

Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Friday, August 1, 2014 2:12 PM
To: John P. Morrissey; William H. Glasko, Esq.; Pam Simon; lisa.friedstein@gmail.com; Jill lantoni; Eliot Ivan Bernstein; Eliot Ivan Bernstein
Cc: tbernstein@lifeinsuranceconcepts.com; David Simon; Marc R. Garber Esq. @ Flaster Greenberg P.C.
Subject: FW: URGENT Welfare Payment from Shirley Trust Necessary for Minor Children
Attachments: 20140725 Letter to Ted (Shirley Trst) for education funds.pdf

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To all:

Eliot has requested a payment for his children's educational needs. In light of the pending claim by Bill Stansbury, there is no ability to distribute money from Simon's Trust. That is why I have not copied Mr. O'Connell, the new PR, because there is no need for him to incur legal fees being involved in this issue.

Eliot also has requested a payment from the Shirley Trust for the private school tuition.

Eliot is not a beneficiary of the Trust, but each of his three children would be beneficiaries under the Power of Appointment by Simon, and the Trustee was prepared to make an interim \$80,000 distribution to each kid's trust.

Eliot rejected that distribution, and it appears that Eliot is challenging the Power of Appointment in its entirety, and also is challenging the scope of the Power of Appointment if it is allowed and recognized as valid, specifically whether there are six or ten grandchildren who benefit from the exercise of the Power of Appointment.

In light of Eliot's request, I attempted to discuss matters with him, but to no avail.

Previously, we have discussed these issues with each of you.

Given the disagreement and various claim/assertions made, Ted as Successor Trustee of Shirley's Trust will be filing, hopefully on Monday, an appropriate action for construction of Shirley's Trust.

I have enclosed Eliot's request for an "URGENT Welfare Payment" for his children's schooling. As noted above, previously Eliot rejected an interim distribution to each of his children's trusts, so there is funding available to make these payments. Eliot would need to sign a receipt and refunding agreement identical to what everyone else signed.

By this email, I am requesting the position of each of you as to Eliot's request, and specifically, whether you object to it and whether you will appear in court opposing it if and when the matter is set for hearing.

As Trustee, Ted has no objection to making a payment from the Trust funds to St. Andrews School for each of Eliot's three kids, so long as (i) the Court enters an order directing and authorizing such payment, with the approval of a guardian ad litem if the Court decides to appoint one, and also holding the Trustee harmless for complying with such order and requiring repayment if needed; (ii) the payment for each child will reduce the amount to be distributed to that child's trust and with Eliot agreeing that if it is ultimately decided that the payments were to go to him and not his children's trusts (which we believe is not the case), then these same payments would count against Eliot's distribution; and (iii) each of you has the opportunity to be heard by responding to the email or by appearing in court.

Our concern in this regard is that, given the limited resources of the Shirley Trust, someone later questioning whether Eliot and his wife should have been using the children's limited inheritance to pay for a private high school education rather than reserving the trust's funds for other uses. That is **not** our issue and we express **no** view on it, other than to recognize that it is a potential issue. Assuming the Court approves the interim distribution as described above, Ted as Trustee has no objection and will comply with the Court's Order.

Please advise as to everyone's position and availability for a hearing on this issue.

Thanks.

Alan B. Rose, Esq.

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From: Eliot Ivan Bernstein [mailto:iviewit@iviewit.tv]

Sent: Friday, August 01, 2014 10:16 AM

To: Ted Bernstein; Alan Rose; John@Pankauskilawfirm.com; John J. Pankauski; John J. Pankauski

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.; Marc R. Garber Esq. @ Flaster Greenberg P.C.; tourcandy@gmail.com; 'Eliot Bernstein'

Subject: RE: URGENT Welfare Payment from Shirley Trust Necessary for Minor Children

Alan, please have your client Ted, acting as alleged trustee in my mother and father's trusts, respond to the attached pdf letter and email below as requested. We do not have to have any meetings to discuss this further, he can reply to the letter with a simple yes or no. If yes, Ted can make the interim distributions directly from the trust to the school and deduct such from the beneficiaries when they are decided by the Court, after full

investigation of the frauds and forgeries and more that you and your client Ted are allegedly involved in as central benefactors of the criminal acts. You can take your other issues up with the court as you see fit but this matter is wholly unrelated to any alleged settlement and comprise on any claims against you or Ted. Eliot

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

Sent: Friday, July 25, 2014 11:03 AM

To: Ted Bernstein; Alan B. Rose Esq. (arose@pm-law.com); John@Pankauskilawfirm.com; John J. Pankauski (courtfilings@pankauskilawfirm.com); John J. Pankauski (Michelle@Pankauskilawfirm.com)

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Subject: URGENT Welfare Payment from Shirley Trust Necessary for Minor Children

Ted et al., please see the attached Adobe PDF file letter regarding URGENT Welfare Payment from Shirley Trust necessary for Minor Children Education. Eliot

Eliot I. Bernstein

Inventor

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