claims of “trustee of the estate” that dad died being that role and his identity was illegally used to perpetrate a fraud on the court after he was dead and since he was dead at the time he closed the estate as if alive, no one was

ever elected and granted Letters of Admin to become successors. I did note that Robert referred in the hearing to you as "our client" could you please expand and explain this, what capacities are you Robert's client? Finally, as you found at the hearing that you really do not have any fiduciary role in the estate, yet, as Judge Colin's order clearly shows you may get them now but never had them prior, what are you doing about all the things you have stolen off with from the estate and transactions that you appear to have transacted while masquerading as a fiduciary since dad's death? My time for you now can be had through the court or at any law enforcement outpost you would like to meet at to discuss these matters, or once you secure non conflicted counsel to represent you other than the thugs, Tescher and Spallina and Manceri, that perpetrated this fraud with you in our parents' estates and continue to do so.

Remember your letter, I am basically dead to you, as was dad and we no longer exist. I am not sure also what capacity you want to meet me in, is it Ted as Ted individually, Ted as alleged Trustee of the Estate, Ted as alleged Personal Representative, Ted as alleged Manager of Bernstein Family Realty LLC or some other capacity I am yet unaware of? All I know is Oppenheimer appears to claim that you volunteered to pay my family expenses through the LLC that have been being paid for many years and I had nothing to do with any of this but things get shut off here in a few days and the bills are unpaid and the kids go hungrier from the lack of food from the lack of reimbursements to Candy and I, I will be contacting you as the fiduciary that caused this intentional havoc. I am so ashamed of you and what you have done, please, do the right thing and confess already and return all that you have coveted and purge yourself. I truly think you should start therapy and try to resolve what is going on. Also, I heard that you were in possession of dad's mail and received the title of Josh's car that was sent there and joyful tossed in the garbage, really, this makes me sick that you have evaded Josh and Candice to deny him of his gift from dad, imagine if someone did that to your children on any of the cars dad bought for your children. The car possess serious liabilities to the estate is someone were to smash into it while it is unregistered, parked on a street, uninsured because you refuse to turn over the title or destroyed it.

In your email you state in "my role as trustee" please send me the Letters that show that you were ever APPROVED and APPOINTED letters to act in any capacity by the Court. Yes, I know your claim through the trust document that you hang your hat on but I am talking the actual appointment, letters, etc. What did your attorney say who is representing you in this capacity, did he tell you just to work of some language in a trust or did he advise you on how to become a trustee legally?

Eliot

From: Ted Bernstein [mailto:tbernstein@lifeinsuranceconcepts.com]
Sent: Friday, October 11, 2013 7:58 PM
To: Eliot Bernstein
Cc: Pamela Beth Simon; Jill M. Iantoni; Jill M. Iantoni; Lisa; Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A.; Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A.; Myra; Caroline Prochotska Rogers Esq.; Michele M. Mulrooney ~ Partner @ Venable LLP; Andrew R. Dietz @ Rock It Cargo USA
Subject: Re: Service of Notice of Motion & Motion - Estate of Shirley Bernstein SHIRLEY CASE NO. 502011CP000653XXXXSB and Service of Petition in SIMON CASE NO. 502012CP004391XXXXSB

Eliot - I am trying to read this brief (which is a little lengthy), and I don't believe you have the proper case numbers listed in the Re: section of the email. Did you intend to do that or was it an oversight?

Also, I must ask you again to refrain from disseminating information that implies I was threatened by Judge Colin, in any way. Please stop disseminating information referring to me as having done anything fraudulent in my role as trustee, or in any capacity. Further, please stop disseminating information which suggests that I was cautioned about my Miranda rights. As you are well aware, I sat in the visitor section of the courtroom on September 13th, behind counsel's tables and only spoke in court when Judge Colin inquired about my identity and if I objected to Mom' estate being re-opened. I am sure you can appreciate that due to your commentary, some might misconstrue what was actually happening and who Judge Colin was questioning about notary issues, documentation re probate matters, etc.

Finally, Judge Colin suggested that you contact me to discuss how to help move things forward for you and when you are ready, please email me with some possible times that work for you.

Ted
561-988-8984
tbernstein@lifeinsuranceconcepts.com

On Oct 10, 2013, at 4:05 PM, "Eliot Bernstein" <iviewit@gmail.com> wrote:

> To Whom it May Concern,
>
> Please take this as service of a Notice of Motion and Motion in the estate of Shirley and Petition to Determine and Release Title of Exempt Property in Simon's estate.
>
> For high res printable version that may take a minute or few to load @
>
> www.iviewit.tv/20131010MotionCompelFreezeYouHavetheRighttoRemainSilent.pdf
>
> and
>
> www.iviewit.tv/20131010PETITIONDETERMINERELEASETITLEOFEXEMPTPROPERTYJOSHUAKIA.pdf
>
> Eliot I. Bernstein
> Inventor
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> (561) 245.8588 (o)
> (561) 886.7628 (c)
> (561) 245-8644 (f)
> iviewit@iviewit.tv
> http://www.iviewit.tv
>
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