

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

IN RE: THE ESTATE OF
SIMON LEON BERNSTEIN,
Deceased

CASE NO. 502012CP004391XXXXSB

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;
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;
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);
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;

NEWLY ADDED RESPONDENTS:

PAGE, MRACHEK, FITZGERALD & ROSE, P.A.
(AND ALL PARTNERS, ASSOCIATES AND OF
COUNSEL);
ALAN B. ROSE, ESQ. – PERSONALLY;
ALAN B. ROSE, ESQ. – PROFESSIONALLY;
PANKAUSKI LAW FIRM PLLC, (AND ALL
PARTNERS, ASSOCIATES AND OF COUNSEL);
JOHN J. PANKAUSKI, ESQ. – PERSONALLY;
JOHN J. PANKAUSKI, ESQ. – PROFESSIONALLY;
KIMBERLY FRANCIS MORAN – PERSONALLY;
KIMBERLY FRANCIS MORAN –
PROFESSIONALLY;
LINDSAY BAXLEY AKA LINDSAY GILES –
PERSONALLY;
LINDSAY BAXLEY AKA LINDSAY GILES –
PROFESSIONALLY;
THE ALLEGED “SIMON L. BERNSTEIN AMENDED
AND RESTATED TRUST AGREEMENT” DATED
JULY 25, 2012;
JOHN AND JANE DOE’S (1-5000).

**OBJECTION TO PROPOSED ORDERS AND PLEADINGS OF ALAN B.
ROSE, ESQ. AND THEODORE BERNSTEIN FOR ADVERSE INTERESTS
AND MORE AND REQUEST FOR VOLUNTARY DISQUALIFICATION OF
HON. JUDGE MARTIN COLIN FOR ADVERSE INTERESTS AND MORE**

COMES NOW, Eliot Ivan Bernstein (“Eliot”), PRO SE, as Beneficiary and Interested Party both for himself personally and Guardian for his three minor children (who may also be Beneficiaries and Interested Parties of the Estates and Trusts of Simon Bernstein (“Simon”) and Shirley Bernstein (“Shirley”)), and hereby files this OBJECTION TO PROPOSED ORDERS AND PLEADINGS OF ALAN B. ROSE, ESQ. (“ALAN”) FOR ADVERSE

INTERESTS AND MORE AND REQUEST FOR VOLUNTARY DISQUALIFICATION OF HON. JUDGE MARTIN COLIN FOR ADVERSE INTERESTS AND MORE proposed June 16, 2014 and in support thereof states, as follows:

1. That Eliot requests this Court rehear the matters from the June 12, 2014 hearing regarding the legal validity of the Officers of the Court that took part in the hearing and in addition in particular the part leading to proposed orders for the rescheduling of hearings, as Eliot was misled by opposing counsel regarding what was occurring and so it appears were others, as Exhibited in Exhibit A – Benjamin Brown, Esq. and Alan B. Rose, Esq. letters regarding rescheduling the July 11, 2014 hearing calendared by Eliot.

2. That Eliot has a hearing scheduled on July 11, 2014 at 1:30pm before Hon. Judge Colin for a 1) **PETITION FOR CONSTRUCTION OF TESTAMENTARY TRUST, FOR REMOVAL OF TRUSTEE AND FOR TRUST ACCOUNTING** and 2) **OBJECTION TO FINAL ACCOUNTING AND PETITION FOR FORMAL, DETAILED, AUDITED AND FORENSIC ACCOUNTING AND DOCUMENT ANALYSIS.**¹

3. That opposing counsel Alan B. Rose and John Morrissey in the weeks leading up to the June 12, 2014 sent a flurry of emails regarding scheduling dates for hearings they wanted to hear and then along with others, such as the attorney Irwin Block, Esq. acting for former disgraced PR's Tescher and Spallina, began a campaign of emails stating they would be out of town and requesting no hearings be held during their various and sudden vacation schedules, as reflected in the docket.

4. That at the June 12, 2014 hearing Eliot thought Alan B. Rose was arranging for

¹ The Petition is located at [www.iviewit.tv/Simon and Shirley Estate/20140407PetitionForConstructionOfTestamentaryTrust.pdf](http://www.iviewit.tv/Simon%20and%20Shirley%20Estate/20140407PetitionForConstructionOfTestamentaryTrust.pdf)

his own hearings to be heard on July 11, 2014 and not trying to pull a fast one and cancel Eliot's hearing, which was already set on that date for weeks and replace it with new matter controlled and filed by Alan, who has irrefutable adverse interests in these matters that preclude his acting as legal counsel to any parties, but himself Pro Se, as a Respondent both Personally and Professionally and due to his direct involvement in the previous fraud of the former PR's Tescher and Spallina who retained him and where at minimum he will be a material and fact witnesses to the events surrounding the fraud and other criminal acts alleged.

5. That Eliot's hearing that is scheduled on July 11, 2014 is to hear in part an Objection to Accounting, which has to be scheduled and heard within a specified time and with the new vacation schedules of the various attorneys it appears they are suddenly acting unavailable until after the due date to deny Eliot's rights to challenge the accounting and at the same time through a series of misleading statements to the Court and others, trying to knock out Eliot's timely filed Objections. With the continued refusal of opposing counsel to cooperate with Eliot in scheduling hearings as was discussed in Court at the hearing, this may endanger Eliot's legal standing to bring the Objections timely caused by carefully crafted trickery.

6. That Eliot's hearing scheduled on July 11, 2014 for his Petition from May 2014, which took weeks to schedule, due to again lack of cooperation by certain of the opposing counsel in these matters, also and more importantly is to hear a PETITION FOR CONSTRUCTION OF TESTAMENTARY TRUST, FOR REMOVAL OF TRUSTEE AND FOR TRUST ACCOUNTING and it is this part of the hearing that is CRITICAL, as it is for the Removal of the ALLEGED Successor Trustee, Theodore Stuart Bernstein ("Theodore"), which MUST be heard before any other matters presented by the ALLEGED Trustee Theodore, who is not now qualified

to be Trustee and has acted in egregious bad faith and with unclean hands, according in part to his own lawyers as reported to the Palm Beach Sheriff Office² and who has virtually violated all rules and statutes of the probate and trust laws, including failing to notify beneficiaries procedurally of his ALLEGED fiduciary roles and failing to produce any timely accountings in any of his alleged roles of Trustee for the Estate and Trusts of Shirley and the Trusts of Simon, acting despite his knowledge that he is not qualified due to a plethora of reasons defined herein and in prior pleading filed. Theodore has further withheld all estate and trusts administration information and blatantly continues to violate all duties in violation of probate rules and statutes.

7. That if Theodore does not survive the hearing to remove him and is removed with his counsel Alan for just and good cause and can no longer act in any fiduciary capacities in the Estates of Simon and Shirley as posited in Eliot's Motion to remove him and further supported by a Joinder Motion filed by creditor William Stansbury ("Stansbury")³, then Alan B. Rose, Esq. and John Pankauski, Esq. ("Pankauski") are also removed from these proceedings with all their frivolous and vexatious pleadings, in addition to all the reasons they have been added as Respondents in these matters for violations of attorney conduct codes and laws.

8. That Alan was ground floor at the crime scene, working from day one with former Executors/Personal Representatives Tescher & Spallina who contracted and retained him, paying him to deal initially with the Stansbury case. His representation in that matter now has evolved into the Estates and Trusts of both Simon and Shirley (WITHOUT ANY NOTICES OF

² Palm Beach County Sheriff Report at www.iviewit.tv/20140131PBSOReport.pdf

³ May 22, 2014 JOINDER IN PETITION FILED BY ELIOT IVAN BERNSTEIN FOR REMOVAL OF TRUSTEE AND FOR TRUST ACCOUNTING filed by William Stansbury. <http://www.iviewit.tv/Simon%20and%20Shirley%20Estate/20140522%20JOINDER%20PETITION%20FILED%20BY%20ELIOT%20BERNSTEIN%20FOR%20REMOVAL%20OF%20TRUSTEE%20AND%20TRUST%20ACCOUNTING.pdf>

APPEARANCES FILED DESPITE MONTHS OF APPEARANCES IN MULTIPLE CAPACITIES AS STATED IN THE RECORDS) and apparently is in effort to cover up for those friends and colleagues who retained him and that he acted in concert with to aid and abet the frauds both proven and admitted already and those alleged ongoing. That Rose's involvement in the perpetrating of such frauds with those that retained him makes him a material and fact witness to the criminal frauds and precludes him from representing any parties in these matters further.

9. That Alan is also now adverse to Eliot in that Alan is trying to claim that Eliot needs a Guardian Ad Litum recently and Eliot is claiming that both Alan and Theodore need Prison Guardians for their involvement in the past and ongoing frauds. Where both Alan and Theodore have been reported to authorities in numerous ongoing investigations and both will be further deposed regarding their involvement in the past criminal misconduct, as Theodore is the one who brought his close personal bedfellows and business associates Donald Tescher, Esq. ("Tescher") and Robert Spallina, Esq. ("Spallina") into the affairs of the Bernstein family in the first place and who have all conspired in concert together to seize dominion and control of the Estate and Trusts and Assets illegally through criminal acts committed through LEGAL PROCESS ABUSE PROVEN IN AND UPON THIS COURT with FRAUDULENT AND FORGED DOCUMENTS that enabled them to begin looting the Estates, Trusts and Assets of Simon and Shirley through a plethora of alleged other criminal acts that are all being investigated. Therefore, as a last ditch effort Alan is now making a grandstanding effort (and costing the Estates and Trusts a fortune) to smear Eliot through a series of harassing legal actions allowed by this while knowing that he is barred by attorney conduct codes and law to file pleadings due to his intimate involvement in the crimes and with the criminals already tossed out and removed by this

Court. Yet, the Court knowing of Alan's inability to represent further due to his Adverse Interests has not forced his immediate removal and instead has allowed him to repeatedly move the Court in hearing after hearing, wasting more and more time and monies and continuing to toll new damages through this continued LEGAL PROCESS ABUSE the Court allows and continues to expand.

10. That Theodore under all scenarios, since 2008, in any final decision by this Court of who the beneficiaries are, which is dependent upon if the improperly executed Wills and Trusts survive, is wholly disinherited and only has personal property rights at best, along with his sister Pamela who is also wholly disinherited since 2000. Yet, these two outcast children have now caused all the problems in the Estates and Trusts in their attempts with their counsel to attempt to seize illegally dominion and control of the Estates and Trusts and then loot it and in the process have cost the Estates and Trusts a fortune from the proven criminal misconduct already.

11. That there are now new production documents turned over by the former Executors/Personal Representatives that evidence a mass of further crimes and this new evidence reveals both Theodore and his disinherited sister Pamela Simon ("Pamela") as central drivers for the crimes, acting in conspiracy with Tescher, Spallina, Manceri, Alan and others to commit various frauds to loot the Estate and Trusts, suppress and deny documents from the Court, the Beneficiaries and Creditors with intent while having illegally seized dominion and control of the Estates and Trusts through a series of FORGED, FRAUDULENT and ADMITTIDLY ALTERED dispositive documents that are now all subject to removal pending this Court's actions.

12. That there have been no documents or valid legal evidence or procedural rules followed that would now allow Theodore to be Successor Trustee of Simon's Estate as he is alleged in Alan's pleadings and replace his friends and business associates Tescher and Spallina

when they were removed for FRAUD. In fact, there are significant reasons to immediately remove Theodore from further actions as an alleged Trustee of Simon's Trusts, Personal Representative in Shirley's Estate and alleged Trustee of Shirley's Trusts that are already posited in the Motion to Remove Theodore as exhibited already herein. These reasons include but are not limited to the fact that he is conflicted, has factual adverse interests with beneficiaries including Petitioner, Creditors and Interested Parties, he is under ongoing investigations, he has been taking what appear illegal distributions in self-dealing transactions AGAINST THE ADVICE OF COUNSEL and he has acted repeatedly as a fiduciary to transact assets while having no legal standing to act in various fiduciary capacities.

13. That Theodore further unbelievably admits that he has not read the trust documents he acts under as a fiduciary to Palm Beach County Sheriff investigators and claims he only acted on the advice of counsel Tescher, Spallina et al. Finally, Theodore's actions include a host of alleged State and Federal Felony Criminal Acts to loot the Estates and Trusts, which crimes are all now under ongoing Criminal Investigations and State and Federal civil actions, where he is a central figure in committing the alleged crimes in virtually every action.

14. That for all of these reasons and more, Eliot Objects vehemently to any Orders or any pleadings adjudicated on by this Court that are produced to this Court by counsel Alan, who is acting illegally and unethically with Conflicts of Interests, Adverse Interests and more in these matters, in order to advance frivolous and vexatious legal claims attempting now to state in his proposed orders and pleadings that Theodore is the legally valid Successor Trustee in Simon's Trusts, while knowing that he is not now or nor ever has been legally qualified to act in such fiduciary capacity and has further failed to follow any probate rules and statutes that would have

allowed him to act in such capacity.

15. That despite polite requests⁴ from Eliot to Alan to voluntarily disqualify Theodore to save the Court, Eliot, Stansbury and others enormous legal costs, he ignores the stated and legally irrefutable claims that his client cannot act in any fiduciary capacities in both the Estates and Trusts of Simon and Shirley and adds more FRAUD, WASTE and ABUSE with intent, as keep in mind Alan is still billing for this toxic and failed legal claim of his client.

16. That the Court must now immediately first determine if Theodore is the Successor Trustee in Simon's Trust before hearing any other matter filed by Theodore or his minion of Attorneys at Law/Partners in Crime and determine if he has followed all the rules and statutes in so becoming the ALLEGED Successor Trustee and can continue filing pleadings or moving the Court in this ALLEGED role.

17. That in fact, Theodore claims to have been transferred the title of Successor Trustee by the former ALLEGED Trustees, Tescher and Spallina, who are alleged to have anointed Theodore as a final act when they were removed from these proceedings as they walked out the door and where Spallina had already told the Palm Beach County Sheriff Office that Theodore was taking distributions against the advice of counsel but yet then attempted to put him in as Successor in a last ditch effort to attempt to hold off further exploration of their crimes and keep secret the records further from beneficiaries and continue the fraud. Sound legit? Yet, allowed by this Court and already costing a fortune to all injured parties and tolling new and ongoing damages as Alan and Theodore continue to be allowed by Your Honor to violate law in an

⁴ March 14, 2014 Letter from Eliot to Alan

<http://www.iviewit.tv/Simon%20and%20Shirley%20Estate/20140314%20FINAL%20SIGNED%20Alan%20Rose%20Letter%20Re%20Resignations%20of%20Theodore%20Bernstein%20in%20Estates%20and%20Trust%20of%20Simon%20and%20Shirley.pdf>

already crime ridden courtroom.

18. That Petitioner believes that as Tescher and Spallina were removed under a dark cloud of egregious criminal acts proven and admitted that they would be LEGALLY PROHIBITED from choosing ANY Successor Trustee, especially Theodore, their partner in crimes who also retained them to act as his personal counsel in several capacities, while Tescher and Spallina were acting as Personal Representatives/Successor Trustees and with Spallina acting as his and Tescher's Counsel in those fiduciary capacities, all further mired in Conflicts of Interests, Violations of Attorney Conduct Codes and Law.

19. That since acting illegally as ALLEGED Successor Trustee of Simon's Trusts, Theodore has not notified beneficiaries properly of his ALLEGED role, has sent no accountings and neither did the former removed Co-Trustees Tescher and Spallina when they were removed, again, all in further violation of probate rules and statutes. Further, all of them suppressed and denied all documents and records legally owed to beneficiaries at the transfer of Trusteeship, continuing the Pattern and Practice of Fraud began by Tescher and Spallina.

20. That these ILLEGALLY PROPOSED ORDERS by Alan are an attempt to move Eliot's scheduled hearings and replace them with a series of hearings orchestrated by Theodore and Rose, which attempt to smear, harm and further extort Eliot due to their Adverse Interests in these matters, which pit them against Eliot before he can have them jailed for their alleged crimes and further interfere with his efforts to so have them prosecuted, as fully described in Eliot's prior pleadings. All the while both Theodore and Rose are acting in violation of Law as Officers of this Court (Rose as an Attorney and Theodore as a Fiduciary) and not qualified LEGALLY to act before this Court in any legal or fiduciary capacities, other than as Defendants/Respondents. Both

centrally involved in the nexus of criminal misconduct, including but not limited to, FRAUD ON THIS COURT (by using a Dead Personal Representative to Close the Estate, my father), FORGERY (including Post Mortem Forgery of my deceased father's name), ADMITTED ALTERCATION OF TRUST DOCUMENTS by the former Executors/Personal Representatives and counsel Tescher and Spallina, improper distributions (where Ted was advised by counsel not to take DISTRIBUTIONS but then ignored counsel's legal advice as evidenced in the Palm Beach County Sheriff Report already exhibited herein), a plethora of BREACHES OF FIDUCIARY DUTIES, Extortion of Eliot and his family⁵ and much much much more.

21. That due to the fact that Alan was hired by the disgraced and removed Tescher and Spallina who have admitted to FRAUDULENTLY Altering Trust Documents with the intent to convert and then converting Estates and Trusts assets of both Simon and Shirley to improper beneficiaries to the Palm Beach Sheriff County, POST MORTEM, converting assets to improper beneficiaries in both Simon and Shirley's Estate and Trusts, Alan now furthers a cover up through further LEGAL PROCESS ABUSE and vexatious filings. Again, Alan was retained by and worked closely with Tescher and Spallina in advancing these fraudulent schemes to change and alter the beneficiaries and more, in both the Estates and Trusts of Eliot's mother and father and the FACT that he will be both a MATERIAL and FACT witness in hearings that he will need to be deposed and testify regarding his involvement and will be compelled to turn over his records and testify in all ongoing and future, civil and criminal actions, regarding the proven and admitted crimes that he was actively involved in. Alan is now officially a Respondent in these matters,

⁵ See Petitioners yet unheard MOTION RE EXTORTION at [http://www.iviewit.tv/Simon and Shirley Estate/20140314 FINAL SIGNED Alan Rose Letter Re Resignations of Theodore Bernstein in Estates and Trust of Simon and Shirley.pdf](http://www.iviewit.tv/Simon%20and%20Shirley%20Estate/20140314%20FINAL%20SIGNED%20Alan%20Rose%20Letter%20Re%20Resignations%20of%20Theodore%20Bernstein%20in%20Estates%20and%20Trust%20of%20Simon%20and%20Shirley.pdf)

which make him unable to represent parties in these matters forward, as it is prohibited by Attorney Conduct Codes and Law.

22. That this Court and the Beneficiaries/Interested Parties have all been and continue to be damaged severely by the criminal acts done thus far by OFFICERS OF THIS COURT FOR OVER THREE YEARS and allowing ANY PARTY that was involved with the previous parties in advancing the already proven and admitted crimes, is to further allow further FRAUD, WASTE and ABUSE to occur in and upon this Court and the Beneficiaries, Creditors and Interested Parties.

23. That to allow those involved in the criminal activity already proven and admitted to continue to have legal and fiduciary standing and move this Court ILLEGALLY is causing CONTINUED AND ONGOING HARMS and DAMAGES TO THE BENEFICIARIES (including five minor children), the creditors and others, accomplished through further violations allowed by this Court of fiduciary duties, attorney conduct codes and law and this continues to toll further DAMAGES to all parties.

24. This Court too is also ETHICALLY AND LEGALLY required to be notifying CRIMINAL AUTHORITIES of the PROVEN, ADMITTED and alleged crimes of the former Executors/Personal Representatives who are primarily Attorneys at Law and the fiduciaries of the Estates and Trusts of Simon and Shirley as required by Judicial Cannons, Attorney Conduct Codes and Law and instead we have evidence that the Court has acted to interfere with investigations and also has limited the Curators duties to interfere with obligations to instigate investigations on behalf of the Estate and Trusts.

25. That this Court is also legally obligated to REMOVE all OFFICERS OF THE COURT who were involved in the criminal misconduct in any way in advancing such schemes up

to the time of admission and discovery of the prior FRAUDS ON THIS COURT, THE BENEFICIARIES and the CREDITORS, CRIMES ALL COMMITTED BY OFFICERS AND FIDUCIARIES OF THIS COURT, allowed and approved by Your Honor.

26. That Eliot prays that Your Honor has taken all judicially required steps to report this CRIMINAL MISCONDUCT THAT OCCURRED IN YOUR HONOR'S COURT BY ALL OFFICERS OF THE COURT INVOLVED in these matters, and if not, Eliot is asking that this Court and Your Honor to immediately post bonds immediately for past events that occurred in and upon this Court and now the new damages that are occurring through further FRAUD and FRAUD UPON THIS COURT being committed by Attorneys at Law and Fiduciaries acting in violation of Law as OFFICERS OF THIS COURT, again allowed and approved by Your Honor.

27. That the strategies of Theodore and Alan who are now ADVERSE to Eliot who is trying to put them both in jail and civilly extract every pound of flesh for their alleged criminal acts and civil torts ongoing and from their involvement in the former CRIMINAL ACTS that took place in and upon this Court, is revealed in the document that Theodore and Rose are trying to classify as Attorney/Client Privileged communications, which outlines a campaign to MISUSE TRUSTS AND ESTATE FUNDS for ABUSIVE LEGAL SCHEMES, AGAINST THE ADVICE OF COUNSEL PANKAUSKI (but not Alan?), in efforts now that they are busted, to harass, extort and defame Eliot, through a series of illegal legal debauchery outlined in the communiqué. The communication is not Attorney/Client privileged as the communiqué was sent directly by Theodore and sent only to Eliot (despite Rose's claims in Court that it was sent to others) in reply to an email sent by Eliot to his brother and neither Eliot nor his brother are Attorneys at Law. Thus the privilege claim will be proven futile, a waste of more time and monies and a further

knowingly improper pleading filed. However, what is apparent in the letter is that it threatens to further harass Eliot by digging up records from his children's school and threatening to legally harass everyone Rose and Theodore think has information about their alleged criminal activities, including Eliot, his children, the decedents closet friends and business associates, many who have offered to talk before this Court about Theodore and have already begun speaking to authorities and Your Honor's failure to stop this illegal activity by Officers and Fiduciaries of Your Court now endangers lives, including innocent third parties and three minor children, as the letter from Theodore to Eliot exposes.

28. That in fact, Theodore claims in the letter he sent to Eliot that if his other newly retained counsel, John Pankauski, does not think he is acting appropriately in his alleged fiduciary roles, misusing trust assets and unwilling to take on Eliot aggressively through Extortive tactics that he be fired by Alan.

29. That Theodore does not like to listen or act on the advice of his own attorneys, as is evidenced in the Palm Beach County Sheriff Report evidenced already herein. Theodore's own attorneys have REPEATEDLY accused him of taking inappropriate distributions and failing to heed their legal advice when he does not like it and considering it mere suggestion.

30. That in yet another instance, Theodore is even accused by attorneys in the Federal Court Insurance Case before Hon. Judge Amy St. Eve that relates to the insurance policy of Simon that Theodore is trying to extricate from the Estate, whereby Theodore is accused of having filed a baseless Federal Lawsuit against the advice of counsel while acting as the ALLEGED TRUSTEE OF LOST AND MISSING TRUST WHERE NO EXECUTED COPIES ARE CLAIMED TO EXIST. This allegation of Theodore's ABUSE OF LEGAL PROCESS comes from Attorney at

Law, Alexander Marks, of Jackson National Life Insurance Company⁶. Again, these acts have led to a mass of FRAUD, WASTE and ABUSE caused directly by Theodore and his legal minions, further damaging Beneficiaries, Creditors and Interested Parties and now further wasting time and resources of an Illinois Federal and State court.

31. That this Court is THE SCENE OF THE CRIMES, as it is the place where these crimes occurred and for Your Honor to continue to allow knowingly Conflicted and Adverse parties to continue to act before this Court and harass Eliot, attempt to Extort Eliot, ALTER ESTATE/TRUST DOCUMENTS, SPEND ESTATE DOLLARS WITH NO LEGALLY REQUIRED ACCOUNTINGS AND MORE and allow for further FRAUD, WASTE AND ABUSE, can and would be construed as a GRAVE APPEARANCE OF IMPROPRIETY that is being done to further continue and cover up the CRIMES COMMITTED IN AND UPON THIS COURT BY FORMER OFFICERS OF THIS COURT AND CERTAIN CURRENT OFFICERS OF THIS COURT. The lack of Your Honor's swift and just response in the face of these CRIMINAL ACTS since Your Honor stated on the record in a September 13, 2013 hearing that you had enough evidence over six months ago to start reading Miranda Rights to Tescher, Spallina, Theodore and Manceri and yet have since failed to do so, and in fact, allowed these criminals to leisurely resign and withdraw with no Miranda Rights read and now allows others involved in the nexus of criminal events to replace them, acts as further Legal Abuse to Eliot, Creditors, Beneficiaries and gives the Appearance of Impropriety from this continued gross miscarriage of Justice.

⁶ 20130626 IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION, Case No. 13 cv 3643 - JACKSON'S (1) ANSWER TO COMPLAINT AND (2) COUNTERCLAIM AND THIRD-PARTY COMPLAINT FOR INTERPLEADER
[http://www.iviewit.tv/Simon and Shirley Estate/20130701 Heritage Jackson National Lawsuit Response RE Simon Bernstein Irrev Trust Dtd 6-21-95 v Heritage .pdf](http://www.iviewit.tv/Simon%20and%20Shirley%20Estate/20130701%20Heritage%20Jackson%20National%20Lawsuit%20Response%20RE%20Simon%20Bernstein%20Irrev%20Trust%20Dtd%206-21-95%20v%20Heritage.pdf)

32. The Court upon learning of the many CRIMINAL ACTS has failed to seize control of the Court, the Estates and Trusts, the minute it became aware of Criminal Acts done by Officers of this Court and rid entirely the cancer that has infected this case since day one. As Your Honor now also has irrefutable Adverse Interests due to Your Honor's direct personal involvement in the forged documents and the frauds that took place on and in Your Court would make Your Honor also a material and fact witness in these matters and ALL future civil and criminal actions. These Adverse Interests of Your Honor now require Your Honor under Judicial Cannons, Attorney Conduct Codes and Law to have already DISQUALIFIED yourself and REMOVED ALL OF YOUR ORDERS, ETC. As continued involvement in the case, especially where it appears to delay prosecution and allow continued violations of Attorney Conduct Codes and Law by Officers of the Court such as Alan, is taken that the Court and Your Honor are allowing and controlling it in this way to cover up the crimes that occurred in this Court and begin a campaign of ILLEGAL LEGAL ABUSE against Eliot, his wife and children and friends of the decedents in efforts to silence them through LEGAL PROCESS ABUSE and more in efforts to contain the CRIMINAL PROSECUTIONS of themselves, other Officers of this Court and possibly Your Honor.

33. That this Court must keep in mind that there are allegations and ongoing investigations and coroner investigations that Simon was MURDERED that have reopened due to the newly discovered crimes, including the MURDER that was alleged by THEODORE and his sister PAMELA, accusing Simon's partner, Maritza Puccio of MURDER and instigating a criminal complaint for MURDER and Coroner's Autopsy, immediately after Simon passed.

34. That Eliot has come to respect Your Honor for removing the former disgraced Executors/Personal Representatives and Attorneys at Law, Tescher, Spallina and Manceri who

have acted with EGREGIOUS BAD FAITH and UNCLEAN HANDS by committing a host of Criminal Acts and Civil Torts (a bit slow for my liking) but nonetheless done BUT for Your Honor to now replace them with other persons known involved in the prior Criminal Acts with the prior Criminals and continue to allow parties, such as Theodore and Alan, who have irrefutable Conflicts and Adverse Interests to move this Court in any Legal or Fiduciary Capacities that allow further harm and DAMAGES to the already injured victims, including to 5 Minor Children unrepresented by counsel, Creditors and others, is intolerable. Therefore, if Alan and Theodore are not removed by this Court immediately and any pleadings Rose puts forth are acted upon further by this Court, Eliot prays Your Honor immediately Disqualify Yourself and the Attorneys that are Adverse on your own motion, as is required by Law and Judicial Cannons, as it will be construed that Your Honor is acting improperly and OUTSIDE THE COLOR OF LAW with factual Adverse Interests due to involvement directly in the Criminal Events that occurred in this Court and therefore will become a witness to the Crimes that took place in Your Honor's Court with Your Honor's signature and stamp on many of the documents that are already proven and admitted fraudulent by Officers of Your Court. Without this Court acting swiftly to cease this legal abuse that denies due process and procedure and OBSTRUCTS JUSTICE and continue tolling damages on all parties, provide further solid reasons for YOUR HONORS VOLUNTARY DISQUALIFICATION AS LEGALLY REQUIRED under Judicial Cannons, Attorney Conduct Codes and Law.

35. That Eliot has politely asked this Your Honor to Disqualify for legally irrefutable Adverse Interests once before⁷ and Your Honor ruled on the Motion finding it legally insufficient,

⁷ Motion filed by Eliot on January 02, 2014, Section IV

whatever that means but nonetheless Your Honor became aware of the factually sound legal arguments for voluntary Disqualification but has since ignored them and failed to Voluntarily Disqualify as required by Judicial Cannons and Law on Your Honor's own motion and instead apparently is waiting for Eliot to file a new pleading. However, the rules clearly indicate that Your Honor on knowing of Adverse Interests in a matter must Voluntarily Disqualify and need not wait for a Pro Se Litigant to figure out what Legally Sufficient or Legally Insufficient means.

36. That had this Court on the first proof of Fraud on the Court and Beneficiaries read the parties Tescher, Spallina, Manceri and Theodore their Miranda Warnings as threatened by Your Honor in a hearing on September 13, 2013 and not allowed them to continue to run rampant for almost year after such knowledge none of these continued problems and illegal legal process abuses would be continuing. Yet, instead Your Honor has given them increased Fiduciary roles and allowed continued vexatious pleadings versus immediately having them removed and reporting them to the proper authorities as legally required. Further Your Honor has FAILED to remove them and Freeze the Estates, Trusts and Assets and further seize all of the bad actors records. If Your Honor had acted in accordance with Judicial Cannons, Attorney Conduct Codes and Law, Eliot would not ask for your immediate Disqualification (despite that it is legally required) but that has not been the case. In fact, it appears that the Court is now allowing further Fraud, Waste and Abuse and attempting to cover up the crimes that occurred in this Court with Your Honor and allow the criminals to continue to operate and replace themselves with new criminals to continue the crimes and continue tolling new damages daily from the failure of Your Honor to act in accordance with Judicial Cannons and Law.

[http://www.iviewit.tv/Simon and Shirley Estate/20140101MotionDisqualifyColinMoreSERVICECOPY.pdf](http://www.iviewit.tv/Simon%20and%20Shirley%20Estate/20140101MotionDisqualifyColinMoreSERVICECOPY.pdf)

37. That this FRAUD must instantly be ceased by this Court and all parties involved in the proven and now admitted crimes reported to the authorities by Your Honor. The Estates and Trusts must instantly be frozen and all records of all parties involved in the crimes (including ALL of this Court's records) seized immediately to stop further DAMAGES. Yet, as Your Honor appears unwilling to follow Judicial Cannons, Attorney Conduct Codes and Law and regulate this Court, despite the legal requirements and Eliot therefore requests Your Honor disqualify voluntarily before entering any other Orders or holds any further hearings on any other matters related.

38. That Eliot is requesting that the Chief Judge or Administrative Judge of this Court instantly be apprised of the continuing DAMAGES being caused by this Court's misconduct and Eliot requests that the Court and Your Honor now immediately post bonds, as the crimes are all occurring in and upon this Court by Officers of this Court and the DAMAGES now are directly attributable to this misconduct. If Your Honor continues to ignore Judicial Cannons and Law Eliot will be left with no recourse but to file Criminal and Civil charges against Your Honor, for the denial of due process and procedure through Adverse Interests and Conflicts, which Obstructs Justice. Eliot also requests that Your Honor not hear or dismiss the request for your own Disqualification, as done once before in these proceedings and instead have the hearing for the Disqualification demand heard by a different NON CONFLICTED or ADVERS judge, to save further the overwhelming Appearance of Impropriety that ruling on one's own Motion to Disqualify imparts beyond reasonable doubt.

39. The new parties that are all now Respondents in these matters for continuing the Frauds and who are all involved directly in the nexus of events surrounding the fraudulent activity

that has taken place in these matters both upon the Court and the Beneficiaries/Interested Parties, acting all in concert with former removed Personal Representatives/Trustees/Counsel Donald Tescher, Esq. and Robert Spallina, Esq., et al. to perpetrate the fraudulent schemes in these matters who must be hauled into this Court as Respondents and stripped instantly of any fiduciary or legal capacities, are as follows:

- i. PAGE, MRACHEK, FITZGERALD & ROSE, P.A. (AND ALL PARTNERS, ASSOCIATES AND OF COUNSEL)
- ii. ALAN B. ROSE, ESQ. - PERSONALLY
- iii. ALAN B. ROSE, ESQ. – PROFESSIONALLY
- iv. PANKAUSKI LAW FIRM PLLC, (AND ALL PARTNERS, ASSOCIATES AND OF COUNSEL)
- v. JOHN J. PANKAUSKI, ESQ. – PERSONALLY
- vi. JOHN J. PANKAUSKI, ESQ. – PROFESSIONALLY
- vii. KIMBERLY FRANCIS MORAN – PERSONALLY,
- viii. KIMBERLY FRANCIS MORAN – PROFESSIONALLY,
- ix. LINDSAY BAXLEY AKA LINDSAY GILES – PERSONALLY,
- x. LINDSAY BAXLEY AKA LINDSAY GILES – PROFESSIONALLY

40. That further, Alan has failed to file legally required Notices of Appearance for any parties he has represented while continuing to represent them before this Court at numerous hearings in violation of Attorney Conduct Codes and Law and while he has irrefutable Adverse Interests as a material and fact witness, yet continues to file pleadings and appear at hearings instead of voluntarily resigning as repeatedly requested.

41. That further, John J. Pankauski, Esq. has acted in Conflict of Interest and with Adverse Interests knowingly, as discussed in prior hearings before this Court but the Court while determining that Pankauski appeared to be conflicted, stated that the Motion was improperly filed by Creditor William Stansbury's counsel on behalf of Eliot and that Eliot should have filed it on his own behalf. The Court then ruled that Theodore Bernstein was not going to be Personal Representative of Simon Bernstein's estate and thus the matter of Pankauski's representing Theodore in these proceedings as counsel to Theodore in that capacity was thought moot. However, despite Pankauski knowing his representations violate attorney conduct codes and law he continues to act in these matters, willingly and in violation of law and attorney conduct codes.

42. That where the Court has information of Attorney misconduct, the Court should act on its own motion to remove Pankauski from illegal representations that have hampered Plaintiff's due process and procedure rights and obstructed justice and not wait for PRO SE Eliot to file a proper pleading to remove him, as these are legally obligatory actions required by Your Honor, not Eliot.

43. That with Attorney Fraud and Forgery proven in these matters already against Officers and Fiduciaries of this Court, this Court needs to instantly cease the continued misconduct and report these Officers of the Court to the proper authorities immediately as required under Judicial Cannons and Law, especially where they are all alleged to have acted together to perpetrate these crimes.

44. That the Court must force new NON-CONFLICTED counsel to be retained by all parties alleged to have aided and abetted or even involved in the prior criminal acts and all parties who worked with and/or were retained by any of the parties involved in the fraudulent activity

already proven and admitted and acknowledged be removed as they all will all be fact and material witnesses and respondents/defendants in all related matters forward relating to their involvement with those acts.

45. That both Theodore and Alan are involved in the ongoing Palm Beach County Sheriff Office investigation as evidenced in the exhibited herein already Palm Beach County Sheriff Report and will be soon added to federal complaints being filed for their part in other Federal and State Criminal Acts alleged regarding Estates, Trusts and other Assets.

46. That Eliot refuses to further follow orders of any kind that are ruled on based on improper and illegal pleadings submitted by Attorneys at Law that have Adverse Interests. New information that will soon be admitted to the Court when the Privilege claim fails of Alan and Ted's, which shows these Adverse Interests are driving them mad, as in insane, and they intend to use this information gained from Abusive depositions they demand and deplete with scienter Estate and Trust funds, again, Theodore acting against the advice of counsel, in order to launch a war campaign on Eliot, his lovely wife Candice, their three minor children, Creditor Stansbury and his counsel Peter Feaman, Esq. and innocent parties who have information that can be used against them. ELIOT REFUSES ANY ORDER BY THIS COURT THAT IS ORDERED ON IMPROPER PLEADINGS FILED BY ILLEGALLY ACTING ATTORNEYS AT LAW, FIDUCIARIES AND OFFICERS OF THIS COURT THAT COULD HARM ANYONE and FURTHER REFUSES TO TENDER DOCUMENTS OR BE DEPOSED BY ANY OF THOSE PARTIES LISTED ABOVE who are now listed as Defendants/Respondents in these matters for good and just cause, until this Court first has a hearing to determine if these are legal representations by qualified legal counsel and fiduciaries or further legal process abuse, a hearing

whereby there are NO UNDISCLOSED CONFLICTS or PARTIES WITH ADVERSE INTERESTS adjudicating or moving this Court in illegal legal capacities or fiduciary capacities.

47. Eliot's Motion to Remove Theodore is supported by competent and ethical Attorney at Law, Peter Feaman, counsel for the Creditor Stansbury, who has filed a Motion in support of Eliot's demand to remove Theodore for hosts of legal reasons that are both sound and legally required.

WHEREFORE, Eliot requests that this Court enter an order granting,

- i. Denying ANY Orders or other Pleadings filed by Alan B. Rose, Esq. and John Pankauski, Esq.
- ii. Removal of Theodore Bernstein, Alan Rose and John Pankauski in any fiduciary and/or legal matters in the Estates and Trusts of both Simon and Shirley Bernstein, instantly and before hearing any other pleadings filed by Alan or Pankauski acting as counsel in these matters.
- iii. Seize all Records for the Estates and Trusts of both Shirley and Simon and all other assets, until a new Personal Representative and Trustee can be properly chosen from a qualified pool. In the interim appoint Benjamin Brown, Esq., as interim curator.
- iv. Voluntarily Disqualify yourself as a judge in these matters due to Adverse Interests with Eliot and direct involvement in the criminal acts already proven and admitted, which make impartiality impossible, as this case would cast a ominous and dark light on one of the most egregious probate cases fraught with fraud that has been ignored and suppressed in the history of probate law caused

entirely by Officers of this Court who have all eluded their Miranda Rights due to the Court's failure to follow Attorney Conduct Codes, Judicial Cannons and Law.

- v. That an Emergency Hearing be scheduled with a new Judge by Your Honor acting on Your Own Motion to schedule one immediately and have these matters heard by an impartial Judge and represented by legally competent counsel, as lives are in danger and continued FRAUD, WASTE AND ABUSE are continuing in and upon this Court, Beneficiaries, Creditors and Minor Children.

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

X_____

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, Wednesday, June 4, 2014.

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

SERVICE LIST

<p>Theodore Stuart Bernstein Life Insurance Concepts 950 Peninsula Corporate Circle, Suite 3010 Boca Raton, Florida 33487 tbernstein@lifeinsuranceconcepts.com</p>	<p>Alan B. Rose, Esq. Page, Mrachek, Fitzgerald & Rose, P.A. 505 South Flagler Drive, Suite 600 West Palm Beach, Florida 33401 (561) 355-6991 arose@pm-law.com</p>	<p>John J. Pankauski, Esq. Pankauski Law Firm PLLC 120 South Olive Avenue 7th Floor West Palm Beach, FL 33401 (561) 514-0900 courtfilings@pankauskilawfirm.com</p>	<p>Carley & Max Friedstein, Minors c/o Jeffrey and Lisa Friedstein Parents and Natural Guardians 2142 Churchill Lane Highland Park, IL 6003 Lisa@friedsteins.com lisa.friedstein@gmail.com</p>
<p>Pamela Beth Simon 950 N. Michigan Avenue Apartment 2603 Chicago, IL 60611 psimon@stpcorp.com</p>	<p>Irwin J. Block, Esq. The Law Office of Irwin J. Block PL 700 South Federal Highway Suite 200 Boca Raton, Florida 33432 ijb@jblegal.com</p>	<p>William M. Pearson, Esq. P.O. Box 1076 Miami, FL 33149 wpearsonlaw@bellsouth.net</p>	<p>Robert L. Spallina, Esq., RESPONDENT Tescher & Spallina, P.A. Boca Village Corporate Center I 4855 Technology Way Suite 720 Boca Raton, FL 33431 rspallina@tescherspallina.com</p>
<p>Jill Iantoni 2101 Magnolia Lane Highland Park, IL 60035 jilliantoni@gmail.com</p>	<p>Peter Feaman, Esquire Peter M. Feaman, P.A. 3615 Boynton Beach Blvd. Boynton Beach, FL 33436 pfeaman@feamanlaw.com</p>	<p>Benjamin Brown, Esq. Matwiczuk & Brown, LLP 625 No. Flagler Drive Suite 401 West Palm Beach, FL 33401 bbrown@matbrolaw.com</p>	<p>Donald Tescher, Esq., RESPONDENT Tescher & Spallina, P.A. Boca Village Corporate Center I 4855 Technology Way Suite 720 Boca Raton, FL 33431 dtescher@tescherspallina.com</p>
<p>Lisa Friedstein 2142 Churchill Lane Highland Park, IL 60035 Lisa@friedsteins.com lisa.friedstein@gmail.com</p>	<p>William H. Glasko, Esq. Golden Cowan, P.A. 1734 South Dixie Highway Palmetto Bay, FL 33157 bill@palmettobaylaw.com</p>	<p>Alexandra Bernstein 3000 Washington Blvd, Apt 424 Arlington, VA, 22201 alb07c@gmail.com</p>	<p>Mark R. Manceri, Esq., RESPONDENT and Mark R. Manceri, P.A., RESPONDENT 2929 East Commercial Boulevard Suite 702 Fort Lauderdale, FL 33308 mrmlaw@comcast.net</p>
<p>Eric Bernstein 2231 Bloods Grove Circle Delray Beach, FL 33445 ebenstein@lifeinsuranceconcepts.com</p>	<p>Michael Bernstein 2231 Bloods Grove Circle Delray Beach, FL 33445 mchl_bernstein@yahoo.com</p>	<p>Molly Simon 1731 N. Old Pueblo Drive Tucson, AZ 85745 molly.simon1203@gmail.com</p>	
<p>Matt Logan 2231 Bloods Grove Circle Delray Beach, FL 33445 matl89@aol.com</p>	<p>Joshua, Jacob and Daniel Bernstein, Minors c/o Eliot and Candice Bernstein, Parents and Natural Guardians 2753 NW 34th Street Boca Raton, FL 33434 iviewit@iviewit.tv</p>	<p>Julia Iantoni, a Minor c/o Guy and Jill Iantoni, Her Parents and Natural Guardians 210 I Magnolia Lane Highland Park, IL 60035 jilliantoni@gmail.com</p>	

**EXHIBIT A – ELIOT BERNSTEIN, ALAN ROSE AND BENJAMIN BROWN COMMUNICATIONS REGARDING
RESCHEDULING**

From: Alan Rose [mailto:ARose@mrachek-law.com]
Sent: Thursday, June 12, 2014 5:30 PM
To: Eliot Ivan Bernstein
Cc: Peter M. Feaman, Esq.; mkoskey@feamanlaw.com; William H. Glasko, Esq.; tmealy@gcprobatelaw.com; Robert Spallina, Esq.; Donald Tescher, Esq.; Benjamin P. Brown, Esq.; lmcDaniel@matbrolaw.com; John P. Morrissey; John Pankauski, Esq.; heather@pankauskilawfirm.com; Caroline Prochotska Rogers Esq.; Michele M. Mulrooney ~ Partner @ Venable LLP; Andrew R. Dietz @ Rock It Cargo USA; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Marc R. Garber Esq.; tourcandy@gmail.com
Subject: Re: Bernstein/Simon & Shirley - ABR to Parties 06-12-14 re Draft N-Status Conf

There was a discussion outside of court today. I thought Ben Brown was sitting right there during the entire conversation, but I may be mistaken.

Tescher and Spallina's counsel indicated they were not noticed and are not available for this hearing, so they will move to continue it, it likely will be continued, and we will incur time and money doing that.

I suggested doing the status conference then, but would you consider using those two hours to do the PR motions which are more important.

That is a two hour block of time in mid July.

Also, once there is a PR that is the person to object or take the lead on objecting to Tescher and Spallina's fees, because the curator cannot do that. In my view it makes more sense to do the PR first and deal with everything else later that is only my view.

Please respond simply yes or no whether you think it is appropriate to switch the hearings and do the PR first. You might want to consult with Peter Feaman and Ben Brown first before answering to get their views

Alan B. Rose

On Jun 12, 2014, at 17:16, "Eliot Ivan Bernstein" <iviewit@iviewit.tv> wrote:

Again, I did not know you were trying to reschedule hearings of mine and I object.

From: Marie Chandler [mailto:MChandler@mrachek-law.com] **On Behalf Of** Alan Rose
Sent: Thursday, June 12, 2014 3:31 PM
To: Eliot I. Bernstein; Peter M. Feaman, Esq.; mkoskey@feamanlaw.com; William H. Glasko, Esq.; tmealy@gcprobatelaw.com; Robert Spallina, Esq.; Donald Tescher, Esq.; Benjamin P. Brown, Esq.; lmcDaniel@matbrolaw.com; John P. Morrissey; John Pankauski, Esq.; heather@pankauskilawfirm.com
Cc: Alan Rose
Subject: Bernstein/Simon & Shirley - ABR to Parties 06-12-14 re Draft N-Status Conf

(Dictated but not read prior to sending.)

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Attached are the Notices of Status Conference we are going to submit to the Court. If you have any comments to the Notices, please let us know by noon on Friday, June 13, 2014.

Best wishes.

Alan

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991
<image001.png>
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561.655.2250 Phone
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Marie B. Chandler
Assistant to L. Louis Mrachek and Alan B. Rose
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Fax: (561) 655-5537

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From: Ben Brown [mailto:bbrown@matbrolaw.com]
Sent: Thursday, June 12, 2014 4:35 PM
To: Alan Rose; Eliot Ivan Bernstein; John J. Pankauski; Ted Bernstein; Irwin J. Block @ The Law Office of Irwin J. Block PL; William M. Pearson; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.; Jeffrey T. Royer Esq. ~ Attorney at Law @ J.T. Royer & Associates LLC; William Henry Glasko Esq.; tourcandy@gmail.com; Eliot I. Bernstein, Inventor ~ Iviewit Technologies, Inc.
Cc: Ben Brown
Subject: RE: SERVICE OF COURT DOCUMENT - CASE NUMBER 502012CP004391XXXXSB - Notice of Hearing

I did not suggest we re-set that hearing, and neither of those motions involves the Curator. I only spoke to the motions to appoint PR, and do not believe (but could be wrong) I was present today for the discussion about whether the 7/11 date would be used for a status conference.

Benjamin P. Brown, Esq.
625 North Flagler Drive
Suite 401
West Palm Beach, Florida 33401

EXHIBITS
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P: (561) 651-4004, ext. 13
F: (561) 651-4003
bbrown@matbrolaw.com

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From: Alan Rose [<mailto:ARose@mrachek-law.com>]
Sent: Thursday, June 12, 2014 4:28 PM
To: Eliot Ivan Bernstein; John J. Pankauski; Ted Bernstein; Irwin J. Block @ The Law Office of Irwin J. Block PL; William M. Pearson; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.; Jeffrey T. Royer Esq. ~ Attorney at Law @ J.T. Royer & Associates LLC; Ben Brown; William Henry Glasko Esq.; tourcandy@gmail.com; Eliot I. Bernstein, Inventor ~ Ivivewit Technologies, Inc.
Subject: RE: SERVICE OF COURT DOCUMENT - CASE NUMBER 502012CP004391XXXXSB - Notice of Hearing

The hearing was set without consulting Tescher and Spallina's counsel; Ben Brown suggested we reset it, and I raised the issue with the Court today. That is why we are holding a Status Conference that day and then an evidentiary hearing in August.

Also, we need your deposition to be prepared to address any such hearing. Please advise what dates you are available for deposition on or after July 7th to end of July.

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



505 South Flagler Drive
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West Palm Beach, Florida 33401
561.655.2250 Phone
561.655.5537 Fax

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If there any documents attached to this email with the suffix ,pdf, those documents are in Adobe PDF format, If you have difficulty viewing these attachments, you may need to download the free version of Adobe Acrobat Reader, available at: <http://www.adobe.com>

From: Eliot Ivan Bernstein [<mailto:iviewit@gmail.com>]

Sent: Thursday, June 12, 2014 4:12 PM

To: Alan Rose; John J. Pankauski; Lisa@friedsteins.com; lisa.friedstein@gmail.com; Pamela Beth Simon; Ted Bernstein; Irwin J. Block @ The Law Office of Irwin J. Block PL; William M. Pearson; Jill M. Iantoni; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.; Jeffrey T. Royer Esq. ~ Attorney at Law @ J.T. Royer & Associates LLC; Benjamin P. Brown; William Henry Glasko Esq.; alb07c@gmail.com; eberstein@lifeinsuranceconcepts.com; Michael Bernstein; Molly Simon; Matt Logan; tourcandy@gmail.com; Eliot I. Bernstein, Inventor ~ Iviewit Technologies, Inc.; John P. Morrissey Esq. @ John P. Morrissey, P.A.

Cc: Caroline Prochotska Rogers Esq.; Michele M. Mulrooney ~ Partner @ Venable LLP; Andrew R. Dietz @ Rock It Cargo USA; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Marc R. Garber Esq.; tourcandy@gmail.com; Eliot I. Bernstein, Inventor ~ Iviewit Technologies, Inc.; Undisclosed List

Subject: FW: SERVICE OF COURT DOCUMENT - CASE NUMBER 502012CP004391XXXXSB - Notice of Hearing

Courtesy resend of Notice of Hearing on July 11, 2014 @ 1:30, this email was served on May 29, 2014, if your schedules conflict now please notify Judge Colin of your problem and perhaps arrange to call in. Eliot

From: Eliot Ivan Bernstein [<mailto:iviewit@gmail.com>]

Sent: Thursday, May 29, 2014 2:30 PM

To: Alan B. Rose Esq. (arose@pm-law.com); John J. Pankauski (courtfilings@pankauskilawfirm.com); 'Lisa@friedsteins.com'; 'lisa.friedstein@gmail.com'; Pamela Beth Simon (psimon@stpcorp.com); Ted Bernstein; Irwin J. Block @ The Law Office of Irwin J. Block PL (ijb@ijblegal.com); William M. Pearson (wpearsonlaw@bellsouth.net); Jill M. Iantoni (jilliantoni@gmail.com); Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A. (pfeaman@feamanlaw.com); Jeffrey T. Royer Esq. ~ Attorney at Law @ J.T. Royer & Associates LLC (jroyer1148@aol.com); Benjamin P. Brown (bbrown@matbrolaw.com); William Henry Glasko Esq. (bill@PalmettoBayLaw.com); alb07c@gmail.com; 'eberstein@lifeinsuranceconcepts.com'; Michael Bernstein (mchl_bernstein@yahoo.com); Molly Simon; Matt Logan (matl89@aol.com); 'tourcandy@gmail.com' (tourcandy@gmail.com); Eliot I. Bernstein, Inventor ~ Iviewit Technologies, Inc.; John P. Morrissey Esq. @ John P. Morrissey, P.A. (john@jmorrisseylaw.com)

Cc: Caroline Prochotska Rogers Esq. (caroline@cprogers.com); Michele M. Mulrooney ~ Partner @ Venable LLP (mmulrooney@Venable.com); Andrew R. Dietz @ Rock It Cargo USA; Marc R. Garber Esq. @ Flaster Greenberg P.C. (marcrgarber@verizon.net); Marc R. Garber Esq. @ Flaster Greenberg P.C. (marc.garber@flastergreenberg.com); Marc R. Garber Esq. (marcrgarber@gmail.com)

Subject: SERVICE OF COURT DOCUMENT - CASE NUMBER 502012CP004391XXXXSB - Notice of Hearing.

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