From:	Ted Bernstein
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
Date:	Thursday, September 19, 2013 3:03:59 PM

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

   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
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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.

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