

I. Background

1. That Petitioner prudently filed all of the following Motions and Petitions in the Estates of Shirley and Simon timely since May 2013 that remain largely unheard in Particular by the courts of Judge French and Your Honor;

MOTIONS AND PETITIONS FILED BY PETITIONER

- i. That on May 6, 2013 Petitioner filed an **“EMERGENCY PETITION TO: FREEZE ESTATE ASSETS, APPOINT NEW PERSONAL REPRESENTATIVES, INVESTIGATE FORGED AND FRAUDULENT DOCUMENTS SUBMITTED TO THIS COURT AND OTHER INTERESTED PARTIES, RESCIND SIGNATURE OF ELIOT BERNSTEIN IN ESTATE OF SIMON/SHIRLEY BERNSTEIN AND MORE.”**
Filed in both estates.
 - www.iviewit.tv/20130506PetitionFreezeEstates.pdf 15th Judicial Florida Probate Court and
 - www.iviewit.tv/20130512MotionRehearReopenObstruction.pdf US District Court Southern District of New York, Most Honorable Shira A. Scheindlin. Pages 156-582 reference estate matters in Simon and Shirley as it relates to RICO allegations.
- ii. That on May 29, 2013, Petitioner filed a **“RENEWED EMERGENCY PETITION”** in the estates of Shirley and Simon.
 - www.iviewit.tv/20130529RenewedEmergencyPetitionShirley.pdf
- iii. That on June 26, 2013, Docket #39 Petitioner filed in both estates a **“MOTION TO: CONSIDER IN ORDINARY COURSE THE EMERGENCY PETITION TO FREEZE ESTATE ASSETS, APPOINT NEW PERSONAL REPRESENTATIVES, INVESTIGATE FORGED AND FRAUDULENT DOCUMENTS SUBMITTED TO THIS COURT AND OTHER INTERESTED PARTIES, RESCIND SIGNATURE OF ELIOT BERNSTEIN IN ESTATE OF SHIRLEY BERNSTEIN AND MORE FILED BY PETITIONER.”**
 - www.iviewit.tv/20130626MotionReconsiderOrdinaryCourseShirley.pdf
- iv. That on July 15, 2013, Petitioner filed a **“MOTION TO RESPOND TO THE PETITIONS BY THE RESPONDENTS”** in both estates.
 - www.iviewit.tv/20130714MotionRespondPetitionShirley.pdf
- v. That on July 24, 2013, Petitioner filed a **“MOTION TO REMOVE PERSONAL REPRESENTATIVES”** for insurance fraud and more in both estates.
 - www.iviewit.tv/20130724ShirleyMotionRemovePR.pdf
- vi. That on August 28, 2013, Petitioner filed a **“NOTICE OF MOTION FOR: INTERIM DISTRIBUTION FOR BENEFICIARIES NECESSARY LIVING EXPENSES, FAMILY ALLOWANCE, LEGAL COUNSEL EXPENSES TO BE PAID BY PERSONAL REPRESENTATIVES AND REIMBURSEMENT TO BENEFICIARIES SCHOOL**

TRUST FUNDS" in both estates.

- www.iviewit.tv/20130828MotionFamilyAllowanceSHIRLEY.pdf

vii. That on September 04, 2013, ELIOT filed Docket #TBD, in the estate of Simon, a **"NOTICE OF EMERGENCY MOTION TO FREEZE ESTATES OF SIMON BERNSTEIN DUE TO ADMITTED AND ACKNOWLEDGED NOTARY PUBLIC FORGERY, FRAUD AND MORE BY THE LAW FIRM OF TESCHER & SPALLINA, P.A., ROBERT SPALLINA AND DONALD TESCHER ACTING AS ALLEGED PERSONAL REPRESENTATIVES AND THEIR LEGAL ASSISTANT AND NOTARY PUBLIC, KIMBERLY MORAN: MOTION FOR INTERIM DISTRIBUTION DUE TO EXTORTION BY ALLEGED PERSONAL REPRESENTATIVES AND OTHERS; MOTION TO STRIKE THE MOTION OF SPALLINA TO REOPEN THE ESTATE OF SHIRLEY; CONTINUED MOTION FOR REMOVAL OF ALLEGED PERSONAL REPRESENTATIVES AND ALLEGED SUCCESSOR TRUSTEE."** Hereby incorporated by reference in entirety herein.

- www.iviewit.tv/20130904MotionFreezeEstatesSHIRLEYDueToAdmittedNotaryFraud.pdf.

viii. That on September 21, 2013 Petitioner filed in the IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT COURT ILLINOIS EASTERN DIVISION, Case No.. 13-cv-03643, an Answer and Cross Claim titled **"ELIOT IVAN BERNSTEIN ("ELIOT") (1) ANSWER TO JACKSON NATIONAL LIFE INSURANCE COMPANY ("JACKSON") ANSWER AND COUNTER-CLAIM AND THIRD-PARTY COMPLAINT FOR INTERPLEADER AND (2) CROSS CLAIM."**

- www.iviewit.tv/20130921AnswerJacksonSimonEstateHeritage.pdf

ix. That on October 10, 2013 Petitioner filed in Shirley's estate case Motions titled,

(I) MOTION TO ORDER ALL DOCUMENTS BOTH CERTIFIED AND VERIFIED REGARDING ESTATES OF SHIRLEY AND SIMON (SIMON'S DOCUMENT ARE REQUESTED AS IT RELATES TO SHIRLEY'S ALLEGED CHANGES IN BENEFICIARIES) BE SENT TO ELIOT AND HIS CHILDREN IMMEDIATELY IN PREPARATION FOR THE EVIDENTIARY HEARING ORDERED BY THIS COURT

(II) MOTION TO FOLLOW UP ON SEPTEMBER 13, 2013 HEARING AND CLARIFY AND SET STRAIGHT THE RECORD

(III) MOTION TO COMPEL FOR IMMEDIATE, EMERGENCY RELIEF!!!, INTERIM DISTRIBUTIONS AND FAMILY ALLOWANCE FOR ELIOT, CANDICE & THEIR THREE MINOR CHILDREN DUE TO ADMITTED AND ACKNOWLEDGED FRAUD BY FIDUCIARIES OF THE ESTATE OF SHIRLEY AND ALLEGED CONTINUED EXTORTION

(IV) MOTION TO CORRECT AND DETERMINE THE BENEFICIARIES OF THE ESTATE BASED ON PRIOR CLOSING OF THE ESTATE THROUGH FRAUD ON THE COURT BY USING FRAUDULENT DOCUMENTS SIGNED BY SIMON WHILE HE WAS DEAD AND POSITED BY SIMON IN THIS COURT WHEN HE WAS DEAD AS PART OF A LARGER FRAUD ON THE ESTATE BENEFICIARIES

(V) MOTION TO ASSIGN NEW PERSONAL REPRESENTATIVES AND ESTATE COUNSEL TO THE ESTATE OF SHIRLEY FOR BREACHES OF FIDUCIARY

**DUTIES AND TRUST, VIOLATIONS OF PROFESSIONAL ETHICS,
VIOLATIONS OF LAW, INCLUDING BUT NOT LIMITED TO ADMITTED
AND ACKNOWLEDGED FRAUD, ADMITTED AND ACKNOWLEDGED
FRAUD ON THE COURT, ALLEGED FORGERY, INSURANCE FRAUD, REAL
PROPERTY FRAUD AND MORE**

**(VI) MOTION FOR GUARDIAN AD LITUM FOR THE CHILDREN OF TED, P.
SIMON, IANTONI AND FRIEDSTEIN AND ASSIGN A TRUSTEE AD LITUM
FOR TED FOR CONFLICTS OF INTEREST, CONVERSION AND MORE**

**(VII) MOTION TO RECONSIDER AND RESCIND ORDER ISSUED BY THIS COURT
“ORDER ON NOTICE OF EMERGENCY MOTION TO FREEZE ASSETS” ON
SEPTEMBER 24TH FOR ERRORS AND MORE AND**

**(VIII) MOTION TO RECONSIDER AND RESCIND ORDER ISSUED BY THIS
COURT “AGREED ORDER TO REOPEN THE ESTATE AND APPOINT
SUCCESSOR PERSONAL REPRESENTATIVES” ON SEPTEMBER 24TH FOR
ERRORS AND MORE**

- www.iviewit.tv/20131010MotionCompelFreezeYouHaveTheRighttoRemainSilent.pdf

- x. That on October 10, 2013 Petitioner filed in Simon’s estate, a **“PETITION TO DETERMINE AND RELEASE TITLE OF EXEMPT PROPERTY.”**
- www.iviewit.tv/20131010PETITIONDETERMINERELEASETITLEOFEXEMPTPROPERTYJOSHUAKIA.pdf
- xi. That on December 08, 2013 Petitioner filed in the IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT COURT ILLINOIS EASTERN DIVISION, Case No.. 13-cv-03643, a motion 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.”**
- www.iviewit.tv/20131208MotionStrikePleadingAdamSimonForFraudOnCourt.pdf
- xii. That on December 10, 2013 Petitioner filed in the estate of Shirley, an Objection titled **“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”**
- www.iviewit.tv/20131210PetitionerObjectionToObjectionsToDiscovery.pdf
- xiii. That on December 10, 2013 Petitioner filed in the estate of Shirley, a **“MOTION TO TAX ATTORNEY’ S FEES AND COSTS AND IMPOSE SANCTIONS.”**
- www.iviewit.tv/20131210TaxAttorneyFees.pdf
- xiv. That on December 17, 2013 Petitioner filed in the estate of Simon, a **“OBJECTION TO MOTION TO STRIKE PETITION TO DETERMINE AND RELEASE TITLE OF EXEMPT PROPERTY”**

- www.iviewit.tv/20131217ObjectionToMotionReKIAFrench.pdf

2. That the following Motions and Petitions were filed by Petitioner in the courts

that remain unheard,

- i. MOTION TO FREEZE ESTATE ASSETS,
- ii. MOTION TO APPOINT NEW PERSONAL REPRESENTATIVES,
- iii. MOTION TO INVESTIGATE FORGED AND FRAUDULENT DOCUMENTS SUBMITTED TO THIS COURT AND OTHER INTERESTED PARTIES,
- iv. MOTION TO RESCIND SIGNATURE OF ELIOT BERNSTEIN IN ESTATE OF SHIRLEY BERNSTEIN,
- v. MOTION TO RESPOND TO THE PETITIONS BY THE RESPONDENTS,
- vi. SECOND MOTION TO REMOVE PERSONAL REPRESENTATIVES,
- vii. MOTION FOR INTERIM DISTRIBUTION FOR BENEFICIARIES NECESSARY LIVING EXPENSES,
- viii. MOTION FOR FAMILY ALLOWANCE,
- ix. MOTION FOR LEGAL COUNSEL EXPENSES TO BE PAID BY PERSONAL REPRESENTATIVES,
- x. MOTION FOR REIMBURSEMENT TO BENEFICIARIES SCHOOL TRUST FUNDS,
- xi. SECOND MOTION TO FREEZE ESTATES OF SIMON BERNSTEIN DUE TO ADMITTED AND ACKNOWLEDGED NOTARY PUBLIC FORGERY, FRAUD AND MORE BY THE LAW FIRM OF TESCHER & SPALLINA, P.A., ROBERT SPALLINA AND DONALD TESCHER ACTING AS ALLEGED PERSONAL REPRESENTATIVES AND THEIR LEGAL ASSISTANT AND NOTARY PUBLIC, KIMBERLY MORAN,
- xii. MOTION FOR INTERIM DISTRIBUTION DUE TO EXTORTION BY ALLEGED PERSONAL REPRESENTATIVES AND OTHERS,
- xiii. MOTION TO STRIKE THE MOTION OF SPALLINA TO REOPEN THE ESTATE OF SHIRLEY;
- xiv. CONTINUED MOTION FOR REMOVAL OF ALLEGED PERSONAL REPRESENTATIVES AND ALLEGED SUCCESSOR TRUSTEE.”
- xv. MOTION TO ORDER ALL DOCUMENTS BOTH CERTIFIED AND VERIFIED REGARDING ESTATES OF SHIRLEY AND SIMON (SIMON’S DOCUMENT ARE REQUESTED AS IT RELATES TO SHIRLEY’S ALLEGED CHANGES IN BENEFICIARIES) BE SENT TO ELIOT AND HIS CHILDREN IMMEDIATELY IN PREPARATION FOR THE EVIDENTIARY HEARING ORDERED BY THIS COURT
- xvi. MOTION TO FOLLOW UP ON SEPTEMBER 13, 2013 HEARING AND CLARIFY AND SET STRAIGHT THE RECORD
- xvii. MOTION TO COMPEL FOR IMMEDIATE, EMERGENCY RELIEF!!!, INTERIM DISTRIBUTIONS AND FAMILY ALLOWANCE FOR ELIOT, CANDICE & THEIR THREE MINOR CHILDREN DUE TO ADMITTED AND ACKNOWLEDGED FRAUD BY FIDUCIARIES OF THE ESTATE OF SHIRLEY AND ALLEGED CONTINUED EXTORTION
- xviii. MOTION TO CORRECT AND DETERMINE THE BENEFICIARIES OF THE ESTATE BASED ON PRIOR CLOSING OF THE ESTATE THROUGH FRAUD ON THE COURT BY USING FRAUDULENT DOCUMENTS SIGNED BY SIMON WHILE HE WAS DEAD AND POSITED BY SIMON IN THIS COURT WHEN HE WAS DEAD AS PART OF A LARGER FRAUD ON THE ESTATE BENEFICIARIES
- xix. MOTION TO ASSIGN NEW PERSONAL REPRESENTATIVES AND ESTATE COUNSEL TO THE ESTATE OF SHIRLEY FOR BREACHES OF FIDUCIARY DUTIES AND TRUST, VIOLATIONS OF PROFESSIONAL ETHICS, VIOLATIONS OF LAW, INCLUDING BUT NOT LIMITED TO ADMITTED AND

- ACKNOWLEDGED FRAUD, ADMITTED AND ACKNOWLEDGED FRAUD ON THE COURT, ALLEGED FORGERY, INSURANCE FRAUD, REAL PROPERTY FRAUD AND MORE**
- xx. **MOTION FOR GUARDIAN AD LITUM FOR THE CHILDREN OF TED, P. SIMON, IANTONI AND FRIEDSTEIN AND ASSIGN A TRUSTEE AD LITUM FOR TED FOR CONFLICTS OF INTEREST, CONVERSION AND MORE**
 - xxi. **MOTION TO RECONSIDER AND RESCIND ORDER ISSUED BY THIS COURT “ORDER ON NOTICE OF EMERGENCY MOTION TO FREEZE ASSETS” ON SEPTEMBER 24TH FOR ERRORS AND MORE AND**
 - xxii. **MOTION TO RECONSIDER AND RESCIND ORDER ISSUED BY THIS COURT “AGREED ORDER TO REOPEN THE ESTATE AND APPOINT SUCCESSOR PERSONAL REPRESENTATIVES” ON SEPTEMBER 24TH FOR ERRORS AND MORE**
 - xxiii. **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**
 - xxiv. **MOTION TO TAX ATTORNEY'S FEES AND COSTS AND IMPOSE SANCTIONS**
 - xxv. **OBJECTION TO MOTION TO STRIKE PETITION TO DETERMINE AND RELEASE TITLE OF EXEMPT PROPERTY**

NOTE: All pleading listed in items (i-xiv) above filed in each of the state and federal courts listed above are hereby incorporated by reference in entirety, including but not limited to inclusion of, ALL motions, petitions, orders, etc. in each case, as they all relate to the same nexus of events in the estates of both Simon and Shirley.

3. That in the aforesaid Petitions and Motions, relating to both Simon and Shirley’s estates and trusts, Petitioner prayed to the courts already in numerous prior pleadings for numerous legally valid reasons to Freeze the Estates of both Simon and Shirley, Remove the Personal Representatives and Determine the Beneficiaries on various grounds of alleged criminal activity claimed in the Petitions and Motions and sought proper and just relief in each.

4. That Petitioner requests this Court consider all the allegations, evidence and reliefs sought in the prior Petitions and Motions filed by Petitioner since May 2013 in particular and now consider each Motion contained in each pleading, in light of the new and damning **ADMITTED AND ACKNOWLEDGED CRIMINAL FELONY ACTS,**

INCLUDING BUT NOT LIMITED TO, FORGERY, NOTARY PUBLIC FRAUD, FRAUD ON THIS COURT, FRAUD ON THE BENEFICIARIES AND INTERESTED PARTIES AND INTERSTATE MAIL AND WIRE FRAUD, COMMITTED BY ATTORNEYS AT LAW ACTING AS OFFICERS OF THIS COURT AND OTHERS.

2. That MORAN was arrested and ADMITTED FORGERY, including one POST MORTEM for SIMON. That to focus on Moran's few documents is to miss the forest from the trees, as her crimes are only a fraction of the alleged crimes taking place, however a very important part.
3. That Spallina and Tescher and others then used these FORGED and FRAUDULENT documents knowingly and with intent, along with other alleged FORGED and FRAUDULENT documents of Moran and filed them in official proceedings as Officers of this Court and Judge French's court in Simon's Estate, to illegally seize Dominion and Control of the Estates and the Fiduciary roles.
4. That Simon did a lot of things while serving as Personal Representative while dead through Fraud on the Court by Spallina and Tescher and others. INSERT LIST OF THINGS SIMON DID DEAD
5. That a Post Mortem Simon achieved all of the following acts in Shirley's estate as if he were alive, posited ILLEGALLY by Tescher and Spallina in an official proceeding and perpetrating fraud on the court and the Beneficiaries. Whereby, Tescher and Spallina, then concealed from Judge Colin's court that Simon had passed and failed intentionally to elect a successor Trustee or Personal Representative and instead continued to file documents illegally to close the estate with Simon who was deceased, as they needed him to appear alive when he then tried to change Shirley's beneficiaries once the estate was closed and again it is important to note that these are separate and distinct criminal acts from those of Moran done by the Attorneys at Law, which are all part of an ongoing Pattern and Practice of fraud. Simon was deceased on September 13, 2012, yet achieved all the following POST MORTEM, as if he were alive;
 - i. On 24-Oct-2012, Simon while deceased acted as Personal Representative and filed an AFFIDAVIT/STATEMENT RE: CREDITORS, filed by Tescher and Spallina as if Simon were alive and submitting the document as an Affidavit on this date. Petitioner alleges that this document is FORGED and FRAUDULENT.
 - ii. On 24-Oct-2012, Simon while deceased acted as Personal Representative and filed a PETITION FOR DISCHARGE, filed by Tescher and Spallina as if Simon were alive and submitting the Petition on this date. Where almost all of the alleged statements made by Simon under penalty of perjury in this Petition are false on the date the document is allegedly

signed on April 09, 2012. Petitioner alleges this document is forged and fraudulent.

- iii. On 24-Oct-2012, Simon while deceased acted as Personal Representative and filed a WAIVER OF ACCOUNTING AND PORTIONS OF PETITION FOR DISCHARGE; WAIVER OF SERVICE OF PETITION FOR DISCHARGE; AND RECEIPT OF BENEFICIARY AND CONSENT TO DISCHARGE for himself. It is alleged that this is a FORGED and fraudulent document created Post Mortem for Simon and was never filed and docketed with Judge Colin's court while Simon was alive. Further, this alleged Waiver was not notarized per Colin's rules and was thus rejected. This document allegedly was signed with the alleged Petitioner in (ii) above on April 09 2012.
- iv. On 24-Oct-2012, Simon while deceased acted as Personal Representative and filed a NON-TAX CERT /RECEIPT/AFFIDAVIT filed by Tescher and Spallina as if Simon were alive and signing it on this date.
- v. On 24-Oct-2012, Simon while deceased acted as Personal Representative and filed a PROBATE CHECKLIST, filed by Tescher and Spallina as if Simon were alive. This document is dated February 15, 2012, yet it is not docketed by the Court until October 24, 2012 and it is signed by what appears to be Spallina's signature, in an unknown capacity.
- vi. On 19-Nov-2012, Simon while deceased acted as Personal Representative and filed an alleged replacement WAIVER OF ACCOUNTING AND PORTIONS OF PETITION FOR DISCHARGE; WAIVER OF SERVICE OF PETITION FOR DISCHARGE; AND RECEIPT OF BENEFICIARY AND CONSENT TO DISCHARGE. That the Waiver was then amazingly notarized in November 2013 for Simon while he was still dead on a document dated April 09, 2012. This new Waiver notarized by a dead man in the past as if in the present has now been admitted to be a WHOLLY FORGED AND FRAUDULENTLY NOTARIZED document created from scratch by Moran. Simon filed five other WHOLLY FORGED AND FRAUDULENTLY NOTARIZED WAIVERS for his five children on this date while dead, ALL crafted and signed by Moran and filed by Tescher and Spallina for Simon as Personal Representative as if he were alive.
- vii. On 19-Nov-2012, Simon while deceased acted as Personal Representative and filed a PETITION FOR DISCHARGE, filed for him by Tescher and Spallina with the other FORGED and FRAUDULENTLY NOTARIZED documents on April 09, 2012 and there are many problems with the voracity of the statements made by Simon in the Petition, as virtually every statement made under penalty of perjury on that date he allegedly

signed it is untrue. Including the fact that Simon, while dead, claims in the Petition that he has all the Waivers for the Beneficiaries and Interested Parties, yet his daughter Jill Iantoni (“Iantoni”) did not sign and return a Waiver until after Simon was dead in October 2013, so how could Simon claim he had all the Waivers at any time when he was alive? At no time while living did Simon have all the Waivers and this document appears wholly forged and fraudulent or Simon was committing major perjuries in his sworn, under penalty of perjury, claims in the estate documents of his beloved wife’s estate.

- viii. On 03-Jan-2013, Simon while deceased acted as Personal Representative and filed a FINAL DISPOSITION SHEET, filed by Tescher and Spallina as if Simon were alive and acting while dead as Personal Representative.
- ix. On 03-Jan-2013, Simon while deceased acted as Personal Representative and filed an ORDER OF DISCHARGE, filed by Tescher and Spallina as if Simon were alive and acting, while dead, as Personal Representative.

6. That there is a larger series of frauds than the Moran Forgery and Fraudulent Documents taking place and now that we are almost over with the Moran Forgeries and Frauds we can move on to the other multitudes of alleged criminal acts, including further document forgeries and fraud, Insurance Fraud, Theft of Assets of the Estates and virtually violations by the Fiduciaries and Counsel acting in the Estates of Simon and Shirley of all of their legally required duties to the Beneficiaries and Interested Parties and the Courts and violations of multitudes of Probate Rules and Statutes, committed not be Moran but instead by Theodore and his close personal friends and business associates, Spallina and Tescher.

7.

II. Motion to Strike All Pleadings of Manceri

- 1. That Mark Manceri , Esq. (“Manceri”) has not filed a Notice of Appearance to represent Theodore Stuart Bernstein (“Theodore”) or to represent Robert Spallina, Esq. (“Spallina”) or Donald Tescher, Esq., (“Tescher”) either personally or professionally before this Court. Manceri filed a limited Notice of Appearance to represent Spallina and Tescher individually for the October 28, 2013 Evidentiary Hearing before Your Honor. For this reason, all of Manceri’s filings should be stricken from the record and Manceri should be sanctioned for these violations of procedure.
- 2. That Manceri should be removed from acting before this Court in any capacity until Petitioner’s prior Motions and Petitions filed in this Court since May 2013 are heard in the order they were filed, as some of them include allegations directly against Manceri for his alleged role in perpetrating a massive FRAUD ON THE COURT, that includes the submission of admitted and acknowledged FORGED AND FRAUDULENTLY NOTARIZED documents on this Court that Your Honor has made part of the record and approved

and signed off on. One of the FORGED and FRAUDULENTLY NOTARIZED documents was done for Simon Bernstein ("Simon") POST MORTEM and presented to the Court Post Mortem as if Simon were alive and serving the documents on the Court.

3. That Tescher and Spallina admitted in the September 13, 2013 that they were involved in using several documents allegedly signed by Simon to the close the Estate of Shirley, filing them Post Mortem for Simon as if he were alive and serving them with the Court from September 13, 2012 when he died to January 2013.
4. That in the September 13, 2013 hearing before this Court, Your Honor warned Manceri, Theodore, Spallina and Tescher that enough evidence of their fraud on the court at that moment to read them their Miranda's, after learning that Simon had served as Personal Representative and Trustee for four months after he was deceased and closed Shirley's estate while dead via an alleged Fraud on the Court in efforts to then change the Beneficiaries through a series of alleged Fraudulent Documents that Petitioner claims are all FORGED and FRAUDULENTLY NOTARIZED and legally deficient, including an alleged 2012 Will of Simon and an alleged 2012 Amended & Restated Trust of Simon allegedly executed SIX weeks before his death. That Simon's documents then were used to try and change Shirley's Beneficiaries.
5. That Your Honor warned them twice and on the second Miranda warning Your Honor stated that Manceri might not be included in the reading of Miranda's but did not exclude Theodore, Tescher and Spallina from the second threat. Petitioner alleges that Manceri is directly involved in the nexus of criminal events occurring in the estates of Shirley and Simon and also involved in a creditor lawsuit in Simon's Estate of a one, William Stansbury ("Stansbury"), where criminal acts have been alleged against Theodore and Manceri is representing several parties in that lawsuit, including a company, Bernstein Family Realty LLC ("BFR") that is wholly owned by Petitioner's three minor children, a company that has been hijacked by Manceri, Spallina and Theodore in efforts to destroy it and cause intentional harm on Petitioner and his three minor children to stop their efforts to have them further prosecuted and other crimes exposed, as will be further defined herein.
6. That Manceri has also been filing without Notice of Appearance filed in the estate of Shirley and Petitioner has filed to have him sanctioned for these illegal representations as well.
7. That since Manceri's pleadings and all of them are filed inappropriately with Notice of Appearance to represent parties in these matters and each deficient pleading he has filed should be stricken and Manceri sanctioned and precluded from any further involvement in the Estate of Shirley.
8. That Spallina was listed as counsel for alleged Personal Representative Theodore when Theodore filed for his Letters of Administration. Petitioner wonders how Spallina can continue to operate in any capacity before this Court after Spallina admitted involvement before the Court in the September 13, 2013 hearing to the criminal acts admitted of FORGERY AND FRAUDULENT NOTARIZATIONS of his legal assistant and notary public, a one Kimberly Moran ("Moran"), who has been arrested by the Palm

Beach County Sheriff and her Notary license revoked by Governor Rick Scott of Florida. Spallina further admitted to this Court that he, Tescher and their firm then filed a series of documents with intent to defraud the Court to close the estate of Shirley with Simon serving as Personal Representative while deceased, a whole new set of felony criminal acts committed by Tescher, Spallina and Theodore that are separate and distinct from those of Moran.

9. That suddenly, after an arrest is made and Manceri, Spallina, Tescher and Theodore are warned they may be next and Your Honor had enough Prima Facie evidence of Fraud on the Court and Beneficiaries to read them their Miranda's twice, a bold new attempt has begun to harass and defame Petitioner and this improperly filed pleading requesting documents of Petitioner is just one more example.
10. That if this Court decides to allow further improper pleadings from attorneys at law involved in criminal acts, including Fraud Upon the Court while acting as Officers of the Court that now causes absolute Adverse Interests of Counsel and the Personal Representative with Petitioner and his family for their efforts to bring them to justice and continues to rule on these improperly filed pleadings, Petitioner asks that these pleadings only be heard after all of Petitioner's prior Motions and Petitions that remain almost entirely UNHEARD since May 2013 are heard in the order they were filed.
11. That Petitioner believes this Court after hearing each of Petitioner's pleadings in particular to each Motion within the pleadings that show the Personal Representatives, Trustees and Counsel have violated virtually all of the legal and fiduciary requirements owed to the Beneficiaries and Interested Parties since day one under Probate Rules and Statutes that all those parties involved as Fiduciaries and Counsel thus far in the Estate of Shirley and Simon will be removed, sanctioned and imprisoned for their criminal acts alleged and those proven and admitted to already and their pleadings will languish in the garbage as evidence of their continued fraud.
12. That this request for Production on Eliot Bernstein, is a mere fishing expedition to try and defame and harass him for his due diligence in filing criminal complaints against them, having arrest made of one of the alleged conspirators and continued pursuit of them in state and federal courts and criminal authorities for a wide variety of alleged criminal acts in the Estates of Shirley and Simon.
13. That from May 2013 when Spallina, Tescher and Theodore were served Petitioner's first Petition to this Court, showing irrefutable evidence of FORGERY and FRAUDULENT NOTARIZATIONS in documents that were admitted to the record by Spallina and Tescher and approved by this Court up until September 13, 2013 at the hearing before this Court regarding the FORGERIES and FRAUDS committed in and upon the Court by Officers of the Court, not one of them, either acting as Counsel or alleged Fiduciaries to the Estate of Shirley, came forth to the Court or criminal authorities to notify them that six forgeries had occurred on six separate documents for six separate people, including a document Forged and Fraudulently notarized for Theodore and one forged for his deceased father POST MORTEM, violating their alleged Fiduciary Duties, Attorney Conduct Codes and Law.

14. That in fact, none of them came forth until authorities came knocking on their doors and even after that they did not notify the Court prior to the September 13, 2013 hearing that they had knowledge of criminal acts they were all directly involved in and they had committed in and upon the Court and Beneficiaries and instead concealed this information in hopes to force Petitioner to Play or Pay with extortionary tactics before being prosecuted and tried. These extortionary acts continue today to attempt to harm and harass Petitioner and cause grave and serious pain and suffering and financial harms on him, his wife Candice Bernstein ("Candice") and their three minor children, as will be further evidenced and defined herein and already evidenced in **PETITIONS AND MOTION #**.
15. That instead of withdrawing from all fiduciary roles and confessing to their crimes to the Courts and Authorities, once they were notified of the crimes in May 2013, they instead concealed the information from the Courts and Authorities and began and continued, a series of alleged Frauds on the Beneficiaries and Interested Parties to convert assets to the wrong Beneficiaries, who were allegedly changed from Shirley's designated and limited Beneficiaries at the time of her death, through a series of documents that are alleged Forged and Fraudulent done Post Mortem for Simon to not only illegally close Shirley's Estate but to then try to make Post Mortem changes to her established and legally defined Beneficiaries, which wholly exclude Theodore, his sister Pamela and their lineal descendants.
16. That further it is alleged that they have begun a series of fraudulent activities to attempt to lower the value of the Estates from an estimated 20-40 Million or more that more accurately reflects the true value of Simon and Shirley's net worth's and Estate values, to benefit Theodore and Pamela who again were both wholly disinherited from the Estates of both Simon and Shirley and were enraged with their father Simon at the time of his death for not including them back into the Estates. Even in the alleged changes they are wholly excluded and this provides the reason for their efforts to abscond with Estate assets and fail to list them as assets of the Estates in inventories and more.
17. That these frauds to convert the assets and to steal off with assets were aided by the fact that they concealed Estate documents, records and accountings from the Beneficiaries and even the new alleged new beneficiaries and continue denying and suppressing this information from either Petitioner as a Beneficiary or Petitioner as Guardian of his three minor children as Beneficiaries and in so doing have violated endless amounts of Probate Rules and Statutes as prior pled by Petitioner in his Motions and Petitions filed with the Court since May 2013. New evidence of this concealment of assets from the Courts and Beneficiaries and alleged theft of the assets will be submitted herein that prove that the inventories submitted in the estates are fraudulent and missing assets they were wholly aware of and have absconded with.
18. That since illegally seizing Dominion and Control of the Estate through a series of Forged and Fraudulent Documents in both Estates, a continued Pattern and Practice of Fraudulent activities emerges by the alleged Fiduciaries and Counsel to steal off with assets and keep them from proper accountings to benefit themselves at the detriment

of the Beneficiaries and Interested Parties. This concealment of information from the Beneficiaries has led to absolutely no transparency at all in the Estates, left the Beneficiaries with no proper accountings of their interests and is in violation of virtually all Probate Rules and Law, as properly pleaded in Petitioner's prior Pleadings and Motions filed and unheard in toto since May 2013.

19. That this last minute grandstanding effort by Manceri, through improper pleadings he filed are to attempt to smear and defame Petitioner and hold off a possible prison sentence for he and his clients Spallina, Tescher and now Theodore and this obvious, vexatious , an abusive of process pleading violates Attorney Conduct Codes and Law and thus Manceri and his pleadings should be removed by this Court and Manceri sanctioned and reported for his involvement in attempting to continue this Fraud on the Courts and Fraud on the Beneficiaries in the Estates of Shirley and Simon.
20. That this Court must instantly remove the Fiduciaries and Counsel who are Officers of the Court and continue to act in these matters and maintain illegally gained Dominion and Control of the Estate after they have all been involved in FRAUD on the COURT and the Beneficiaries and further allow them to plead and move the Court in efforts to harass Petitioner and his family further, is remarkable.
- 21.

III. Motion for Emergency Interim Distributions and Family Allowance

1. That due to the Court's failure to prevent absolute Adverse Interests and Conflicts from continuing between the alleged Fiduciaries and Counsel and the Beneficiaries and Interested Parties, especially Petitioner for having them criminally pursued by state and federal Authorities and the courts for their proven, admitted and alleged criminal acts, these Adverse Interest have led them to Extort and attempt to cause harm to Petitioner and his family, including three minor children before they can be further prosecuted.
2. That as these FORGERIES and FRAUDS took place in Your Honor's court in part by Officers of Your Honor's Court and were approved and moved on by this Court, under Judicial Cannons and Law they should be sanctioned and reported by Your Honor to the proper state and federal Authorities and state and Federal courts now involved and instantly remove them from the proceedings and all their prior pleadings and submissions. This Court once it was aware of proven felonious acts by Officers of the Court should have seized all of their records and taken control of the Estate and Trusts assets to prevent further harm to the beneficiaries and yet instead it appears the Court is attempting to look the other way and deny due process to Petitioner by refusing to hear his Pleadings and Motions filed since May 2013 and take the requisite actions against Officers of the Court who have violated Law and reported all those involved in any of the crimes now proven and admitted to and those alleged to all the proper authorities.
3. That the Court's continuing to allow them to operate in Fiduciary and Legal Capacities and L-rd knows how legally this is happening, has only allowed the Adverse Interests to

result in an Extortion of Petitioner and his family and attempts to defame and harass them and again in violation of Fiduciary Duties and Law and through further alleged fraudulent and criminal acts.

4. That Simon and Shirley took elaborate estate planning steps to protect Petitioner and his family, through the creation of Trusts for him personally, for his children and the creation of several companies that they either wholly own or are partial and limited owners of, including Bernstein Family Realty LLC ("BFR"), Bernstein Family Investments LLLP ("BFI"), Bernstein Holdings, LLC ("BHL") and more. The records for these entities can be found at <http://www.iviewit.tv/BFR%20BFH%20BFI%20RECORDS.pdf> and are fully incorporated by reference herein. These entities designed while Simon and Shirley were alive were created to protect the assets of Petitioner and his family and their inheritances from exactly the type of crimes that are alleged to be now occurring.
5. That Simon and Shirley through these entities paid for all expenses of Petitioner, Candice and their minor children, for income, food, utilities, school through college and more and had set these up so that at their deaths the entities would be funded through Petitioner and his family's inheritances for many years to come due to special circumstances of Petitioner and his family.
6. That Theodore and Spallina have now illegally seized control of BFR over three months ago and began an extortionary campaign to shut Petitioner and his family down by illegally gaining control of BFR through an unauthorized and prohibited transfer of Manager Title in BFR from Oppenheimer to Theodore, without Petitioner's consent as required, SEE LANGUAGE OF BFR already exhibited herein.
7. That the transfer of Manager Title in BFR is also questioned after Simon died as to how Oppenheimer was elected Manager and acted in such capacity, without Members approving of such transfer. That Oppenheimer similarly transferred Manager Title to Theodore without requisite notice to Members and without their consent and approval as required under BFR.
8. That by illegally gaining control over BFR, which receives all the bills for Petitioner's family and their home and has paid them continuously, promptly and without interruption for almost seven years, both prior to Simon's and Shirley's passing and after, suddenly, when Theodore took charge almost four months ago, ALL the bills have become seriously past due and utilities, including phone, internet, etc. have been turned off with no notice to Petitioner. Reimbursements for food, medical needs and more have not been paid back to Petitioner's wife Candice since the day Theodore took over, as they have for years to provide for their family these life sustaining funds for food, etc. and these acts have basically starved Petitioner and his family and thrown great economic disasters upon them with intent and scienter for the last three months.
9. That school trust funds set aside for Petitioner's children and funded prior to death of Simon and Shirley were then illegally misused to pay for Petitioner's expenses as Spallina directed Oppenheimer to use the funds with no authority to do so and with the promise that he would replenish and replace them as needed from monies in the Estate of Simon. When it came time to replace those funds, Spallina refused Oppenheimer's

request and intentionally and intent to harm drained these funds and left Petitioner now with no school funds for his children, all on the direction of Spallina. Petitioner already has pled these matters to the Court in prior Motions filed that remain unheard in particular to these claims.

10. That Your Honor at the September 13, 2013 did not think Petitioner's Motion was an Emergency because no one was without food, medical, utilities at that moment on that day and despite FORGERIES and FRAUDULENT NOTARIZATIONS and a DEAD MAN CLOSING THE ESTATE AS IF ALIVE was not emergency enough but since the hearing, things have been worse every day and food monies and utilities have been shut off without notice by the fiduciaries, Theodore, Spallina and Tescher, in both Estates and in attempts to further extort Petitioner to Pay or Play and take monies in the estate to the improper parties despite knowing the Beneficiaries are going to have to now be litigated as learned at the October 28, 2013 hearing before Your Honor and this would amount to participating in illegal conversion of assets.
11. That Theodore and Spallina working together are selectively and without notice ceasing payments of school, school trips and sporting events of the children leaving no notice, costing Petitioner large deposits to be lost and the children possibly removed from school shortly due to lack of payment. For example, two of Petitioner's children have now missed, due to lack of final payment, an opportunity long in the making and in large part due to the efforts of Simon, to play with an International Israeli Lacrosse Team and travel to Poland and Israel and play in both countries with Professional Athletes and coached by Harvard's assistant coach Ben Smith & Florida's Jeff Goldberg. This trip was already deposited for, plane tickets purchased nonrefundable, jersey's made and rosters completed. A final payment was due and the bill transitioned from Oppenheimer to Theodore, Spallina and Tescher and multiple written requests were transmitted to all parties requesting payment or knowledge as to what was happening as the children were to lose their spots and deposits and tickets and after weeks of no response, hours after the deadline expiration and the children's spots being given to others, Theodore responded that he chose not pay the deposit as he did not think it prudent.
12. That had Petitioner and his children's inheritances not been intentionally and criminally delayed, in violation of Probate Rules and Law, interfered with from the outset after Simon and Shirley's deaths and further alleged criminal acts to change Beneficiaries had not been committed by alleged Fiduciaries and counsel, monies from the inheritances and Estates and Trusts of Simon and Shirley would have flowed properly into trusts established for Petitioner and his children and the monies would have flowed seamlessly into BFR, BFI and BHL and directly to Petitioner and his children to fund their living expenses for many years to come.
13. That Petitioner was to be Manager of these entities or elected Managers to work with him, further providing his family income from managing the assets.
14. That the Estates have enough liquid funds to release funds in the interim to cover these emergency needs of Petitioner's family while these matters are being settled both civilly and criminally and the Beneficiaries determined by both courts. That if or why

Petitioner is employed to pay these expenses suddenly heaped upon his family due to the delay's caused wholly by others responsible for these funds being transferred to the proper Beneficiaries is irrelevant as this Court and the Fiduciaries are responsible to the Beneficiaries for the damages being caused and that will continue while these matters are wholly investigated and prosecuted and litigated.

IV. Motion for Full Accounting Due to Alleged Theft of Assets and Falsified Inventories,

1. That on January 11, 2013, two years after Shirley's death Petitioner received, an undocketed with the Court, alleged Inventory of Shirley after months of it being denied to Petitioner from May 2012 when it was first requested when Petitioner learned he was a Beneficiary of the Estate to January 2013. The Inventory had been denied and suppressed from Petitioner in violation of Probate Rules and Statutes.
2. That on October 28, 2013 in an Evidentiary Hearing before this Court, Petitioner received an Inventory in the Estate of Simon unsealed by Your in Honor and given to Petitioner. That again, this Inventory had been suppressed and denied from the Beneficiaries and Interested Parties in violation of Probate Rules and Statutes up until the hearing, over a year after Simon's passing.
3. That at the October 28, 2013 hearing Theodore claimed that to the best of his knowledge, his mother was only worth in Personal Property not allocated in trusts, USD \$25,000.00.
4. That after reviewing the Inventories, it has become apparent that Personal Property assets of Shirley were not listed in the Inventories of Shirley that then transferred to Simon but instead were wholly excluded from the Inventories.
5. That Shirley and Simon were very wealthy throughout their 50 years of marriage and had collected the finest art, furniture, jewelry, clothes and more that appear to be missing from both of the Estates Inventories filed allegedly with the Court. That since no Trust accountings or inventories have been provided in either Estate by the Fiduciaries through suppression and denial, in violation of Probate Rules and Laws, it cannot be ascertained if the assets were properly transferred or even exist thereunder and further stands as reason that this Court must remove the alleged Personal Representatives, the counsel involved, report them for their misconduct and sanction them. That full audits of the estates are now needed, by forensic experts that should include tax returns for 10 years personally and for any corporate entities they owned, ten years of bank accounts of Simon and Shirley and all other information owed to Beneficiaries and Interested Parties under Probate Rules and Statutes.
6. That anything that these parties have done in the past is questionable and anything they do in trying to remedy these situations now, after the fact that they have been caught, are not trusted by Petitioner any longer due to the Forgeries and Fraudulent Notarizations that they commissioned in his name and his deceased father's name Post Mortem and the fact that they illegally used Simon's identity Post Mortem to file a series of documents to close the Estate and then allegedly change the Beneficiaries with

other documents that appear legally deficient and alleged Fraudulent and Forged in Simon's Estate, to attempt a Post Mortem change of Shirley's Beneficiaries, none of which is recorded in Shirley's Estate records and where no notice was given to the alleged new Beneficiaries or the old Beneficiaries, in violation of Probate Rules and Statutes.

7. That Petitioner has recently come into possession of an American Home Assurance Company Policy containing a Private Collection Coverage Policy PCG 0001 332360, Effective date August 10, 2009, containing a schedule of Shirley's Jewelry insured for a value of \$613,932.00, which Petitioner alleges is a fraction of her total Jewelry owned at that time and at the time of her death that now is missing from both Estates.
8. That Petitioner alleges that Tescher, Spallina and Theodore knew about this Policy and its contents insured thereunder that were Personal Property of Shirley and that they have intentionally and with scienter suppressed and denied this information from both the Court and the Beneficiaries and Interested Parties in the Estate. There are also alleged to be Appraisals done for Shirley's Jewelry shortly before her death for various items that also appears to have gone missing from the Estate records that further confirm the value of many of Shirley's jewels.
9. That the Jewelry does not appear in the Inventories and where Petitioner's father had stated that bequeathments of various items were attached to their 2008 Wills that distributed certain items to individual Beneficiaries.
10. That it is alleged that after Shirley died, on a visit to see Simon, Petitioner's sisters, Pamela Simon ("P. Simon"), Jill Iantoni ("Iantoni") and Lisa Friedstein ("Friedstein") removed from the Estate Shirley's Personal Properties, while their father thought they were cleaning out her closets and organizing things, they instead took off with and shipped boxes and boxes of Shirley's Personal Effects and took all of her Jewelry, Minks, and other valuable objects of hers.
11. That this removal of the property was claimed to be to prevent theft of the items from Simon's assistant, Rachel Walker and his new companion, Maritza Rivera Puccio ("Puccio"), who they claimed were going to rob Simon of Shirley's personal properties.
12. That later when Petitioner questioned Spallina and Tescher and his siblings, it was learned that they attempt now to claim these were gifts to them by Simon. That the problem with this is they were Shirley's Personal Property and had to be listed on her Inventory first before they could become Simon's to gift and they are not.
13. That Petitioner has requested to see the Tax Returns of Simon and Shirley to confirm that at minimum, this \$613,932.00 of Jewelry was ever gifted legally.
14. That Petitioner is aware of a Bentley automobile paid for in full as a gift from Simon to Shirley, owned and titled to Shirley and driven exclusively by Shirley for several years prior to death that is not listed on the Inventory of Shirley as Personal Property.
15. That Petitioner has checked the Inventory of Simon the items missing from Shirley's Inventory do appear listed on Simon's Inventory either, which also appears grossly inadequate in accounting for Simon's Personal Property.

16. That these missing and unaccounted for assets of Shirley and Simon's that appear to have gone missing from the Inventories and despite whether they were gifted or sold, they are wholly unaccounted for evidencing further foul play in the Estates of Shirley and Simon.
17. That in light of the facts herein regarding the unaccounted for Personal Properties of Shirley, that Petitioner has had to do his due diligence to uncover and the ongoing claims in Petitioner's prior Motions and Petitions filed regarding the violations of Probate Rules and Statutes regarding accountings and inventories in the Estates, Petitioner is requesting, now that the Estate of Shirley is reopened a full and forensic accounting and inventorying of Shirley's Estate.
18. Due to these new discoveries in the Estate, FULL accounting is necessary and it was learned in the October 28, 2013 hearing that Spallina claimed that he did no inventorying of Shirley's estate at all and relied only an alleged phone call with Simon to asses her worth, where Simon allegedly stated she was only worth \$25,000.00. That Simon then allegedly signed
19. That this Court must now overturn its prior Order to not deal with documents in Shirley's estate that were filed by Simon to close the Estate while he was "serving" as Personal Representative while alive and this Inventory of Shirley's must now be evaluated and investigated further and challenged based on this new information despite when it was alleged filed. This is NOT one of the documents that were served illegally for Simon by Tescher and Spallina Post Mortem upon the Court, used as if he were alive and "serving" them to the Court while he was dead. However, with proven factual evidence of Post Mortem Forgery of Simon's name on documents submitted on his behalf while dead and now this Inventory which appears to be falsified appear, perhaps there is need to review ALL the documents of Shirley's estate forensically and call in the Attorney General or State Attorney to investigate all the documents used to perpetrate the Fraud on the Court, who was involved, if the documents are legitimate and properly entered into the record and no documents pre or post Simon's death filed with the Court should be excluded at this time.

V. Motion to not Consolidate the Estate Cases of Simon and Shirley but instead Disqualify Your Honor as a Matter of Law due to Direct Involvement in FORGED and FRAUDULENTLY NOTARIZED documents filed by Officers of this Court and Approved by Your Honor directly.

1. That the six documents that are proven FORGED and FRAUDULENTLY NOTARIZED presented to Your Honor's Court and additionally regarding the multiple documents from September 13, 2012 to January 2013 that were filed illegally Post Mortem for Simon used to close the Estate, Your Honor and his court officials had direct involvement in and may be called as material and factual witnesses regarding these matters. As Your Honor admitted these all to the record to close the Estate and had direct involvement in the Fraud on the Court that was perpetrated on the Beneficiaries, including Petitioner and his three minor children, Your Honor's role in these events

becomes directly inter-related and thus conflict arises, possible adverse interest arise as Your Honor may want to hurry this under the rug as it all occurred in your Court and it could be alleged that you are biased or covering up the acts of not only the guilty but your Court officers involved.

2. That Petitioner requests that this Motion to Disqualify Judge Colin in Shirley's estate be heard by a non-conflicted Justice, due to Judge Colin's direct involvement in the matters, the direct involvement of Officers of his Court in FORGERIES, FRAUDULENTLY NOTARIZED DOCUMENTS and FRAUD ON THE COURT AND BENEFICIARIES and the fact that all of these Criminal Acts proven and those alleged have occurred in and upon his Court conflict Judge Colin from handling the matters further.
3. Further, as Petitioner is the one who has exposed these Frauds on the Courts and had them prosecuted and could lead to others arrest, including Officers and Fiduciaries of his Court directly involved causes possible Adverse Interests against Petitioner who has exposed these crimes occurring in his Court, committed by Officers of his Court and the Fiduciaries that he approved to the record. Further Judge Colin allowed those involved in the criminal acts to operate in his Court despite knowing of their criminal acts and those alleged by Petitioner and yet allows them to continue to act as Fiduciaries and Officers of the Court, moving the Court in pleadings and hearings, in violation of Judicial Cannon's and Law.
4. This puts Judge Colin now in the uncomfortable position as Witness at minimum to what occurred and how his name and his courtroom were used to enable the frauds, but nonetheless, Judge Colin will be deposed by Petitioner regarding his signatures on the fraudulent documents in the record and his direct and personal knowledge regarding the Fraud on his Court and how exactly the crimes occurred and who was involved, crimes he himself observed on the record in both hearings, that led him to declare twice on the record in a September 13, 2013 hearing, that he had enough evidence of fraud on the court to read Tescher, Spallina, Theodore and Manceri their Miranda's. Why he failed to then report these felony frauds on his Court to all the proper authorities or have them arrested and instead gave the guilty parties opportunity to continue to operate as Fiduciaries and Officers of his Court will also be questioned and perhaps new Judges will read them their Miranda Rights as Colin should have done but did not, as of the date of this Pleading.
5. That any state or federal investigators that Judge Colin has had contact with to this point must also be removed from further investigation and new investigators who have not had ex parte conversations with Judge Colin must be introduced to investigate the matters without any prejudice that may have occurred in those conversations that may have impeded Petitioner's due process rights to file further complaints or obstructed justice in any way.
6. That Petitioner does not seek Disqualification out of disrespect or dispute with Your Honor at this time but because it now becomes the only legally justified action for Your Honor to take now that Felony Crimes have been committed in and upon Your Court and the Beneficiaries you are custodian for, including three minor children, and Your

direct involvement can be questioned. Where this Court, whether intentionally or not, has allowed these FORGED and FRAUDULENTLY NOTARIZED documents to become part of the record of the Estate, polluting the record and trust in any documents filed by the Fiduciaries and Counsel of Record both past and present with the Court and therefore all FILINGS, including all alleged Original documents are subject to inspection by the injured parties.

7. That these acts of Officers of the Court, were approved and entered into the record by Your Honor and the Estate closed illegally with Your Honor's stamp of Approval on all of the questionable documents including those filed by Moran but many others as listed already herein done by Spallina and Tescher, which Your Honor's may prove later to be done without malice but as fraud was committed upon Your Honor by Your Court Officers puts Your Honor in conflict and with possible adverse interests to Petitioner inherently and partiality cannot be assured any longer and Disqualification sought for these reasons.
8. That instead of ruling further on Petitioner's Motions and Petitions that have languished before the Court since May 2013 virtually denying Petitioner's due process rights wholly, the Court has instead accepted new Motions and ruled on them despite that they were filed inappropriately by Officers of the Court and Fiduciaries who have admitted to and acknowledged Fraud on the Court. These Motions filed were much later than Petitioners, almost eight months later and were filed in a cover their ass and pepper the record approach to cover up the crimes through harassment and abuse of process in the Courts against Petitioner, which the Court may or may not be found to have been complacent in.
9. That the fact that the Court is no longer an independent Court involved directly in the criminal activity, whether innocently or not the cases should not be merged between the two Judges but should instead instantly be transferred to two new Judges of the court, who are prescreened for Conflicts with Petitioner and all rulings stricken and all pleadings of counsel investigated for further fraud and reheard entirely free of conflict or adverse interest with Petitioner, as he is the one who has exposed these Frauds in the Court committed by Officers of the Court and the Fiduciaries.
10. That all Fiduciaries and Officer of the Court acting as counsel must also be disqualified instantly for their involvement in the criminal acts and all their pleadings stricken and further their records and all assets held of the Estate should immediately be seized by the new Judges hearing these matters forward and frozen and admitted as evidence.
11. That as there is a call for an Emergency Hearing by Petitioner to hear ongoing allegations of continued extortion by those directly involved in the criminal acts thus far in efforts to shut down Petitioner and his family, Petitioner respectfully requests that the new Judges hold immediate hearings to release EMERGENCY funds for Petitioner and his family, within 48 hours, as their lives are at risk as already defined herein, due to the delay in inheritances being distributed from the crimes proven and alleged herein, including due to criminal acts of Officers of the Court in and upon the Court and the

Beneficiaries, including targeting Petitioner and his children who have exposed the Frauds, Forgeries, Fraud on two Courts and more with intent to harm him and his family.

12. That the new Judges hearing these matters also schedule further Emergency Hearings to investigate and call in State Prosecutors to investigate the ongoing alleged criminal frauds in the estates and more, as defined at length in Petitioners previously unheard Motions and Petitions referenced herein that have been filed since May 2013 and virtually unheard in particular to the many Motions therein, languishing without adjudication that denies Petitioner's due process rights and is alleged to Obstruct Justice of Petitioner in violation of Judicial Cannons, Attorney Conduct Codes and Law.
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- VI. Motion for the Court to Set Emergency Hearing on its own Motion due to Fraud and Forgery in the Estate of Shirley and the damaging financial effect it is having on Beneficiaries and Interested Parties including three minor children and immediately Hear ALL Petitioner's Prior Motions in the Order they were filed.