

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

IN RE:

Case No. 502011CP000653XXXXSB

ESTATE OF SHIRLEY BERNSTEIN,

Deceased.

Division: IY

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**MOTION TO COMPEL**

Ted S. Bernstein, as Successor Personal Representative of Estate of Shirley Bernstein, moves to compel Eliot Bernstein to respond to the First Request to Produce served December 19, 2013.

1. On December 19, 2013, the Successor Personal Representative served a First Request to Produce Directed to Eliot Ivan Bernstein, a copy of which is attached. To date, Mr. Bernstein has failed to respond or produce any documents.

2. The undersigned has conferred with Mr. Bernstein in an attempt to resolve the matter, but he has indicated he will not comply with the Request to Produce.

WHEREFORE, the Successor Personal Representative seeks an order compelling Eliot Bernstein to comply with the First Request to Produce and produce all documents so requested within 10 days.

**CERTIFICATE OF SERVICE**

I CERTIFY that a copy of the foregoing has been furnished to parties listed on the attached Service List, by U.S. Mail or Email only as indicated on the Service List, this 4th day of June, 2014.

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Attorneys for Successor Trustee, Ted S. Bernstein

By: /s/ Alan B. Rose  
Alan B. Rose (Fla. Bar No. 961825)

– and –

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Attorneys for Successor Trustee, Ted S. Bernstein

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VIA US MAIL ONLY

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His Parents and Natural Guardians  
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Joshua Bernstein, a Minor  
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Julia Iantoni, a Minor  
c/o Guy and Jill Iantoni,  
Her Parents and Natural Guardians  
2101 Magnolia Lane  
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Max Friedstein, a Minor  
c/o Jeffrey and Lisa Friedstein,  
His Parents and Natural Guardians  
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Highland Park, IL 60035

Carley Friedstein, a Minor  
c/o Jeffrey and Lisa Friedstein,  
Her Parents and Natural Guardians  
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and as trustee for her children, and as natural  
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Iantoni, individually and as trustee for her  
children, and as natural guardian for J.I. a  
minor

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Counsel for Molly Simon, Alexandra  
Bernstein, Eric Bernstein, Michael Bernstein

**IN THE CIRCUIT COURT FOR PALM BEACH COUNTY, FLORIDA**

**IN RE: ESTATE OF SHIRLEY BERNSTEIN,**

**PROBATE DIVISION**

**Deceased.**

**CASE NO: 502011CP000653XXXXSB**

**ELIOT IVAN BERNSTEIN, PRO SE**

**DIVISION: COLIN**

**Petitioner**

**vs.**

**TESCHER & SPALLINA, P.A., (and all parties associates and of counsel); ROBERT L. SPALLINA (both personally & professionally); DONALD R. TESCHER (both personally & professionally); THEODORE STUART BERNSTEIN (as alleged personal representative, trustee, successor trustee) (both personally and professionally); and JOHN and JANE DOE'S (1-5000),**

**Respondents.**

**FIRST REQUEST TO PRODUCE DIRECTED TO ELIOT IVAN BERNSTEIN**

COME NOW, Theodore Stuart Bernstein a/k/a Ted Bernstein, as Successor Personal Representative; Donald R. Tescher and Robert L. Spallina, by and through their undersigned counsel and hereby files this their Request to Produce Directed to Eliot Ivan Bernstein a/k/a Eliot I. Bernstein a/k/a Eliot Bernstein and in support thereof state, as follows:

Respondents, Theodore Stuart Bernstein a/k/a Ted Bernstein, as Successor Personal Representative; Donald R. Tescher and Robert L. Spallina, request that the Petitioner, Eliot Ivan Bernstein produce the following documents, data, papers, etc. at the office of Mark R. Manceri, P.A., 2929 East Commercial Boulevard, Suite 702, Fort Lauderdale, Florida 33308, on or before

thirty (30) days after the Service of this Request, for inspection and/or photocopying:

**I. INTRODUCTION**

The documents requested in paragraphs 1 through 6 below shall be deemed directed toward each of the following named entities (letters A through M, inclusive).

- A. Iviewit Holdings, Inc. - DL
- B. Iviewit Holdings, Inc. - DL
- C. Iviewit Holdings, Inc. - FL
- D. Iviewit Technologies, Inc. - DL
- E. Uviewit Holdings, Inc. - DL
- F. Uviewit.com, Inc. - DL
- G. Iviewit.com, Inc. - FL
- H. Iviewit.com, Inc. - DL
- I. I.C., Inc. - FL
- J. Iviewit.com LLC. - DL
- K. Iviewit Corporation. - FL
- L. Iview, Inc. - FL
- M. Iviewit, Inc. - DL

**II. ENTITY DOCUMENTS TO BE PRODUCED**

- 1. Copies of all tax returns (state or federal) filed with any taxing authority.
- 2. Copies of all corporate books and records, including any filings with federal,

state or local governmental agency.

3. Copies of all bank records, checkbooks, cancelled checks or bank statements.
4. Copies of all documents relating to any capital contribution(s).
5. Copies of all documents relating to any shareholder distributions or dividends.
6. Copies of all documents relating to any loan(s), whether as a debtor or creditor.

**III. INDIVIDUAL DOCUMENTS TO BE PRODUCED**

7. Copies of all tax returns (state or federal) filed by Eliot Ivan Bernstein, whether in the name of Eliot Ivan Bernstein individually or jointly with any other person.

8. The current C.V. (curriculum vitae) or resume of Eliot Ivan Bernstein.

9. All financial books and records (i.e. brokerage statements, bank statements, cancelled checks, credit card receipts, credit card statements and loan documents) relating to Eliot Ivan Bernstein, whether individually or jointly with any other person.

10. All documents relating to any form of communications by and between Eliot Ivan Bernstein and William Stansbury (including any of his attorneys or other agents) relating to Simon Bernstein, Shirley Bernstein, Theodore Bernstein, the Estate of Simon Bernstein, the Estate of Shirley Bernstein or any business entity in which Simon Bernstein had an ownership interest.

**IV. INSTRUCTIONS**

1. Unless otherwise specified, the time period covered by this Request to Produce ("Request") is the period from January 1, 2004 to and through the date of your response to this Request.

2. Unless otherwise specified, the documents covered by this Request are limited to those that were prepared, sent, received, dated or in effect at any time during the period from January

1, 2004 to and through the date of your response to this Request.

3. For each document for which objection to copying is made, be prepared to file a Privilege Log with Court setting forth:

- (a) The name and title of the author;
- (b) The name and title of each person to whom the document was addressed;
- (c) The names and titles of those to whom copies of the document were sent;
- (d) The date;
- (e) The number of pages;
- (f) A brief description of the subject matter;
- (g) The nature of the claimed privilege;
- (h) The paragraph to which the document is otherwise responsive; and
- (i) The exact location where the original and each copy were kept as of the date of receipt of this Request.

#### V. DEFINITION OF TERMS

1. A communication or document "relating" to any given subject means any communication or document that constitutes, contains, embodies, reflects, identifies, states, refers to, or is in any way pertinent to that subject, including, without limitation, documents concerning the preparation of other documents.

2. The word "document(s)" shall mean any written or graphic matter or other means of preserving thought or expression, and all tangible things from which information can be processed or transcribed, including the original and all non-identical copies, whether different from the original by reason of any notation made on such copy or otherwise, including, but not limited to, correspondence, memoranda, notes, messages, letters, telegrams, teletype, telefax bulletins, e-mails, meetings, or other communications, interoffice and intra-office telephone calls, diaries, chronological data, minutes, books, reports, charts, ledgers, invoices, worksheets, receipts, returns, computer printouts, prospectuses, financial statements, schedules, affidavits, contracts, cancelled checks, transcripts, statistics, surveys, magazine or newspaper articles, releases (and



any and all drafts, alterations and modifications, changes and amendments of any of the foregoing), graphs or oral records or representations of any kind, including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings, motion pictures and electronic, mechanical or electric records or representations of any kind (including without limitations, tapes, cassettes, discs and recordings).

**VI. DESTROYED DOCUMENTS**

If any documents responsive to this Request were at one time in existence, but have been lost or destroyed, a list should be provided of the documents so lost or destroyed, stating the following information for each such document: (a) the type of document; (b) the date on which it ceased to exist and circumstances of its loss or destruction; (c) the identify of all persons having knowledge of the circumstances of its loss or destruction; and (d) the identify of all persons having knowledge of its contents.

**VII. MANNER OF PRODUCTION**

Pursuant to Rule 1.350, you shall produce the original documents in the form, order and manner in which they are maintained in your files or other persons under your control. In this connection, and for the purposes of illustration, documents are to be produced in the file folders and file cartons in which they have been maintained or stored, clipped, stapled, or otherwise arranged in the same form and manner as they were found. In the alternative, you shall segregate all documents according to the specifications of this Request, and shall organize and label each group of documents with the appropriate specification prior to production. If any document is responsive to more than one specification of this Request, it should be labeled to reflect each specification to which it is responsive.

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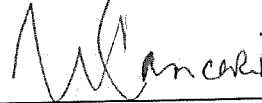
[mrmlaw1@gmail.com](mailto:mrmlaw1@gmail.com)

By: \_\_\_\_\_

Mark R. Manceri, Esq.  
Florida Bar No. 444560

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. mail to the persons listed on the attached Service List, this 19<sup>th</sup> day of December, 2013.



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Mark R. Manceri, Esq.

**SERVICE LIST**

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