

IN THE CIRCUIT COURT OF THE FIFTEEN JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

IN RE: THE ESTATE OF
SHIRLEY BERNSTEIN,
Deceased

CASE NO. 502011CP000653XXXXSB

HON. JUDGE MARTIN H. COLIN

ELIOT IVAN BERNSTEIN, PRO SE
PETITIONER,

V.

TESCHER & SPALLINA, P.A., (AND ALL PARTNERS,
ASSOCIATES AND OF COUNSEL),
ROBERT L. SPALLINA, ESQ., PERSONALLY,
ROBERT L. SPALLINA, ESQ., PROFESSIONALLY,
DONALD R. TESCHER, ESQ., PERSONALLY,
DONALD R. TESCHER, ESQ., PROFESSIONALLY,
THEODORE STUART BERNSTEIN, INDIVIDUALLY,
THEODORE STUART BERNSTEIN, AS ALLEGED
PERSONAL REPRESENTATIVE,
THEODORE STUART BERNSTEIN, AS ALLEGED
TRUSTEE AND SUCCESSOR TRUSTEE PERSONALLY,
THEODORE STUART BERNSTEIN, AS ALLEGED
TRUSTEE AND SUCCESSOR TRUSTEE,
PROFESSIONALLY
JOHN AND JANE DOE'S (1-5000)

RESPONDENTS

**ADDITIONAL RESPONDENTS TO BE ADDED BY THIS
COURT**

THEODORE STUART BERNSTEIN, AS TRUSTEE FOR HIS
CHILDREN,
LISA SUE FRIEDSTEIN, INDIVIDUALLY AS A
BENEFICIARY,
LISA SUE FRIEDSTEIN, AS TRUSTEE FOR HER
CHILDREN,
JILL MARLA IANTONI, INDIVIDUALLY AS A
BENEFICIARY,



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JILL MARLA IANTONI, INDIVIDUALLY AS A
BENEFICIARY,



JILL MARLA IANTONI, AS TRUSTEE FOR HER CHILDREN,
PAMELA BETH SIMON, INDIVIDUALLY,
PAMELA BETH SIMON, AS TRUSTEE FOR HER CHILDREN,
MARK MANCERI, ESQ., PERSONALLY,
MARK MANCERI, ESQ., PROFESSIONALLY,
MARK R. MANCERI, P.A. (AND ALL PARTNERS, ASSOCIATES AND OF COUNSEL)

BENEFICIARIES/INTERESTED PARTIES TO BE ADDED BY THIS COURT

JOSHUA ENNIO ZANDER BERNSTEIN (ELIOT MINOR CHILD)
JACOB NOAH ARCHIE BERNSTEIN (ELIOT MINOR CHILD)
DANIEL ELIJSHA ABE OTTOMO BERNSTEIN (ELIOT MINOR CHILD)
ALEXANDRA BERNSTEIN (TED ADULT CHILD)
ERIC BERNSTEIN (TED ADULT CHILD)
MICHAEL BERNSTEIN (TED ADULT CHILD)
MATTHEW LOGAN (TED'S SPOUSE ADULT CHILD)
MOLLY NORAH SIMON (PAMELA ADULT CHILD)
JULIA IANTONI – JILL MINOR CHILD
MAX FRIEDSTEIN – LISA MINOR CHILD
CARLY FRIEDSTEIN – LISA MINOR CHILD

BENEFICIARY AND INTERESTED PARTY ELIOT BERNSTEIN
OBJECTIONS TO SUCCESSOR PERSONAL REPRESENTATIVE'S
OBJECTIONS TO FIRST SET OF INTERROGATORIES AND FIRST
REQUEST FOR PRODUCTION OF DOCUMENTS AND THINGS
PROPOUNDED BY ELIOT BERNSTEIN

COMES NOW, Eliot Ivan Bernstein (“Petitioner”), as Beneficiary and Interested Party both for himself personally and for his three minor children who may also be Beneficiaries and Interested Parties of the Estate of Shirley Bernstein (“Shirley”), PRO SE, and hereby files this




his Objections to the Objections to First Set of Interrogatories and First Request for Production of Documents and Things propounded by Eliot Bernstein dated November 1, 2013 and in support thereof states, as follows:

1. On November 1, 2013, Petitioner served his First Set of Interrogatories and First Request for Production of Documents and Things (hereinafter the "Discovery") on the Personal Representative.

2. The Personal Representative has objected to the propounded Discovery, after failing to timely reply and now claims Petitioner is not a beneficiary / interested person in these proceedings and has no standing to conduct the propounded Discovery, according to Florida Statute 731.201(23).

3. That Petitioner claims that Under Florida Statute 731.201 and 731.201(23) he and/or his three minor children, or both, are factually beneficiaries / interested parties of the estate of Shirley and he is legal Guardian of his children, so either way he would be due all Discovery requested.

4. That evidence of Petitioner and his minor children standing was given to this Court in a hearing on September 13, 2013 and in an Evidentiary Hearing on October 28, 2013, and this Court has already determined that the beneficiaries / interested parties have all been called into question in the trust and estate of Shirley Bernstein but that Petitioner and/or his children are beneficiaries either way. The question of the beneficiaries / interested parties having arisen in part due to, FORGED and FRAUDULENT documents tendered to the Court by Tescher & Spallina P.A., Donald Tescher, Esq. ("Tescher"), Robert Spallina, Esq. ("Spallina")



and allegedly created by their legal assistant/notary public, a one Kimberly Moran ("Moran"). Separate and distinct crimes from those committed by Moran, are crimes committed by Spallina and Tescher in closing the estate by using the Personal Representative, Shirley's husband Simon Bernstein ("Simon") while dead, to serve documents to this Court as if alive for four months to close the estate in January 2013, where Simon had passed away on September 13, 2012. After closing the estate with a dead Personal Representative they attempted to use documents that also are alleged fraudulent from Simon's estate to allegedly change the beneficiaries of Shirley's estate Post Mortem.

5. That all this Fraud and Forgery is due to the fact that Simon and Shirley never changed their beneficiaries from the 2008 Wills and Trusts they did together and where Theodore Bernstein ("Theodore") and his sister Pamela Simon (P. Simon) were wholly excluded from both of the estates with their lineal descendants in the 2008 estate plans and were so outraged as to attempt to change the desires and intent of both Simon and Shirley by changing the beneficiaries post mortem, through forged and fraudulent documents in order to convert estate assets to themselves and their lineal descendants.

6. That all of this fraud and forgery to achieve these fraudulent changes was aided and abetted by Theodore's close personal and business associates, Spallina and Tescher, who have even made claims that they were going to try and go against the wishes of Simon and Shirley to get Theodore and Pamela benefits that they were not entitled to.

7. That Moran has been arrested for FRAUD and admitted to the Palm Beach County Sheriff's office the crime of FORGERY in six separate Waiver documents for six



separate people in the estate of Shirley, including one forged post mortem for Simon and Florida Law makes Tescher & Spallina P.A., Spallina and Tescher wholly responsible and liable for all damages for the actions of their notary public.

8. That from Moran's statements to the Palm Beach County Sheriff it is now factually learned that the Waivers on file in the court are FORGED, that Petitioner, ELIOT IVAN BERNSTEIN, DID NOT SIGN any Waiver that was filed and docketed with this Court ever. Yet, the Personal Representative, Spallina, Tescher and their counsel Mark Manceri ("Manceri"), are asserting repeatedly to this Court that Waivers were filed by Petitioner with the Court. Factually Waivers were not filed and docketed with the Court by Petitioner, Petitioner's siblings or his deceased father Simon when the estate was closed, as Moran has admitted to signing the Waivers that are on file with the Court on wholly recreated documents. Nor have any of the alleged grandchildren beneficiaries signed a Waiver and therefore no legal Waivers are on file with this Court by any interested parties or beneficiaries when the estate was illegally closed.

9. That the Waivers that are on file with the Court are therefore entirely worthless, as they are FORGED and fraudulent and proven so by Moran's admission that she "**traced**" **aka forged** the signatures on all six Waiver documents filed with the court, including one for Petitioner's deceased father POST MORTEM, as evidenced in the Sheriff's report. In that report Moran states to authorities "**Moran stated that at this time, she took it upon herself to trace [aka FORGE] each signature of the six members of the Bernstein family onto another copy of the original waiver document. She**



then notarized them and resubmitted them to the courts.” The problem here is the alleged “original” waivers were never filed and docketed in this Court and Moran then resubmitted to the Court wholly forged and fraudulent documents with her signature on them and those are the only Waivers that were on file with this Court at the time the estate was closed. There have been recent attempts to cure the forgery by some of the alleged beneficiaries whose names were forged and obviously Simon cannot cure his as he remains deceased and Petitioner and his children will not sign Waivers in light of the forgery and fraud already proven.

10. That Moran’s statement to the Sheriff’s office contradicts her prior statement to the Governor’s Notary Public office in a sworn statement under penalty of perjury, where she claimed the documents and signatures she resubmitted to the Court, were identical with Waivers that were kicked back by the Court for failure to have a notarization and allegedly signed by the original parties, other than her having fraudulently affixed her notary stamp to the already signed documents and contradiction now constitutes new crimes of false statements in official proceedings and perjury in official sworn statement. These new criminal allegation are being pursued with authorities by Petitioner currently. This Court should take Judicial Notice and act on its own motions regarding this new evidence of perjury and false statements in official proceeding.

11. That the false statements that the Waivers filed were not FORGED was also echoed by Spallina and Manceri in the September 13, 2013 hearing in statements made to Your Honor when Spallina knowingly lied to Your Honor and claimed the signatures on file with the court were not forged and where the signatures of the alleged parties that signed them.

A blue ink signature, possibly reading 'AF', is written over a circular blue ink fingerprint impression.

Therefore, despite repeated attempts to claim the Waivers filed with the Court were Waivers of Petitioner or any of the other signors it is now proven factually untrue and these statements to the Court by Attorneys at Law in official proceedings violates Attorney Conduct Codes and Law. Under Judicial Cannon's and Law it is Your Honor's duty to report the criminal activities of Attorneys at Law to all of the proper authorities, especially where Your Honor had enough evidence at the September 13, 2013 hearing of fraud on the court and beneficiaries and more to have the Attorneys at Law, Spallina and Tescher read their Miranda's at that time.

12. As now Waivers have NOT been signed previously and filed with this Court by any beneficiaries or interested parties that are legally valid in any way and the estate has been newly reopened, all beneficiaries / interested parties are due all documents legally due to them (ie accountings, financial records, bank and credit card statements for five years, inventories, attorney billings, tax returns, estate bank account accountings, inventories, etc.), before any attempts are made to close the newly reopened estate of Shirley and further attempt to keep all this Discovery further a secret from the beneficiaries / interested parties who have been denied all of this Discovery ILLEGALLY for now three years in Shirley's estate.

13. That additionally the estate of Shirley cannot be closed until all of the beneficiaries and interested parties are first determined by both the judges in the estates, due to other factors than just the Fraud and Forgery that have called the beneficiaries into question. This questioning of the beneficiaries / interested parties results from the fact that Shirley's beneficiaries were attempted to be changed POST MORTEM in Shirley's estate (and Simon's), by legally flawed documents of Simon's used in Shirley's estate, including documents with yet



another notary public, a one Lindsay Baxley, now under investigation by Florida Governor Rick Scott's Notary Public division for alleged fraudulent and improper notarizations, and for these reasons that cause the beneficiaries / interested parties to be in dispute, the estate must remain open and all requested Discovery and other discovery if necessary be produced.

14. That if there is nothing to hide and nothing there, as the other side claims, then why are they trying so desperately to dodge the Discovery to any party entitled to it? Petitioner requests that the Discovery documents and accounting be produced by independent parties that are not conflicted with the matters due to personal involvement in the crimes and that Petitioner be awarded the right to have forensic experts examine all documents tendered by Tescher & Spallina, P.A., Tescher and Spallina, for further evidence of fraud or forgery, as nothing they have done or will do can be trusted by certain of the beneficiaries / interested parties due to their involvement in Fraud and Forgery and Fraud on the Court and more already.

15. That as with Moran's documents already admitted FORGED and FRAUDULENT, the documents in the estate of Simon used to try and change beneficiaries in Shirley's estate POST MORTEM, primarily a Will and Amended and Restated Trust done allegedly weeks before Simon died, are also alleged fraudulently notarized, witnessed and drafted by Spallina (who gains fiduciary powers and interests in the estate of Simon through them, making them further illegally executed), Moran (who nothing she has signed can be trusted any longer) and Baxley (who is under investigation for these documents) and the Court should note these are separate documents than those Moran is being prosecuted for.

16. That allegations are that Simon and Shirley never made changes to their estate

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beneficiaries and through a series of forged and fraudulent documents done post mortem for both Simon and Shirley by the alleged perpetrators of these frauds and forgeries, the beneficiaries were attempted to be changed post mortem and against the last wishes and desires of Simon and Shirley as so stated in their prior estate plans on file from 2008. These crimes have been caused primarily by Spallina, Tescher and Theodore, in efforts to seize dominion and control of the estates illegally and put Theodore and his lineal descendants back into the estates against the express wishes and desires of Simon and Shirley who wholly disinherited Theodore and his sister P. Simon along with their lineal descendants.

17. That while Simon had considered making changes to the beneficiaries, if Petitioner's siblings would agree to let him see their children and stop abusing him in May 2012, the abuses never stopped and Simon never made the changes all the way to the day he died in September 2012 and so it is alleged those changes were made for him and Shirley using a series of bogus and fraudulent documents, including those already admittedly Forged and Fraudulent, including forged post mortem documents for Simon.

18. That the crimes of Fraud on the Court and Fraud on the Beneficiaries in presenting these Forged and Fraudulently Notarized Documents in both estates has not been fully investigated at this point and criminal charges filed yet. From the hearings new evidences of Perjury and False Statements by both Moran and Spallina to this Court and state authorities have been uncovered, which will require further criminal investigations and throw everything they have stated thus far into question and that this Court has relied upon in determining orders and more. Additionally, new criminal and civil complaints are being lodged by Petitioner both

A blue ink fingerprint is visible, with a signature written over it. The signature appears to be a stylized 'M' or 'S'.

state and federally for newly discovered alleged criminal acts by Spallina, Tescher, Theodore, Moran and now others, wholly separate from the crimes of Moran that she was arrested for and far more serious in nature.

19. For instance, Spallina, Theodore and Moran are alleged to have committed Insurance Fraud and when that scheme failed, Theodore and others then are alleged to have committed Fraud on US Federal Court, as more fully described in a recent motion to disqualify the attorney at law in that case, Adam Simon (Pamela Simon's brother in law) filed on December 08, 2013 by Eliot Bernstein, titled "(1) MOTION TO STRIKE PLEADINGS AND REMOVE ADAM SIMON FROM LEGAL REPRESENTATION IN THIS LAWSUIT OTHER THAN AS DEFENDANT FOR FRAUD ON THE COURT AND ABUSE OF PROCESS AND (2) MOTION TO REMOVE ADAM SIMON FROM LEGAL REPRESENTATION ON BEHALF OF ANY PARTIES IN THIS LAWSUIT OTHER THAN AS A DEFENDANT PRO SE or REPRESENTED BY INDEPENDENT NON-CONFLICTED COUNSEL," which can be found at www.iviewit.tv/20131208MotionStrikePleadingAdamSimonForFraudOnCourt.pdf, fully incorporated by reference herein, along with all other pleadings, rulings, etc. in Case No. 13-cv-03643 IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT COURT ILLINOIS EASTERN DIVISION (SIMON BERNSTEIN IRREVOCABLE INSURANCE TRUST DTD 6/21/95, Plaintiff, v. HERITAGE UNION LIFE INSURANCE COMPANY Defendant. That it should be noted that allegations have been asserted that Spallina and Theodore have both acted in false fiduciary capacities in those matter with Spallina claiming to be the Trustee of a "lost" "Simon Bernstein Irrevocable Insurance

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Trust dtd 6/21/95” when filing the insurance claim with the carrier Jackson National. Then amazingly, in a US Federal Court Breach of Contract Lawsuit filed by Adam Simon, for failure to pay the fraudulent claim filed by Spallina that was denied by the carrier, Theodore files a breach of contract lawsuit for the carriers failure to pay Spallina’s fraudulent claim, with Theodore now suddenly acting as the alleged Trustee of the “lost” “Simon Bernstein Irrevocable Insurance Trust dtd 6/21/95” and where Mickey Mouse could be the trustee of the “lost” trust as no one has a copy of the “lost” trust allegedly. Petitioner alleges the “lost” trust is another suppressed document to attempt to abscond with an insurance policy of the estates and convert those assets from the true and proper beneficiaries to benefit Theodore and P. Simon directly, aided by Spallina.

20. That in the insurance fraud scheme alleged, again Spallina and Theodore are acting in false fiduciary capacities for a “lost” trust they claim to have no copies of, in order to change beneficiaries of a life insurance policy to the disadvantage of certain of the estate beneficiaries and to directly benefit Theodore and P. Simon who were wholly disinherited from the estates of Simon and Shirley and would therefore not have received a penny if the proceeds came to the estate or to the proper beneficiaries of the policy. That Spallina, as an Attorney at Law, knew at all times that he was not the Trustee of the “lost” trust, even claiming he had never seen a copy in written letters exhibited in that US Federal court case and so did Theodore know he was not the Trustee when filing they filed the fraudulent claim and abuse of process legal action.

21. That Jackson National in their counter complaint in that lawsuit claims that



Theodore was advised by counsel prior to filing the lawsuit that he had no basis to file the action.

22. That Petitioner would never have been notified of the lawsuit if Jackson National did not sue him as a third party defendant, alerting him to the attempt to defraud the insurance companies and estate beneficiaries.

23. That in the insurance lawsuit above, a creditor of the estate of Simon, a one William Stansbury ("Stansbury"), has moved to intervene in that lawsuit alleging that that lawsuit is improper as well. Claiming that when there is a lost beneficiary of a policy, as is claimed by Theodore and Spallina, Florida law states the benefits are paid to the insured's estate and thus Stansbury claims the lawsuit is a way to move the asset from the estate to evade him as a creditor, further reinforcing Petitioner's claim to that federal court that they fraudulently filed the insurance claim and the subsequent lawsuit to deny the beneficiaries of the estates their interests.

24. That Petitioner, Eliot Bernstein, is and was always a beneficiary and interested party of Shirley's estate or why would the estate counsel ask to have him sign a Waiver in the first place to close the estate? If the beneficiaries of Shirley's estate are the grandchildren, as alleged by Spallina et al., why were Waivers never sought for them in Shirley's estate and still have not been sought and why are they not represented or even present in these matters. The grandchildren have never been notified of their alleged interests in the estate and if the beneficiaries were changed, the old ones and new ones were never notified.

25. That if the alleged fraudulent Will and Amended and Restated Trust of Simon



survive, Petitioner would still be entitled to all the Discovery, as he is guardian/trustee for his children, again only if they are determined to be beneficiaries after all the criminal acts are fully resolved and they are deemed beneficiaries by the courts. Therefore, either way, Petitioner would be due all the legally required Discovery and interrogatories requested now that the estate has been reopened as qualified beneficiaries and interested parties.

26. That all ten grandchildren are now alleged potential beneficiaries / interested parties of the estate and yet they are not represented as interested parties and/or beneficiaries in the matters before the Court, in alleged violation of fiduciary duties of the Personal Representatives and Law. That this court must have each and every party that is an interested party or beneficiary represented in these matters and to date this has not been the case and is a fundamental flaw in these proceedings from the start.

27. That Manceri stated in the September 13, 2013 hearing that Petitioner was a beneficiary until the so called alleged changes were made by Simon to Shirley's beneficiaries post mortem, which changes appear nowhere in the record of Shirley's estate and until this Court determines the beneficiaries, Petitioner either is or is not a beneficiary / interested and either way he is an interested party to these matters under law, due to the very fact that he is questioned as one.

28. That Petitioner, Eliot Bernstein and his three minor children will not be waiving any rights in the estate to close the estate now that it is reopened and they have never had a Waiver filed in this court that was not a forged and fraudulently notarized and therefore not a document filed by Petitioner in any way shape or form. As such Petitioner and his children are

A blue ink signature, appearing to be 'Eliot Bernstein', is written over a circular fingerprint impression. The signature is written in a cursive style with a large initial 'E'. The fingerprint is a standard ten-print impression, showing clear ridge patterns.

requesting,

- i. a final and FULL accounting,
- ii. all previous accounting by the prior Personal Representative Simon and the newly appointed Personal Representative Theodore,
- iii. five years of bank statements, credit card statements and tax records, sent directly from the institutions,
- iv. a Petition for Discharge that includes the amount of compensation paid to the personal representatives, attorneys, accountants, appraisers, or other agents employed by the personal representatives, and the manner of determining that compensation,
- v. all rights to all information legally required under probate rules and statutes,
- vi. a receipt of complete distribution of the share of the estate to which the Petitioner and/or his children are entitled,
- vii. copies of the accountings for the trusts of Shirley to ensure that all assets were properly accounted for and transferred from the estate to the trusts and as these accounting and inventories, etc. were due to the beneficiaries of the trusts for the last three years and have never been tendered in violation of fiduciary duties and law, these must be ordered by this Court to be turned over as they relate to the closing of the estate,
- viii. the amount and manner of determining the compensation of the personal representative, attorneys, accountants, appraisers, or other agents, as Petitioner

A blue ink signature and a circular fingerprint impression. The signature is written in a cursive style and is positioned over the fingerprint. The fingerprint is a standard ten-print impression, showing the ridges and valleys of the fingers.

has NOT agreed to the amount and manner of determining such compensation and has NOT waived,

- the payment of such compensation,
- a plan of distribution,
- a Petition for Discharge of the personal representative and all notice thereof upon the Petitioner,
- a receipt of complete distribution of the share of the estate to which the Petitioner and/or his children are entitled and
- does not consent to any order discharging the personal representative without notice, hearing or waiting period and without accounting.

29. That all Discovery requested by Eliot Bernstein is within Florida Statutes and Probate Rules and therefore legally due to the beneficiaries and interested parties. Any claims by the Personal Representatives that any of this information is not discoverable based on claims that Petitioner and his children are not qualified as beneficiaries / interested parties, the work product doctrine, the accountant-client privilege and/or the attorney-client privilege are challenged herein and any documents marked as such and approved by this court as such must be presented to the beneficiaries as marked in such manner and the confidential information redacted, if this court so sees fit. Again, if nothing to hide, why all the hiding?

30. That the deadline to respond to the interrogatories and requests for Discovery was not timely responded to and therefore this late grandstanding effort to get out of production



through their Objection should be stricken and sanctions implied for even filing their baseless and vexatious objections to further waste time and resources of the injured parties and this Court.

31. That this Court has also recently appointed Theodore as Personal Representative of the estate of Shirley, a fiduciary role he was acting under prior to the appointment for over a year and was transacting assets of the estate and trusts of Shirley while not being appointed and further he has made false fiduciary representations before this Court in the September 13, 2013 and the October 28, 2013 hearing as already evidenced to this Court by motion, which motion can be found @

www.iviewit.tv/20131010MotionCompelFreezeYouHavetheRighttoRemainSilent.pdf.

32. That Theodore, as Personal Representative and his counsel Spallina have conflicts of interest and adverse interests to beneficiaries now, especially to Petitioner and his family for numerous reasons already defined herein, including that Petitioner is the one who has uncovered their fraudulent schemes involving forgery, fraud, fraud on this Court, fraud on the beneficiaries and more and has caused the arrest of one of them already for felony crime. Obviously, due to Petitioner's efforts to expose their crimes, they have absolute adverse interests that conflict and prohibit them from further being fiduciaries or counsel in these matters. That Petitioner claims that Theodore, Spallina and Tescher are and will do everything to harm him and his family versus help him as would be obligatory as fiduciaries in other normal circumstances.

33. That Petitioner has already motioned this court regarding extortion type



behavior against him, to shut him and his family down and further extortionary acts have taken place since the filing of that motion that will soon be filed with this Court and authorities.

Wherefore, this Court order all accountings, interrogatories and other information requested herein, as required by probate rules and statutes that are due to the beneficiaries and interested parties and further remove the Personal Representative Theodore and counsel Tescher & Spallina P.A., Spallina and Tescher, from serving in any capacities in the estate IMMEDIATELY to prevent further harm and damages, nothing they say or do any longer can be trusted for their already admitted and acknowledged breaches of fiduciary duties and serious violations of Law. Further, due to newly discovered information regarding personal property assets of Shirley Bernstein that are not listed in her or Simon's inventories and appear to have vanished into thin air, totaling approximately two million dollars, Discovery production now is essential. Therefore, Petitioner again requests a FULL accounting in Shirley's estate. Since NO trust or estate accountings have ever been provided to the beneficiaries in either Simon's case for over a year and three years in Shirley's case, further violations of probate rules, statutes and fiduciary duties, this request for Discovery appears well within reason and law. Evidence of the missing items in the inventories are being submitted to state authorities in criminal complaints being filed presently and will be presented to the court within a timely manner after filing. That all of this Willful, Wanton, Reckless and Grossly Negligent behavior in violation of Law are cause for this Court to demand these remedies herein immediately, as it has been almost three months since the estate has been reopened and not a single document has been forthcoming from the Personal Representatives to further delay and cause damages to the beneficiaries and interested parties and bleed the estate of

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resources. Petitioner hereby request that this Honorable Court enter an Order consistent with the relief requested herein, and award of attorney's fees and costs, impose sanctions and any other relief this Honorable Court deems just, equitable and proper.

Eliot Bernstein, Pro Se and as legal guardian on behalf of his minor three children

CERTIFICATE OF SERVICE

I, ELIOT IVAN BERNSTEIN, HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by email to all parties on the following Service List, December 10, 2013.

Eliot Bernstein, Pro Se and as legal guardian on behalf of his minor three children

SERVICE LIST

Respondents sent US Mail and Email

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JACOB NOAH ARCHIE BERNSTEIN (ELIOT MINOR CHILD)
DANIEL ELIJSHA ABE OTTOMO BERNSTEIN (ELIOT MINOR CHILD)
ALEXANDRA BERNSTEIN (TED ADULT CHILD)
ERIC BERNSTEIN (TED ADULT CHILD)
MICHAEL BERNSTEIN (TED ADULT CHILD)
MATTHEW LOGAN (TED'S SPOUSE ADULT CHILD)
MOLLY NORAH SIMON (PAMELA ADULT CHILD)
JULIA IANTONI – JILL MINOR CHILD
MAX FRIEDSTEIN – LISA MINOR CHILD
CARLY FRIEDSTEIN – LISA MINOR CHILD

