

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

CASE NO. 502012CP004391XXXXSB
CP - Probate

IN RE:

ESTATE OF SIMON L. BERNSTEIN,
_____ /

**MOVANT'S, TED S. BERNSTEIN, AS SUCCESSOR TRUSTEE OF
THE SIMON BERNSTEIN TRUST, MOTION TO HOLD
ELIOT BERNSTEIN IN CONTEMPT OF COURT AND FOR SANCTIONS,
AND TO COMPEL COMPLIANCE WITH PRIOR ORDERS AND SERVICE RULES**

Movant, Ted S. Bernstein, Successor Trustee of the Simon Bernstein Trust, moves for an order finding Eliot Bernstein in contempt of court for violating the Courts' Order dated July 18, 2014 (Exhibit "A") and for appropriate sanctions; seeks an order compelling him for the second time to appear for deposition (Exhibit "B"); seeks an order overruling his objections to discovery and ordering him to produce responsive documents in his possession; and seeks an order compelling compliance with service rules, and states:

1. Eliot Bernstein, despite this Court's Order dated July 18 (Exhibit "A") has published the privileged materials, directly or indirectly, in a pleading filed in an unrelated case. (See excerpts attached as Exhibit "C".) His continued use and re-publication of the privileged information directly violates this Court's ruling.

2. In addition, Eliot has not complied with ¶9B of the Order dated July 18. To date, Eliot has not: (i) provided proof that he sent notice to everyone to whom Eliot sent a copy of the email; (ii) has not directed those persons to comply with Order, and instead told the people that because he might appeal "I'm not sure what you are supposed to do in the meantime with your copies" (Exhibit "D"); and (iii) has never provided any evidence that email in fact was sent out to

anyone between his receipt of it at 10:52 pm on May 22, 2014 and the hearing held on the morning of May 23, 2014, as Eliot represented on the record (as demonstrated in the transcript excerpt attached as Exhibit "E").

3. Movant seeks an order finding Eliot Bernstein in contempt and awarding appropriate sanctions, which should include striking all of his *pro se* court filings and precluding him from further participation in this case, and an award of attorneys' fees against Eliot Bernstein. Eliot has no individual standing in this matter as he is not named as a beneficiary under Simon's Will or Trust, and it is unclear from his own filings whether he is advancing his own interests or the interests of his minor children, who may be in need of a Guardian ad Litem.

4. Movant also seeks a second order compelling Eliot Bernstein to appear for deposition, as he has been unwilling to agree to a deposition date. (See Exhibit "B"). Eliot has been requested to provide deposition dates and documents (Exhibit "F") and has refused.

5. Movant seeks an order overruling Eliot Bernstein's Objections to discovery and compelling him to produce responsive documents within 10 days.

6. Finally, Movant seeks an order directing Eliot Bernstein to comply with Fla. R. Civ. P. Rule 1.080(a) and Fla. R. Jud. Admin. 2.516(b). Under these Rules, pleadings are to be served on the attorneys via the email addresses the attorneys designate. In violation of these Rules, Eliot has taken been serving court filings and other materials directly to numerous persons beyond the rules, including frequently every member of the undersigned's law firm (secretaries, receptionists, paralegals, staff members, associates and shareholders). Also, Eliot emails many things to Brian O'Connell, which could increase the litigation expense to this Estate. Only matters relating the Estate should be forwarded to Mr. O'Connell. Finally, Eliot emails and serves many things to third

parties, including an internet blogger. There are many pieces of confidential information in this case, including financial information and information about a number of innocent grandchildren, five of whom are minors. Movant seeks an order restricting Eliot from serving any papers relating to these trusts and estate matters to anyone other than (i) the designated email address of the lawyers who have appeared and (ii) any legal counsel representing him in the matter or considering representing him in the matter. His current practice is improper and should be stopped to protect the parties and to reduce the litigation expenses.

WHEREFORE, Movant requests that this Court enter an order: (i) finding Eliot Bernstein in contempt of court for violating the Court's Order dated July 18, 2014, and enter appropriate sanctions; (ii) compelling him for the second time to appear for deposition (Exhibit "B"); (iii) overruling his objections to discovery and compelling him to produce responsive documents in his possession within 10 days; and (iv) directing him to fully comply with Fla. R. Civ. P. Rule 1.080(a) and Fla. R. Jud. Admin. 2.516(b) and to serve only his counsel and the attorneys at their designated email service addresses.

CERTIFICATE OF SERVICE

I CERTIFY that a copy of the foregoing has been furnished to parties listed on attached Service List by: Facsimile **and** U.S. Mail; U.S. Mail; E-mail Electronic Transmission; FedEx; Hand Delivery this 6th day of August, 2014.

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By: /s/ Alan B. Rose
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– and –

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EXHIBIT

"A"

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

CASE NO. 502012CP004391XXXXSB
CP - Probate

IN RE:

ESTATE OF SIMON L. BERNSTEIN,
_____ /

**ORDER ON TED S. BERNSTEIN'S, AS SUCCESSOR TRUSTEE OF THE
SIMON L. BERNSTEIN TRUST, MOTION TO COMPEL
ELIOT BERNSTEIN TO COMPLY WITH RULE 1.285**

THIS CAUSE having come before the Court for evidentiary on July 11, 2014, upon Ted S. Bernstein's, as Successor Trustee of the Simon L. Bernstein Trust, Motion To Compel Eliot Bernstein to Comply with Rule 1.285 ("The Motion"), and after being fully advised in the premises, it is hereby,

ORDERED AND ADJUDGED that

1. Ted S. Bernstein ("Ted") sent an email to Eliot Bernstein ("Eliot") and later claimed that the email was an inadvertent disclosure of privileged materials, invoking the procedures under Florida Rule of Civil Procedure 1.285. Eliot contested the assertion of the privilege, and this Court held an evidentiary hearing on July 11, 2014. Based upon the evidence presented at the evidentiary hearing, the Court makes the following findings of fact and conclusions of law.

2. Ted wrote an email (Eliot's Exhibit 1 for ID only) and actually sent the email to Eliot. The email was sent by Ted to Eliot at 10:12 pm on May 22, 2014.

3. Ted advised his counsel at 10:57 p.m. that the email was sent to Eliot by mistake. Ted's counsel then advised Eliot by email at 11:07 p.m. on May 22, 2014, stating:

You received an email from Ted intended solely for me, and accidentally sent to you by mistake.

RECEIVED JUL 24 2014

The email was sent around 10:12 pm tonight

Please delete the email immediately without reading it and confirm that deletion by email. The communication was attorney-client protected and you are not entitled to read or possess the email due to the accidental transmission.

Thank you in advance, and if you fail to comply with this request we will be forced to take corrective action with the Court.

4. The Court finds that by Ted's counsel so notifying Eliot, Ted invoked the procedures of Rule 1.285. Therefore, under subpart (b), Eliot as the party receiving notice of an assertion of privilege under subdivision (a) shall promptly return, sequester, or destroy the materials specified in the notice, as well as any copies of the material. The party receiving the notice shall also promptly notify any other party, person, or entity to whom it has disclosed the materials of the fact that the notice has been served and of the effect of this rule. That party shall also take reasonable steps to retrieve the materials disclosed.

5. Eliot also challenged the assertion of privilege, claiming that the email was not privileged under section 90.502(4)(a) and (c). That assertion necessitated the evidentiary hearing.

6. The Court finds that Ted did not intend that email to go Eliot, but instead, meant it to go to his lawyer. Indeed, having read the email the Court finds that it is pretty easy to see that the letter was intended to go to Ted's lawyer because (i) in the beginning of the email it says the lawyer's first name, and (ii) the discussion in the letter is clearly directed to that which is part of the subject of the letter, which is this case. Thus, the Court makes a finding of fact that this letter was intended to go to Ted's counsel.

7. The Court also rejects Eliot's argument that the email was not privileged because of Florida Statute 90.502(4)(c), but that subsection does not apply. Likewise, the Court finds that the

crime-fraud exception in 90.504(4)(a) also does not apply. Any language suggesting that Ted wanted his counsel to be aggressive and forceful is not evidence of Ted committing or planning to commit what Ted knew was a crime or fraud. The Court rejects Eliot's assertion that Ted was threatening Eliot with some force or bodily harm, or the like. Having read the email, it is clearly not the case that Ted was threatening Eliot physically, like beating him up.

8. Having determined that the lawyer-client privilege does apply and this email was not requesting perpetration of a crime of assault or battery against Eliot, the next question then becomes whether there remains grounds to challenge the assertion of privilege. The court find that there is not.

9. In light of this Court's finding, the Court orders the following as a remedy:

A. Eliot delete all copies of the email in Eliot's possession or control, including any electronic copies.

B. Eliot shall give prompt notice to every recipient – everybody to whom Eliot sent a copy of the email – of this ruling by sending each such person a copy of this Order and direct that they shall also delete and not transmit. Eliot shall file a proof of compliance with this Court, including a copy of his transmittal letter to each recipient.

C. Eliot shall not, from the time of the Court's oral ruling, forward the email to anybody. If Eliot violates this Order, the Court ^{will} ~~will~~ hold him in contempt of court and consider appropriate remedy for such violation.

10. If Eliot appeals this Order, he must obey and follow this Order pending the appeal.

DONE AND ORDERED in Chambers, in Palm Beach County, Florida, this 18 day of July,

2014.



Martin H. Colin
CIRCUIT COURT JUDGE

cc: All parties on the attached service list

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EXHIBIT
"B"

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

CASE NO. 502012CP004391XXXXSB
CP - Probate

IN RE:

ESTATE OF SIMON L. BERNSTEIN,
_____ /

**ORDER ON TED S. BERNSTEIN'S, AS SUCCESSOR TRUSTEE OF THE SIMON L.
BERNSTEIN TRUST, MOTION TO COMPEL ELIOT BERNSTEIN TO COMPLY
WITH DISCOVERY REQUESTS AND TO COMPLY WITH RULE 1.285**

THIS CAUSE having come before the Court on June 11, 2014, upon Ted S. Bernstein's, as Successor Trustee of the Simon L. Bernstein Trust, Motion To Compel Eliot Bernstein to Comply with Discovery Requests and to Comply with Rule 1.285 ("The Motion"), and after being fully advised in the premises, it is hereby,

ORDERED AND ADJUDGED that

1. The Motion is granted in part and deferred in part.
2. Eliot Bernstein shall appear for deposition at a mutually agreeable date and time, prior to the hearing on Eliot's pending motions/petitions.
3. As to the privilege issue raised under Rule 1.285, the matter shall be set for an evidentiary hearing.

DONE AND ORDERED in Chambers, in Palm Beach County, Florida, this _____ day of June, 2014.

SIGNED & DATED
JUN 19 2014

MARTIN H. COLIN
CIRCUIT JUDGE

Martin H. Colin
CIRCUIT COURT JUDGE

cc: All parties on the attached service list

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EXHIBIT
"C"

IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT, IN AND FOR PALM
BEACH COUNTY, FLORIDA

CASE NO. 502014CP002815XXXXSB

ELIOT AND CANDICE BERNSTEIN,

IN THEIR CAPACITY AS PARENTS AND
NATURAL GUARDIANS OF JOSHUA,
JAKE AND DANIEL BERNSTEIN, MINORS,
JURY TRIAL REQUESTED

HON. JEFFREY DANA GILLEN
TRANSFERRED TO
HON. MARTIN COLIN

Plaintiffs,

v.

OPPENHEIMER & CO. INC. AND ITS CURRENT AND FORMER DIVISIONS,
AFFILIATES, SUBSIDIARIES, STOCKHOLDERS, PARENTS, PREDECESSORS,
SUCCESSORS, ASSIGNORS, ASSIGNS, PARTNERS, MEMBERS, OFFICERS,
DIRECTORS, TRUSTEES, EMPLOYEES, AGENTS, ADMINISTRATORS,
REPRESENTATIVES, ATTORNEYS, INSURERS AND FIDUCIARIES;
OPPENHEIMER TRUST COMPANY OF DELAWARE AND ITS CURRENT AND FORMER
DIVISIONS, AFFILIATES, SUBSIDIARIES, STOCKHOLDERS, PARENTS,
PREDECESSORS, SUCCESSORS, ASSIGNORS, ASSIGNS, PARTNERS, MEMBERS,
OFFICERS, DIRECTORS, TRUSTEES, EMPLOYEES, AGENTS, ADMINISTRATORS,
REPRESENTATIVES, ATTORNEYS, INSURERS AND FIDUCIARIES;
LEGACY BANK OF FLORIDA AND ITS CURRENT AND FORMER DIVISIONS,
AFFILIATES, SUBSIDIARIES, STOCKHOLDERS, PARENTS, PREDECESSORS,
SUCCESSORS, ASSIGNORS, ASSIGNS, PARTNERS, MEMBERS, OFFICERS,
DIRECTORS, TRUSTEES, EMPLOYEES, AGENTS, ADMINISTRATORS,
REPRESENTATIVES, ATTORNEYS, INSURERS AND FIDUCIARIES;
STANFORD FINANCIAL GROUP AND ITS CURRENT AND FORMER DIVISIONS,
AFFILIATES, SUBSIDIARIES, STOCKHOLDERS, PARENTS, PREDECESSORS,
SUCCESSORS, ASSIGNORS, ASSIGNS, PARTNERS, MEMBERS, OFFICERS,
DIRECTORS, TRUSTEES, EMPLOYEES, AGENTS, ADMINISTRATORS,
REPRESENTATIVES, ATTORNEYS, INSURERS AND FIDUCIARIES;
JP MORGAN CHASE & CO. AND ITS CURRENT AND FORMER DIVISIONS,
AFFILIATES, SUBSIDIARIES, STOCKHOLDERS, PARENTS, PREDECESSORS,
SUCCESSORS, ASSIGNORS, ASSIGNS, PARTNERS, MEMBERS, OFFICERS,
DIRECTORS, TRUSTEES, EMPLOYEES, AGENTS, ADMINISTRATORS,
REPRESENTATIVES, ATTORNEYS, INSURERS AND FIDUCIARIES;
JANET CRAIG, INDIVIDUALLY;
JANET CRAIG, PROFESSIONALLY;
HUNT WORTH, INDIVIDUALLY;

231. That Craig claimed that she was the Successor Trustee to Stanford Bank as Trustee of the children's school trust funds. The transfer of funds allegedly occurred when the infamous Sir Robert Allen Stanford was arrested for the second biggest Ponzi scheme in the United States and the banks he owned and operated were seized by US federal authorities and the monies had to be transferred to a new financial institution.
232. That it is alleged that large amounts of monies were lost in the transfers but again financial information regarding these transfers is limited due to suppression, denial and destruction of documents.
233. That several of the account executives working the Bernstein family investment accounts at Stanford, including those handling the children's trusts, transferred from the now infamous Sir Robert Allen Stanford banks to Oppenheimer, then to JP Morgan or vice versa, as the records provided thus far are incomplete and unclear regarding the personal transfers.
234. That on information and belief, Simon Bernstein immediately prior to his sudden and unexpected death, where it has been alleged by Theodore Bernstein and others that he may have been murdered, was contacting JP Morgan and Oppenheimer regarding missing funds in the transfer of his accounts and his family's accounts from Stanford to Oppenheimer then to JP Morgan or vice versa, including but not limited to, trust funds of Eliot's three minor children.
235. That this Court in the Probate cases has recently sealed a document as "Attorney Client Privileged" that Eliot is precluded from publishing or distributing but can be found online at a number of sources due to its widespread distribution by Eliot prior to his knowledge that claims of Privilege were levied in attempts to cover up the document that both threatens Eliot with forcefulness and aggressiveness and displays a wide variety of Breaches of Fiduciary Duties by Fiduciaries in the Estates and Trusts, primarily Theodore and violations of Attorney Conduct Codes and more by the Attorneys at Law

mentioned in the letter that was sent by Theodore directly and solely to Eliot, where neither are Attorneys at Law, nor clients of one another. That the letter exhibits further conspiratorial activities.

236. That in keeping with the Court Order, Eliot will not republish the email herein as directed but will direct the Court to available sites where it exists publically and eternally in the World Wide Web, including, <http://www.ripoffreport.com/r/alan-rose-of-mrachek-fitzgerald-rose/west-palm-beach-florida-33401/alan-rose-of-mrachek-fitzgerald-amp-rose-alan-b-rose-suppress-free-speech-cover-up-1149197> and <http://tedbersteinreport.blogspot.com/2014/07/alan-rose-john-pankauski-and-ted.html> , hereby incorporated by reference in entirety herein.

237. That Hon. Judge Colin claimed in hearings that it was obvious that the language threatening to use force and aggression with Eliot could not have meant to cause him physical harm or bodily injury and Eliot can understand that in normal circumstances lawyers using these terms may not mean harm but more strategy but in this unique case where the lawyers are accused of fraud, forgeries and theft and may face lengthy prison sentences, perhaps that language should be re-read in light of the claims of Murder of Simon, prior Death Threats to Eliot and CAR BOMBINGS and reported to the proper authorities by this Court.

238. This case is related to ALL of the following ongoing actions worldwide involving Eliot Bernstein where there are claims of conspiracy committed by Attorneys at Law in each and where shockingly there are many links in each of the cases to the same Attorneys at Law acting in various combinations in each case, including the instant action;

- i. UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK, ELIOT I. BERNSTEIN, et al., Plaintiffs, - against - APPELLATE DIVISION FIRST DEPARTMENT DISCIPLINARY COMMITTEE, et al., Defendants. Case No. 07 Civ. 11196 (SAS), Honorable Judge SHIRA A. SCHEINDLIN, U.S.D.J. (HEREBY FULLY INCORPORATED BY REFERENCE IN ENTIRETY HEREIN, ALL PLEADINGS,

EXHIBIT

"D"

Eliot Ivan Bernstein

From: Eliot Ivan Bernstein <iviewit@iviewit.tv>
Sent: Tuesday, July 22, 2014 5:39 PM
To: Maritza Rivera Puccio (maritza_puccio@yahoo.com)
Subject: FW: SERVICE OF COURT DOCUMENT - CASE NUMBER 502012CP004391XXXXSB - OBJECTION TO FINAL ACCOUNTING AND PETITION FOR FORMAL, DETAILED, AUDITED AND FORENSIC ACCOUNTING AND DOCUMENT ANALYSIS
Attachments: 20140718 Order Regarding Privilege.pdf

Hi, in furtherance to my email below regarding a message sent to you regarding an alleged privileged document, after a hearing regarding the matter the Court ordered that it was privileged and that I notice all recipients to not distribute that letter and delete it, please take this email as my compliance with that Order. Attached is a copy of the Order. The alleged privileged email header that was sent to you is in the prior email below. While I know many of you thought this email was not privileged and that it was threatening and contained information that Ted was breaching his fiduciary duties and misusing trust assets to “protect” himself, even against the advice of counsel, bad decisions by Judge’s do happen. It appears the judge subjectively determined what the contents meant and determined that a letter from Ted to me was somehow inadvertent disclosure of a privileged document, despite the fact that it was never privileged in the first place since it was never sent by Ted to his counsel, the ruling may be precedent setting and wholly invalidate the meaning of attorney client privileged communications to a subjective term depending on what the judge thinks people’s intent are and not the law? Ted’s threats to use trust funds to seek my children’s school records to use against them and threats to deposition and legally harass anyone who may be helping me were also ignored by the judge. I may appeal so I am not sure what you are supposed to do in the meantime with your copies, please consult counsel.

Thanks, eb

From: Eliot Ivan Bernstein [mailto:iviewit@iviewit.tv]
Sent: Friday, May 23, 2014 1:41 PM
To: Maritza Rivera Puccio (maritza_puccio@yahoo.com)
Subject: FW: SERVICE OF COURT DOCUMENT - CASE NUMBER 502012CP004391XXXXSB - OBJECTION TO FINAL ACCOUNTING AND PETITION FOR FORMAL, DETAILED, AUDITED AND FORENSIC ACCOUNTING AND DOCUMENT ANALYSIS

I have been notified by counsel for Theodore Bernstein that there was an email that was not supposed to be sent by me as they claim it was privileged and transmitted by mistake to me, although I am the only recipient. The email in questions title was “Re: SERVICE OF COURT DOCUMENT - CASE NUMBER 502012CP004391XXXXSB - OBJECTION TO FINAL ACCOUNTING AND PETITION FOR FORMAL, DETAILED, AUDITED AND FORENSIC ACCOUNTING AND DOCUMENT ANALYSIS” and had a letter that started “Alan -...” I do not think I can retransmit it to show you which one but the letter appears to be from Alan Rose to Theodore Bernstein. I am obligated under law to make contact with those I sent it to so that they may retrieve the email but I am not sure if that extends any obligation on the receiving party. Anyhoot, as the email threatens my family it appears and others I detest having to request it back but please do whatever you feel the law requires, as cited below;

RULE 1.285.
INADVERTENT DISCLOSURE OF PRIVILEGED MATERIALS
(a)

Assertion of Privilege as to Inadvertently Disclosed Materials.

Any party, person, or entity, after inadvertent disclosure of any materials pursuant to these rules, may thereafter assert any privilege recognized by law as to those materials. This right exists without regard to whether the disclosure was made pursuant to formal demand or informal request. In order to assert the privilege, the party, person, or entity, shall,

within 10 days of actually discovering the inadvertent disclosure, serve written notice of the assertion of privilege on the party to whom the materials were disclosed. The notice shall specify with particularity the materials as to which the privilege is asserted, the nature of the privilege asserted, and the date on which the inadvertent disclosure was actually discovered.

(b)

Duty of the Party Receiving Notice of an Assertion of Privilege. A party receiving notice of an assertion of privilege under subdivision (a) shall promptly return, sequester, or destroy the materials specified in the notice, as well as any copies of the material. The party receiving the notice shall also promptly notify any other party, person, or entity to whom it has disclosed the materials of the fact that the notice has been served and of the effect of this rule. That party shall also take reasonable steps to retrieve the materials disclosed. Nothing herein affects any obligation pursuant to R. Regulating Fla. Bar 4

4.4(b).

(c)

Right to Challenge Assertion of Privilege.

Any party receiving a notice made under subdivision (a) has the right to challenge the assertion of privilege. The grounds for the challenge may include, but are not limited to, the following:

(1) The materials in question are not privileged.

(2) The disclosing party, person, or entity lacks standing to assert the privilege.

(3) The disclosing party, person, or entity has failed to serve timely notice under this rule.

(4) The circumstances surrounding the production or disclosure of the materials warrant a finding that the disclosing party, person, or entity has waived its assertion that the material is protected by a privilege. April 17, 2014 Florida Rules of Civil Procedure

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Any party seeking to challenge the assertion of privilege shall do so by serving notice of its challenge on the party, person, or entity asserting the privilege. Notice of the challenge shall be served within 20 days of service of the original notice given by the disclosing party, person, or entity. The notice of the recipient's challenge shall specify the grounds for the challenge. Failure to serve timely notice of challenge is a waiver of the right to challenge.

(d)

Effect of Determination that Privilege Applies. When an order is entered determining that materials are privileged or that the right to challenge the privilege has been waived, the court shall direct what shall be done with the materials and any copies so as to preserve all rights of appellate review. The recipient of the materials shall also give prompt notice of the court's determination to any other party, person, or entity to whom it had disclosed the materials.

From: Ted Bernstein [<mailto:tbernstein@lifeinsuranceconcepts.com>]

Sent: Thursday, May 22, 2014 10:52 PM

To: Eliot Ivan Bernstein

Subject: Re: SERVICE OF COURT DOCUMENT - CASE NUMBER 502012CP004391XXXXSB - OBJECTION TO FINAL ACCOUNTING AND PETITION FOR FORMAL, DETAILED, AUDITED AND FORENSIC ACCOUNTING AND DOCUMENT ANALYSIS

Alan - I

df>



Eliot Ivan Bernstein

From: Eliot Ivan Bernstein <iviewit@iviewit.tv>
Sent: Tuesday, July 22, 2014 5:39 PM
To: Crystal L Cox (savvybroker@yahoo.com); Crystal L. Cox @ Liquidating Trustee (Crystal@CrystalCox.com)
Subject: FW: SERVICE OF COURT DOCUMENT - CASE NUMBER 502012CP004391XXXXSB - OBJECTION TO FINAL ACCOUNTING AND PETITION FOR FORMAL, DETAILED, AUDITED AND FORENSIC ACCOUNTING AND DOCUMENT ANALYSIS
Attachments: 20140718 Order Regarding Privilege.pdf

Hi, in furtherance to my email below regarding a message sent to you regarding an alleged privileged document, after a hearing regarding the matter the Court ordered that it was privileged and that I notice all recipients to not distribute that letter and delete it, please take this email as my compliance with that Order. Attached is a copy of the Order. The alleged privileged email header that was sent to you is in the prior email below. While I know many of you thought this email was not privileged and that it was threatening and contained information that Ted was breaching his fiduciary duties and misusing trust assets to "protect" himself, even against the advice of counsel, bad decisions by Judge's do happen. It appears the judge subjectively determined what the contents meant and determined that a letter from Ted to me was somehow inadvertent disclosure of a privileged document, despite the fact that it was never privileged in the first place since it was never sent by Ted to his counsel, the ruling may be precedent setting and wholly invalidate the meaning of attorney client privileged communications to a subjective term depending on what the judge thinks people's intent are and not the law? Ted's threats to use trust funds to seek my children's school records to use against them and threats to deposition and legally harass anyone who may be helping me were also ignored by the judge. I may appeal so I am not sure what you are supposed to do in the meantime with your copies, please consult counsel.

Thanks, eb

From: Eliot Ivan Bernstein [mailto:iviewit@iviewit.tv]
Sent: Friday, May 23, 2014 1:41 PM
To: Crystal L Cox (savvybroker@yahoo.com); Crystal L. Cox @ Liquidating Trustee (Crystal@CrystalCox.com)
Subject: FW: SERVICE OF COURT DOCUMENT - CASE NUMBER 502012CP004391XXXXSB - OBJECTION TO FINAL ACCOUNTING AND PETITION FOR FORMAL, DETAILED, AUDITED AND FORENSIC ACCOUNTING AND DOCUMENT ANALYSIS

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