

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;
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).

MOTION IN OPPOSITION TO: 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; MOTION FOR CONTEMPT OF COURT FOR FAILING TO FOLLOW A COURT ORDER

COMES NOW, Eliot Ivan Bernstein (“Eliot”) or (“Petitioner”), 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

ELIOT BERNSTEIN COMPLAINEE WITH COURT ORDER
Monday, August 4, 2014
EXHIBITS

“MOTION IN OPPOSITION TO: 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; MOTION FOR CONTEMPT OF COURT FOR FAILING TO FOLLOW A COURT ORDER” and

in support thereof states, on information and belief, as follows:

1. That Eliot Bernstein states that Theodore Bernstein (“Theodore”) or (“Ted”) is acting ILLEGALLY as alleged Successor Trustee of the Simon Bernstein alleged Amended and Restated Trust, against the very terms of the alleged trust which preclude his acting as Trustee. If Theodore has become successor trustee of the Revocable Trust, he should be removed for many reasons. First, Theodore is ineligible under the very terms of the ALLEGED Revocable Trust to serve as successor trustee.

Article IV, Section C. (3) (Page 16) of the ALLEGED Revocable Trust states:

C. Appointment of Successor Trustee

3. A successor Trustee appointed under this subparagraph **shall not be a Related or Subordinate Party of the trust.** (emphasis added)

2. That Theodore was **specifically** disqualified to be a Successor Trustee by the terms of the ALLEGED Trust. Another provision of the ALLEGED Trust also disqualifies Theodore. Article III E(1) states:

Notwithstanding the foregoing, **for all purposes of this Trust** and the dispositions made hereunder, my children, **TED S. BERNSTEIN**, PAMELA B. SIMON, ELIOT BERNSTEIN, JILL IANTONI and LISA S. FRIEDSTEIN, shall be deemed to have predeceased me ... " (emphasis added)

Therefore, by the very language of the Trust, Ted Bernstein is disqualified by this provision to serve as Successor Trustee.

3. That there has been CRIMINAL FELONY Misconduct in the Shirley and Simon Estates and Trusts

already proven. There are serious allegations of fraud and forgery in the Shirley Bernstein Estate where Ted Bernstein is centrally involved and directly benefited for he and his family from the CRIMINAL FELONY MISCONDUCT. In one instance documents were submitted to the Court bearing notarized signatures of Simon Bernstein on a date after he had passed away. This Court was apprised of these allegations in a hearing conducted September 13, 2013 wherein the Court questioned whether the potential parties involved, including Theodore and his Attorneys at Law Donald Tescher, Esq. ("Tescher") and Robert Spallina, Esq. ("Spallina") should be read their Miranda Rights. (See Transcript of Proceedings, pages 15 and 16, attached as Exhibit """)

Further, the Attorneys at Law for Theodore, Tescher and Spallina have admitted to altering provisions of the Shirley Bernstein Trust which had the effect of benefitting their client Theodore. Ted Bernstein's involvement in such activity involving the Estate of Shirley and Simon should disqualify him from serving as Successor Trustee of the ALLEGED Revocable Trust.

4. That Tescher and Spallina, upon removal as both Fiduciaries and Counsel in the wake of the frauds committed to benefit their client Theodore, allegedly transferred Trusteeship to Theodore and this alleged transfer to a party involved in and who benefits from their fraudulent activities and who would further cover up their crimes for them and himself, is reason alone for this Court to remove Theodore and sanction all those involved in this felonious attempt to continue the frauds in and upon this Court, the Beneficiaries, Interested Parties and Creditors.
5. That Theodore is further not qualified now or ever to be a fiduciary in the Estates and Trusts of Simon and Shirley from a continued pattern and practice of fraudulent activity and breaches of alleged fiduciary duties, including but not limited to,
 - a. Theodore has adverse interests and conflicts of interest that preclude him from acting as

fiduciary.

- i. Theodore and his lineal descendants were wholly disinherited in Estate and Trust documents done in 2008 and only allegedly have been included through the use of forged, fraudulent and legally invalid documents alleged to have been done only weeks before Simon passed. If the alleged 2012 documents and forged and fraudulent documents do not stand up, Theodore and his lineal descendants will be excluded entirely and this puts Theodore in conflict and adverse to other beneficiaries and impairs his ability to be impartial.
- ii. Theodore and his counsel Alan Rose (“Alan”) are both conflicted with and adverse to Eliot Bernstein and his family, as it is through Eliot’s efforts that Theodore’s prior counsel, friends and business associates Tescher and Spallina have been forced out of these proceedings as Fiduciaries and Counsel, arrests of their employees made and where Eliot is pursuing Theodore and Alan with criminal authorities and in state and federal civil actions, which again, impair impartiality, as Theodore and his Counsel Alan both may land in jail and lose their assets if successfully prosecuted in these matters.
- iii. That Theodore and Alan are Respondents in the probate cases in Shirley and Simon’s Estates before this Court and are now also Defendants in a related case recently moved to Your Honor, Case #502014CP002815XXXXSB for claims that directly related to these matters of; CIVIL CONSPIRACY, CIVIL EXTORTION, THEFT, FRAUDULENT CONVERSION, INTENTIONAL INTERFERENCE WITH AN INHERITANCE/EXPECTANCY, CIVIL FRAUD, BREACH OF

FIDUCIARY DUTIES, ABUSE OF PROCESS, LEGAL MALPRACTICE and
EQUITABLE LIEN.

- iv. That Theodore is conflicted with the Creditor William Stansbury's legal claim against the Estate of Simon, as Theodore is the alleged cause of the torts claimed by Stansbury and the Estate and Beneficiaries may make the claim that Theodore and not the Estates and Trusts are WHOLLY responsible for the torts and damages to Stansbury and where evidence shows that Theodore may have benefited solely from the misconduct and Simon was unaware that Stansbury had been defrauded by Ted until approximately six weeks before his sudden and unexpected death. That at that time, Simon and Theodore are alleged to have been at extreme odds with Simon abandoning his offices due to extreme anger witnessed by others of Theodore to Simon over Theodore's exclusion from the Estates and Trusts and his alleged bad faith acts against Stansbury. Stansbury, whom Simon and Shirley loved and trusted, so much so, as to name Stansbury in their 2008 estate plans as the Personal Representative and Trustee over their entire Estates and Trusts and not Theodore and where Stansbury may again be in those fiduciary capacities if Theodore is successfully removed by this Court and the 2012 Will and Amended and Restated Trust of Simon fail due to further alleged fraud, forgery and more.
- v. That Theodore is conflicted with the Estate and Trust of Simon further in that he has now launched a Breach of Contract lawsuit, whereby he is the Plaintiff (putting him directly in conflict with the Estate beneficiaries) personally and as an Alleged Trustee of what he claims to be a "lost" trust of Simon's, and again, this

insurance scheme inures benefits directly to the pocket of Theodore, who again, is completely disinherited from both the 2008 and 2012 Estates and Trusts of Simon and Shirley and without this scheme to deprive the Estate of Simon's Beneficiaries and Creditors would receive nothing.

- b. That there are multiple ongoing investigations into felony criminal misconduct involving Theodore and Alan, including but not limited to, Fraud, Insurance Fraud, Fraud on a State and a Federal Court, Bank Fraud, Theft of Estate and Trust assets of Simon and Shirley, Falsifying Documents, Criminal Breaches of Fiduciary Duties and more, all relating to Simon and Shirley's Estates and Trusts.
- c. That both Theodore and Alan have profited and benefited from aiding and abetting in the advancement of the fraudulent schemes to enrich themselves and primarily Theodore at the expense of Beneficiaries, Interested Parties and Creditors.

- 6. That for all of these reasons, this Court must act as legally obligated on its own motion to remove Theodore and Alan from ALL Fiduciary and Legal capacities they have in both the Estates and Trusts of Simon and Shirley, in order to remove the conflicts and adverse interests and stop further violations of, Attorney Conduct Codes, Judicial Canons, State and Federal Law that are being committed by Fiduciaries and Counsel acting as OFFICERS OF THIS COURT.
- 7. That failure of the Court to remove ALL tentacles from these proceedings of those who participated in, profited and benefited from the prior CRIMINAL MISCONDUCT and FRAUD COMMITTED BY OFFICERS OF THIS COURT THAT HAS OCCURRED IN AND UPON THIS COURT, the BENEFICIARIES, INTERESTED PARTIES AND CREDITORS violates the sanctity of the Court, violates law and judicial canons and denies to due process and procedure to parties.

8. That Eliot demands the Court take Judicial Notice of the criminal misconduct and follow its own rules, act on its own motions to restore order to the Court and impart fair and impartial due process to all parties and begin by removing all TOXIC and VEXATIOUS filings of the Fiduciaries and Counsel acting as OFFICERS OF THIS COURT and STRIKE THIS AND ALL OF THEIR VEXATIOUS AND TOXIC pleadings and stop the further fraud, waste and abuse by those Officers of this Court and alleged Fiduciary knowingly and with scienter continue to act despite their overwhelming conflicts of interests, adverse interests and more that legally preclude their involvement and wholly ignore their duties to withdraw voluntarily upon repeated request.
9. That due to their continued involvement Eliot is forced to respond to this Motion with contempt for the fact that the pleading has been allowed by Officers of the Court that this Court is knowledgeable are not qualified to act in any legal or fiduciary capacities any longer, so allow me to retort.
10. That Theodore Bernstein and Alan Rose in their first paragraph in the TOXIC AND VEXATIOUS Motion for Contempt open in paragraph one by flat out lying to the Court and stating, “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.”
11. That Eliot has NOT published the privileged materials in a pleading or anywhere else, as Eliot only published a link to Internet sites where the email has been published by Crystal Cox Investigative Blogger and “Rip Off Report” and Alan is fully aware that others, NOT ELIOT, published this email all over the web making it a public document. Cox further refuses to comply with Eliot or Alan or this Court’s order claiming privilege, despite Eliot notifying Cox twice of the claim of privilege and

sending her the Court Order as required. Eliot can do nothing else about her actions. The Court's ruling states nothing about using a document that is publically available, only that Eliot should not forward the email.

12. That Alan was notified several times directly by Cox who published it on various sites across the Internet, see **Exhibit 1 - Cox Letters to Alan Regarding Privilege**, explaining she would not comply with any Order or Eliot's requests and that she has a different opinion of the document status as privileged and that she would continue to publish and disseminate the email despite Eliot notifying her twice of the privilege claim and sending the Court's order as required. Cox has invited Alan to sue her or try and stop her and Alan has done nothing to remove the publically available "privileged" email and instead attempts to now convince the Court that Eliot published the email after learning of the privilege claim or in violation of the Court Order when he is fully aware that this is untrue.
13. That the Court in its Order actually stated, "Eliot shall not, from the time of the Court's oral ruling, forward the email to anybody. If Eliot violates this Order, the Court may hold him in contempt of court and consider appropriate remedy for such violation." Eliot has NOT forwarded the email to anybody since the Court's Oral Order and Alan has not advanced ANY claim or evidence that Eliot has but Alan claims in his TOXIC AND VEXATIOUS pleading that again abuses process that Eliot has directly violated the order by trying to state things the Order does NOT state to make it appear that Eliot is uncooperative.
14. That one questions if Alan is so concerned about the publication of the document and trying to keep it a secret why he has not pursued those publishing and disseminating it on the world wide web to remove it under the Order and instead tries to trick the Court that Eliot is the one who published it and mislead the Court that Eliot forwarded the email sent to him by Ted to other parties in a violation

of a Court Order.

15. That if Alan's argument of Contempt for the Order were to hold up in this Court, Alan would be in violation of his own claim of privilege, as he then published the link to the email and used it himself in the instant Contempt Motion and should this too be considered by the Court a violation of the Privilege Order?
16. That Alan and Theodore's second paragraph is also fraught with lies and deceit to this Court as he states,

“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").

That these claims are all factually incorrect and Alan is aware of the fact that Eliot has: (i) provided proof to this Court that he sent notice to everyone he sent a copy of the email to and Alan was served this proof submitted to the Court but fails to mention that in his toxic pleading, see

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

[Estate/20140804FINALSGNEDCOMPLIANCEWITHCOURTORDER.pdf](#) . On August 04, 2014 at

10:09am Alan was served this filing, docketed with the as #219; (ii) Eliot has twice directed those persons he sent the email to, before learning of the privilege claim, to comply with the Order and gave them the statute to comply with as well and attached the Court Order as ordered by the Court.

Alan through clever cut and pasting words instead of a complete sentence fails to notify the Court of

the whole sentence of Eliot's in his Exhibit D, which reads, "I may appeal so I am not sure what you are supposed to do in the meantime with your copies, please consult counsel." Alan tries to twist this statement to say that Eliot did not comply but Exhibit 1 clearly shows Eliot complied with the Court Order and noticed each party to delete the email and comply with the statute attached and the Order and seek counsel regarding what to do awaiting appeal; (iii) Alan has requested that Eliot send the emails he sent to the people from 10:52pm on May 22, 2014 to the time of the hearing held on May 23, 2014 when Eliot first learned that there was a claim of privilege asserted, after Eliot had sent it out and posted it on his social media pages, as already told to Alan and this Court in the Evidentiary Hearing. That after the May 23, 2014 hearing as Eliot told this Court and Alan in the Evidentiary hearing, Eliot deleted all the emails he sent and notified the parties of the claim of privilege and gave them the statutes on May 23, 2014, as Alan's Exhibit D and Eliot's Exhibit 1, clearly show.

Therefore, Eliot cannot send Alan what Alan knows was deleted already and misleads the Court yet again in efforts to convince the Court Eliot is in violation of the Order. Sending that email with the Privileged letter attached to Alan or the Court would have violated the Court Order if the original email still existed, as Eliot would then be forwarding the email to other parties after the Court Order in violation of the Court order.

17. That Theodore and Alan try to convince this Court through these false premises that Eliot has not complied with the Order but Eliot has fully complied with the Order and Alan has shown no evidence in the pleading to the contrary and instead submits exhibits which clearly show Eliot complying with the Order in toto and tries desperately to convince the Court by misleading the Court in toxic and vexatious filings that abuse process.
18. That Theodore and Alan, based on the previous false premises then seek an order from the Court in

Paragraph 3 of the pleading attempting to basically silence Eliot and limit his legal rights by seeking all kinds of remedies from this Court based on his previous false statements. Alan states, “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.”

19. That Alan in Paragraph 3 in fact further states to the Court that Eliot should be banned from the proceedings and even claims Eliot is not a beneficiary of the Will and Trust of Simon, which again, the Court is aware that the current Will and Trust of Simon are challenged as illegitimate and legally invalid and where Alan is aware the Governor Rick Scott's Notary Public Division has already confirmed that the documents were improperly signed and notarized and where Eliot has already posited with the Court evidence that these documents suffer from irreparable flaws in construction and may be further fraudulent and forged documents produced by Tescher and Spallina, the attorneys who enlisted Alan into these matters with their client Ted. Until these fraudulent documents were submitted to the Court, Eliot for years was a 1/3rd beneficiary of the Estates and Trusts of his parents and thus Eliot very well may again be a beneficiary once the Court determines the validity of the documents, Alan noticeably forgets to state to the Court these facts that give Eliot standing in these proceedings and may make Eliot again a one third beneficiary of the Estates and Trusts that Alan is also aware of.
20. That Alan fails to mention that his client Ted is the one who actually is disinherited from the Estates

and Trusts with no standing and considered for all purposes of even the alleged legally void documents PREDECEASED and no matter what scenario of beneficiaries is ruled on by this Court, his client Ted is not a beneficiary at all of anything. Ted and his sister Pam were wholly disinherited in all versions and have been upset about their disinheritances since being tipped off by Tescher and Spallina while Simon was alive that they had been disinherited by their parents and then waged a war against Simon lasting to the day he died trying to force him to make changes. When Simon did not make those changes prior to his death he had POST MORTEM help from the former removed Fiduciaries Tescher and Spallina, their client Theodore and Alan, all acting as Officers of this Court to fraudulently advance changes to the Wills and Trusts of Simon and Shirley, including FRAUDULENTLY ALTERING, FRAUDULENTLY NOTARIZING and FORGING documents for Simon POST MORTEM, as the Court is already well aware of and all in attempts to change the beneficiaries illegally to benefit primarily Theodore.

21. That the only people who should be removed with all their pleadings from these proceedings are Alan and Ted who both participated in these fraudulent activities in efforts to make illegal distributions that benefited Ted the most of all and in part were committed by Ted's ATTORNEYS, Tescher and Spallina, who worked against the interest of the beneficiaries they claimed, the grandchildren, in several fraudulent schemes, to get Ted monies instead of his children by filing alleged FRAUDULENT INSURANCE CLAIMS and more as is evidenced in the Illinois Insurance lawsuit, Case _____.
22. That Alan has even suggested to Eliot that his client and him were considering dropping the 2012 Will and Trust of Simon alleged to be done days before his death, see Exhibit 1 – Page 14, Paragraph 1, while he was suffering severe medical conditions, having hallucinations with severe headaches

(prompting a brain biopsy) and under extreme emotional duress due to pressure of Ted and his sister Pam to make changes or else never see his grandchildren again and reverting back to the prior Wills and Trusts where Eliot is a 1/3rd beneficiary.

23. That Alan then makes more false claims to this Court and seeks an Order from the Court to have Eliot comply with a request for Production and Deposition when he states, “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.”
24. That again, Alan is lying to the Court as Eliot has never refused a deposition and Eliot responded to the production request in Shirley’s estate, which is the only production request filed. Alan has raised no objection to the filing but claims Eliot has failed to comply.
25. That further the Court Order actually states, “2. Eliot Bernstein shall appear for deposition at a mutually agreeable date and time, prior to the hearing on Eliot's pending motions/petitions.” That Eliot has told Alan after his request for Deposition that Eliot was already planned to have dental work done over several weeks that would require medications and showed Alan proof that he already had this work planned for months. Eliot sent Alan a Petition to this Court whereby he requested an extension of time to file an Answer and Counter Complaint to the related Oppenheimer matter now before this Court and provided the Doctors name and number to confirm the work being done. Eliot informed Alan that since there were no hearings scheduled to hear Eliot’s pending motions/petitions that it would be best to wait until after the procedures and after Eliot was off the medications provided to take a deposition and that he would be happy to schedule once completed. Yet Alan knowing this all too well still attempts again to mislead the Court and spin things to appear that Eliot

is uncooperative or violating Court orders.

26. That Alan points to his request for deposition made after knowing of Eliot medical condition, see Alan's Exhibit F, even after knowing Eliot's medical treatment was underway and again lies to the Court that Eliot failed to respond to his requests and was refusing deposition. Eliot responded to an email of Alan's requesting a deposition on July 14, 2014, see **Exhibit ___ - Eliot First Response** to Alan Request for Deposition. Alan has since asked and threatened a deposition repeatedly during the time he is aware of Eliot's medical treatment despite knowing of this to build a false record for the Court. On August 04, 2014 Eliot received yet another email demanding deposition and Eliot responded two days later after recovering from 5 hours of dental work on August 04, 2014 responding to his requests on August 06, 2014 at 4:21pm, see **Exhibit ___ - Eliot Letter to Alan Re Deposition**, whereby Alan then rushed to file his Contempt Motion with the Court at 4:37pm on August 06, 2014 without disclosing to the Court that Eliot had responded to his prior requests for deposition prior to the filing of his VEXATIOUS Contempt Motion claiming Eliot was uncooperative despite knowing Eliot had never refused a deposition or failed to properly respond.
27. That since filing his Contempt Motion Alan has made no notice to correct this false statement to the Court and acknowledge that he did receive cooperative responses from Eliot and that Eliot in no way was refusing any deposition and had already complied with the production request filed in Shirley's estate. Further, the Court Ordered that Eliot take a deposition prior to any scheduled hearings of Eliot's pleadings and since that time there have been none scheduled so what is the rush and rush to build a case against Eliot for failing to cooperate?
28. That Alan again stretches the imagination when he states next, "5. Movant seeks an order overruling Eliot Bernstein's Objections to discovery and compelling him to produce responsive documents

within 10 days.”

29. That Eliot has not made any Objections to discovery and again complied with the production request filed with the Court in Shirley’s estate (the only production request made of him) as ordered by the Court, see “Response to Production Request and Request for Protective Order” filed with this Court in Shirley’s Estate @

<http://www.iviewit.tv/Simon%20and%20Shirley%20Estate/20140630PRODUCTIONANDREQUES>

[TFORPROTECTIVEORDER.pdf](#) but Alan again hopes this Court is asleep and did not see Eliot’s filing in compliance, which Alan also was served a copy of.

30. Paragraph 6 of Alan’s Motion attempts to further silence Eliot by creating another bizarre web of lies that claims that Eliot is sending Court pleadings improperly to all of his law firm members without reason, instead of to lawyers designated to receive the new Counter Complaint and pleadings regarding the probate cases. However, Eliot pointed out to Alan in his August 06, 2014 email to him already exhibited herein that Eliot is serving the people in his office, as they are being sued by Eliot in the Counter Complaint and the fact that they are all Respondents as well in the Probate matters and none of them, including Alan, have told Eliot who their counsel is going to be for several months despite Eliot’s repeated requests for that information. Eliot in fact stated to Alan, again prior to his filing the Contempt Motion, in response to his request to cease sending his partners et al. the pleadings, see Exhibit 1 herein,

I am suing you and each of your partners, associates of counsel and the firm in the Oppenheimer case and you are all respondents in the Estates of Shirley and Simon as well as the firm and so I am serving them as required. Please notify me of who will be representing each of them individually and professionally and who will be representing the firm and I can notify their counsel forward instead of them individually. Also, will you be representing yourself Pro Se

individually or professionally as a respondent in the probate cases and Oppenheimer counter?

Again, Alan fails to include this information in his filing with the Court or supplement his filing knowing of this information that makes his points moot.

31. That Alan also attempts to claim that Eliot is sending things to Brian O'Connell, the new Personal Representative of Simon's Estate that replaced Theodore's former counsel Tescher and Spallina that do not relate to matters that Brian is involved with. This claim is also wholly unsupported and just Alan's myopic view as no information is tendered to the Court in support of his claim.
32. That the Court should note that virtually all of the hundreds of thousands of dollars of legal bills already expended in these matters from the Estates and Trusts has come from Alan and those who retained him, namely Theodore, Spallina and Tescher, all billing legal fees for a multiplicity of Frauds, Forgeries and Altering Estate and Trust documents and other criminal acts that all have cost innocent parties of their crimes a fortune. This while they have continuously lied to the Court and Beneficiaries and made knowingly vexatious and false pleadings and attacks on Eliot before being busted and this is what has cost everyone else time, effort and monies in efforts to prove they had committed criminal acts.
33. That Alan was centrally involved in the effort to make illegal distributions to parties based on the fraudulent scheme to change beneficiaries committed by the former PR's, Trustees and Counsel in the Simon estate and as will be evidenced herein, continues to try and advance these fraudulent schemes.
34. That Alan's constant contact with the prior Curator Benjamin Brown resulted in almost half of the billable hours expended by Benjamin Brown in dealing with parties involved in the matter and yet Alan tries to spin this with the Court that Eliot is the one inflating the legal billings. In fact, Eliot has

worked Pro Se and saved the Estates and Trusts considerable legal fees and his efforts have exposed that OFFICERS OF THIS COURT have COMMITTED and ADMITTED to FELONY CRIMINAL ACTS and more.

35. That it is Ted and his minion of Attorneys at Law who are involved directly in the criminal acts that have cost the Estates and Trusts hundreds of thousands of dollars in advancing fraudulent schemes and then hundreds of thousands more exposing how they are now trying to cover up those crimes through further frauds on the Courts, Beneficiaries and Interested Parties.

36. That in fact, despite knowing of the illegal distributions already made using the fraudulent documents and schemes, Alan recently again tried to get Eliot to take the illegal distributions by extorting him using his children's school tuitions as the basis of the extortion this time and even other Attorneys at Law are catching on to his schemes as illustrated in the Creditor Stansbury's counsel, Peter Feaman, Esq.'s letter to Alan in response to his scheme, see [Exhibit ____, Feaman Letter to Alan](#), whereby Feaman states,

My client tells me there are numerous witnesses who know that it was Simon's intent to provide for the St. Andrews schooling for Eliot's children. Heck, the house he bought for Eliot is within walking distance of the school! Whatever differences there are between Ted and Eliot, the grandkids should not be used as pawns. There is money to pay for the grandchildren's education. Stop playing games and get this done. At the end of the day, an adjustment can be made if necessary, but stop putting the kids in the middle.

37. That Alan's attempt to extort Eliot by using his children's schooling as hostage and force him to either take the distributions illegally or else his children would be forced out of school has been brought to this Court's attention in a yet another unheard pleading filed, see

<http://www.iviewit.tv/Simon%20and%20Shirley%20Estate/20140804EMERGENCYMOTIONFORI>

[INTERIMDISTRIBUTIONS.pdf](#) and this Court's docketing of that filing, **Docket # _____** to learn of the continued and ongoing Pattern and Practice of Fraud and Extortion being committed by Alan and Ted against Eliot, his three minor children and lovely wife Candice.

38. This time Alan tries to trick Eliot into a meeting to extort him to take KNOWINGLY ILLEGAL DISTRIBUTIONS TO IMPROPER PARTIES in a meeting Alan tries to claim is about a settlement, when the meeting was only to get a yes or no on if the ALLEGED Trustee Ted would make interim distributions as he has done in the past for Eliot's children's school as provided for the in the ALLEGED trust he operates under. Alan in fact cites to Eliot a law that he has knowingly fabricated by adding language to the law to make it appear that the meeting could not be used in any way in Court or elsewhere hoping Eliot as a Pro Se litigant would not fact check his legal citing and would comply with Alan's misrepresented law and be forced to keep the extortionary attempt in the dark.
39. That Alan's email to Eliot, **see Exhibit _____** clearly shows that despite knowing that Shirley's beneficiaries were altered through illegal activity and despite the fact that the beneficiaries are now not known due to the fraud (again costing everyone a fortune to defend and expose), Alan tries to use Eliot's children's school tuition to extort him to take the monies illegally or else the children will be thrown out of school. Alan in his letter even claims he is aware the beneficiaries are not known at this time but in a last ditch effort to get Eliot to partake in illegal distributions, picks up where Spallina and Tescher's extortion of Eliot left off, as he demands Eliot take the distributions to the improper beneficiaries instead of as Eliot suggested as Interim Distribution until the Court rules on who the ultimate beneficiaries will be and then deduct it from that party, either Eliot or his children. All this effort to have Eliot in desperation to keep his kids in the school they were put in by his parents and paid for by them for virtually their entire lives, accept the distributions illegally to gain

an implied consent of sorts and participate in the crime leaving him no recourse against those who already took KNOWINGLY improper and illegal distributions. This is the same tactic that was tried by Tescher and Spallina before they finally admitted to altering trust documents to make the illegal distributions to improper parties and more.

40. That after failing to gain the implied consent and forcing Eliot's children to miss their re-enrollment in school, Alan now tries to file for a reconstruction of Shirley's Trust, through yet another TOXIC FRIVOLOUS VEXATIOUS filing and waste more of everyone's time and money, in a new effort to now attempt to change the Shirley Trust to fit the crime of the illegal distributions already taken, despite knowing that Tescher and Spallina who drafted the documents have admitted to Palm Beach County Sheriff Officers that the change to Shirley's class of beneficiaries could not be made after she died by Simon. Yet, we will all waste more time and effort for this next FRAUD ON THE COURT AND FRAUD ON THE BENEFICIARIES, INTERESTED PARTIES and CREDITOR put forth in attempts to cover up for the crimes Alan and Ted and their former partners in crime Tescher and Spallina have already committed.
41. That the remainder of Paragraph 6 attempts to stop Eliot from exposing Alan and the crimes committed in these matters to the world because Eliot is sending public documents to the public, such as the pleadings in the case, which are not protected at all. Alan however must try to convince the Court that they somehow are, while citing no examples of Eliot doing anything illegal or wrong by sending public documents or documents in Eliot's possession to any party he so chooses, this attempt because Alan would like all his actions and everything happening in this Court that exposes the grotesqueness of the crimes veiled in a cloak of secrecy going forward.
42. That Alan Rose's Motion is fraught with lies and continues a pattern and practice in these matters of

Fraud on the Court through vexatious and costly pleadings.

43. That Alan Rose, his client Theodore and his legal cohorts have wasted in the past over \$30,000 of legal costs alone for trying to claim a KIA Sole that cost \$14,000 as personal property of the Estate of Simon, when they knew along it was a gift to Simon's grandson for his birthday, only to then withdrew their toxic pleading after months of expending everyone's time and monies defending their claims and on the day of the Court hearing conceded to allow the transfer of the vehicle to the rightful owner without a fight. This withdrawal coming after over a year of holding the car as hostage in an extortion scheme already pled before the Court to force Eliot to take knowingly ILLEGAL and IMPROPER distributions in order to get the car turned over to his 16 year old son who suffered much damage from the loss of his vehicle that precluded him from driving to school, school related activities and a job, all interfering with his future and making him very depressed. That this scheme also cost the Creditor Stansbury considerable legal fees and others.
44. That Alan Rose then put in a Petition to make Theodore his client the Curator of the Estate of Simon despite knowing of his irrefutable, conflicts of interests, adverse interests and a host of other solid reasons Ted could not be a fiduciary, which the Court rejected for solid reasons and instead appointed Benjamin Brown instead. Yet again, everyone involved had to expend considerable resources defending this vexatious frivolous pleading to make Ted a fiduciary when Alan was fully aware all along of the many problems that preclude Ted from being a fiduciary in the Estates and Trusts of Shirley and Simon. Yet, Alan proceeded to waste everyone's time again and this proceeding cost the Estates, Trusts, Eliot, the Creditor Stansbury and others thousands upon thousands in legal fees.
45. That Alan Rose then put in a Petition to make Theodore his client the PR of Simon's Estate, which

the Court urged both Alan and Ted to withdraw TWICE at the hearing or face sanctions if they lost and again, while standing before the Court ready to argue his motion he turned to his Client Ted and convinced him to withdraw the pleading and they did. Again, not until enormous time, money and energy was spent by everyone to show up and have defenses and counsel present in troves only to watch Alan withdraw his TOXIC, VEXATIOUS AND FRIVOLOUS pleading while standing before the Court to present it.

46. That the question now becomes when will this Court on its own Motion or those filed by Eliot and the Creditor Stansbury stop these Frauds on the Court, again being committed by Officers of the Court who were directly involved in and directly benefited from the prior frauds and stop their ongoing attempts to cover up their crimes through further fraud, waste and abuse of process and rid the Court of everyone who was involved in the prior frauds, as is required by law when Fraud Upon the Court has been proven, in order to clean up the Court and provide for fair and impartial due process free of the fraudsters?
47. That the Court should note that all of these PROVEN AND ADMITTED FRAUDS on this Court, the Beneficiaries and the Interested Parties have ALL been committed through legal process abuse by OFFICERS OF THIS COURT and FIDUCIARIES APPROVED BY THIS COURT and yet this Court allows those involved and under investigation to continue to act as Fiduciaries and Counsel in the matters despite KNOWING THESE FACTS. What can one expect in this Court with a succession of those involved in the crimes to continue to act before the Court in various capacities but more criminal acts to continue in efforts to cover up the prior frauds they benefited directly from and further looting of the Estates and Trusts and further harassment and abuse of Eliot.
48. That Alan Rose and Theodore now pick up and continue the Pattern and Practice of Harassment,

Extortion, Illegal Distributions of Estate and Trust funds, Fraud on the Court, Fraud on Beneficiaries and Fraud on Creditors and more committed by the prior PR's, Trustees and Counsel in the Estate and Trusts of Simon and Shirley, Tescher and Spallina, who have been removed from these matters after much time, effort and costs to Petitioner and others to expose their crimes.

49. That Ted has brought ALL of these people into the Estates and Trusts who have all BLED THE ESTATE of hundreds of thousands in legal fees already and where Ted and his cohorts have benefited and continue to benefit at the expense of everyone else involved. Again, WHEN WILL THE COURT PUT AN END TO THE FRAUDS BEING COMMITTED BY OFFICERS OF THE COURT and remove them on the Court's own motion? The Court can no longer look the other way or wait for Pro Se Eliot to file pleadings and have hearings when the Court has legal obligations to act on its own motion to stop the FRAUD, WASTE and ABUSE in its own Court. This Court allowing Ted and Alan to continue to act as fiduciaries and counsel before the Court can only be viewed by the victims as aiding and abetting the crimes and attempting to cover up the crimes that took place in this Court, especially where all these felony crimes occurred in this Court by Officers and Fiduciaries that are under the tutelage of this Court and Your Honor.

MOTION FOR CONTEMPT OF COURT FOR FAILING TO FOLLOW A COURT ORDER

50. That Alan and his client Ted have failed to follow the Court's Order, **see Exhibit ___ or www.iviewit.tv** for an inventory of the Estate assets of Simon, after learning that Estate assets were missing and unaccounted for and where it appears that Ted and others have stolen off with them. The Court was told in a hearing that furnishings of Simon's estate that were held in a Condominium held in Shirley's Trust were moved to Simon's other residence when the Condominium was sold. Despite their claim that the furniture was moved no records of such transaction were turned over by

Spallina and Tescher in their fraudulent accounting ordered by the Court upon their termination in these proceedings. This is what led to the Court ordering another inventory with an appraiser to validate that the items had actually been moved to the other residence.

51. That Ted is alleging to be the Trustee of Shirley's Trust and knows he is responsible for those assets of Simon's contained therein as he was informed of this by Spallina, see **Exhibit ___ Spallina Letter to Ted Regarding Protecting Contents of Condo.**
52. That after telling the Court that the furniture was moved and then knowing they were again going to be busted if the Court Order was complied with, Donald Tescher in his deposition done by Alan, see **Exhibit ___**, then claimed the contents may have been sold with the Condominium without any accounting for the property to beneficiaries or anyone and where further evidence will prove that this claim is also untrue as the Condominium was sold without any personal properties listed as part of the transaction.
53. That when their stories did not work, they then claimed that the Court ORDER could not be complied with because the items were boxed in the garage and this somehow made them unaccountable for and with each claim being proven false they continue to try and make up new explanations for where the missing items went and continue to defy the Court Ordered Inspection.
54. That it is alleged that Ted took the possessions to his own second home and then sold that home after selling the Condominium with the contents owned by Simon's Estate in them as part of a further elaborate scheme to steal millions of dollars of assets and/or Ted disposed of these properties in other ways for his own personal gain as no beneficiaries were notified of any such sale of these items. Again, this Court and everyone else involved are wasting precious time, effort and monies to expose these nonstop frauds and thefts, all again being perpetrated by Officers of this Court who again

appear to have lied to this Court and now fail to follow the Court's Order.

55. That Eliot will be filing yet another criminal complaint for this GRANDTHEFT and again recruiting law enforcement efforts to hunt down the missing items and contact all those parties involved in the transactions that Ted, Alan and others did regarding the ILLEGAL sale of the Condominium and the subsequent missing properties of Simon's Estate.
56. That other crimes alleged and under investigation regarding the sale of the Condominium include Ted signing documents as the PR of Shirley's Estate to make the sale complete when he was not appointed as the Personal Representative at the time he made the sale and signed the documents in that fiduciary capacity.
57. That Ted at the time of the sale knew the Estate of his mother had been closed illegally through a Fraud on the Court using his deceased father as PR to close the Estate and knew no Successor PR was ever appointed by this Court due to that Fraud. Again, this closing the Estate of Shirley with a DEAD Personal Representative was all part of an elaborate FRAUD ON THE COURT by OFFICERS of the Court that has already been proven in this Court.
58. That this Court will remember in the September 13, 2013 hearing that Your Honor upon learning of this Fraud on the Court and Fraud on the Beneficiaries using a dead PR to close an estate as if alive to then attempt to enact fraudulent changes to the beneficiaries stated that you had enough evidence at that time, almost a year ago, to read Ted, Spallina and Tescher their Miranda rights, **see Exhibit _____**.
59. That Your Honor will also remember that it was proven that POST MORTEM FORGED documents for Simon were tendered to this Court as part of the elaborate scheme to change beneficiaries by Ted's counsel that directly benefited Ted the most, to the disadvantage of beneficiaries, which upon

learning of this fact, the Court issued a second statement that it had enough to read them their Miranda warnings and again the Court instead let them walk out the door and continue to practice law, exposing the general public to these lawyers who have committed felony crimes in these proceedings.

60. That further in the September 13, 2013 hearing it was further stated by Spallina that Moran's forgeries and fraudulent notarizations were a one off event and he knew of nothing else wrong in the Estates and Trusts, while knowing and CONCEALING FROM THE COURT that he and his partner Tescher had committed yet another FELONY CRIME by FRAUDULENTLY ALTERING TRUST documents that they failed to notify the Court of at that time and lied. Spallina, only later, in January 2014 would confess to Palm Beach County Sheriff investigators that he and his partner Tescher had known they could not change the Shirley Trust beneficiaries and had discussed their options and determined they would alter documents to perpetrate the fraud further, Spallina then admitting that he ALTERED TRUST DOCUMENTS with scienter.
61. That again Spallina's confession only came when he and Tescher knew they were busted from Eliot's Pro Se pleadings and Eliot and Candice's excellent investigatory efforts that exposed the crime. Again, the confession came only after everyone, including this Court, the Palm Beach County Sheriff's office, the Governor Rick Scott's Notary Public Division, the State Attorney, the Beneficiaries and Interested Parties, wasted hundreds of thousands of dollars having to force the confession. That Eliot questions the truthfulness of the confession as well, as it appears that it was carefully crafted and fraught with further perjured statements to try and cover up their crime as best they could.
62. That Eliot again apologizes to the Court for having to file a lengthy pleading to unravel the web of

lies and deceit in Alan's toxic and vexatious pleadings that are all further an abuse of process but there are just so many false statements and attempts to twist things around to somehow now that they are all busted make Eliot, the victim of the crimes already proven and admitted, look like the bad guy to the Court and it takes a lot of time to explain and unravel each of these schemes to this Court. Again, Alan and Ted costing everyone time and money on vexatious and frivolous filings that abuse process.

Wherefore, Eliot requests this Court enter an Order for all of the following:

- i. That Eliot requests this Court reject all of the claims for relief for Contempt filed by Theodore and Alan and instead sanction and perhaps read Ted and Alan their Miranda rights for their continued efforts to propagate Fraud on this Court and Fraud on, the Beneficiaries, Interested Parties and others.
- ii. That this Court remove Ted and his counsel Alan from these proceedings and strip them of any fiduciary capacities as Officers of this Court.
- iii. That this Court STRIKE all filings and pleadings made by Ted and Alan to this Court as they were made when Ted and Alan know of their conflicts of interest, their adverse interests and other reasons disqualifying them from the proceedings and fail to voluntarily withdraw upon repeated requests.
- iv. That this Court find Ted and Alan in contempt of Court and Order an immediate inventory of the missing items, whereby Eliot and others can take a proper inventory of all the missing items and what remains and determine if other personal properties of the beneficiaries have been stolen off with.

Filed on Monday, August 4, 2014,

ELIOT BERNSTEIN COMPLAINT WITH COURT ORDER
Monday, August 4, 2014
EXHIBITS

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, Monday, August 4, 2014

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

X_____

SERVICE LIST

RESPONDENT PERSONALLY, PROFESSIONALLY, AS A GUARDIAN AND TRUSTEE FOR MINOR/ADULT CHILDREN, AS AN ALLEGED TRUSTEE AND ALLEGED PERSONAL REPRESENTATIVE Theodore Stuart Bernstein Life Insurance Concepts 950 Peninsula Corporate Circle, Suite 3010 Boca Raton, Florida 33487 tbernstein@lifeinsuranceconcepts.com	RESPONDENT INDIVIDUALLY, PROFESSIONALLY AND LAW FIRM and COUNSEL TO THEODORE BERNSTEIN IN VARIOUS CAPACITIES 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 and	RESPONDENT INDIVIDUALLY, PROFESSIONALLY AND LAW FIRM and COUNSEL TO THEODORE BERNSTEIN IN VARIOUS CAPACITIES 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 john@pankauskilawfirm.com	RESPONDENT INDIVIDUALLY, PROFESSIONALLY AND LAW FIRM AND AS FORMER COUNSEL TO THEODORE BERNSTEIN IN VARIOUS CAPACITIES Robert L. Spallina, Esq., Tescher & Spallina, P.A. Boca Village Corporate Center I 4855 Technology Way Suite 720 Boca Raton, FL 33431 rspallina@tescherspallina.com
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ELIOT BERNSTEIN COMPLAINT WITH COURT ORDER
Monday, August 4, 2014
EXHIBITS

	arose@mrachek-law.com mchandler@mrachek-law.com cklein@mrachek-law.com lmrachek@mrachek-law.com rfitzgerald@mrachek-law.com skonopka@mrachek-law.com dthomas@mrachek-law.com gweiss@mrachek-law.com jbaker@mrachek-law.com mchandler@mrachek-law.com lchristian@mrachek-law.com tclarke@mrachek-law.com gdavies@mrachek-law.com pgillman@mrachek-law.com dkelly@mrachek-law.com cklein@mrachek-law.com lwilliamson@mrachek-law.com		kmoran@tescherspallina.com ddustin@tescherspallina.com
<p>RESPONDENT INDIVIDUALLY AND AS GUARDIAN AND TRUSTEE OF HER MINOR CHILD</p> <p>Pamela Beth Simon 950 N. Michigan Avenue Apartment 2603 Chicago, IL 60611 psimon@stpcorp.com</p>	<p>COUNSEL FOR LIMITED APPEARANCE representing Mr. Tescher in connection with his Petition for Designation and Discharge as Co-Personal Representative of the Estate of Simon L. Bernstein, deceased.</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 martin@kolawyers.com</p>	<p>RESPONDENT INDIVIDUALLY, PROFESSIONALLY AND LAW FIRM and FORMER WITHDRAWN COUNSEL TO THEODORE BERNSTEIN IN VARIOUS CAPACITIES, NO NOTICES OF APPEARANCES</p> <p>Mark R. Manceri, Esq., and Mark R. Manceri, P.A., 2929 East Commercial Boulevard Suite 702 Fort Lauderdale, FL 33308 mrmlaw@comcast.net mrmlaw1@gmail.com</p>	<p>RESPONDENT INDIVIDUALLY, PROFESSIONALLY AND LAW FIRM AND AS FORMER COUNSEL TO THEODORE BERNSTEIN IN VARIOUS CAPACITIES</p> <p>Donald Tescher, Esq., Tescher & Spallina, P.A. Boca Village Corporate Center I 4855 Technology Way Suite 720 Boca Raton, FL 33431 dtescher@tescherspallina.com ddustin@tescherspallina.com kmoran@tescherspallina.com</p>

<p>RESPONDENT INDIVIDUALLY AND AS GUARDIAN AND TRUSTEE OF HER MINOR CHILD</p> <p>Jill Iantoni 2101 Magnolia Lane Highland Park, IL 60035 jilliantoni@gmail.com</p>	<p>COUNSEL TO CREDITOR WILLIAM STANSBURY</p> <p>Peter Feaman, Esquire Peter M. Feaman, P.A. 3615 Boynton Beach Blvd. Boynton Beach, FL 33436 pfeaman@feamanlaw.com service@feamanlaw.com mkoskey@feamanlaw.com</p>	<p>COURT APPROVED CURATOR TO REPLACE THE REMOVED FORMER PERSONAL REPRESENTATIVES/CO-TRUSTEES/COUNSEL TO THEMSELVES AS FIDUCIARIES TESCHER AND SPALLINA</p> <p>Benjamin Brown, Esq., Thornton B Henry, Esq., and Peter Matwiczyn Matwiczyn & Brown, LLP 625 No. Flagler Drive Suite 401 West Palm Beach, FL 33401 bbrown@matbrolaw.com attorneys@matbrolaw.com bhenry@matbrolaw.com pmatwiczyn@matbrolaw.com</p>	<p>COUNSEL FOR JILL IANTONI and LISA FRIEDSTEIN</p> <p>William M. Pearson, Esq. P.O. Box 1076 Miami, FL 33149 wpearsonlaw@bellsouth.net</p>
<p>RESPONDENT INDIVIDUALLY AND AS GUARDIAN AND TRUSTEE OF HER MINOR CHILD</p> <p>Lisa Friedstein 2142 Churchill Lane Highland Park, IL 60035 Lisa@friedsteins.com lisa.friedstein@gmail.com lisa@friedsteins.com</p>	<p>COUNSEL FOR JILL IANTONI and LISA FRIEDSTEIN</p> <p>William H. Glasko, Esq. Golden Cowan, P.A. 1734 South Dixie Highway Palmetto Bay, FL 33157 bill@palmettobaylaw.com eservice@palmettobaylaw.com mtimealy@gcprobatelaw.com</p>	<p>RESPONDENT – ADULT CHILD</p> <p>Alexandra Bernstein 3000 Washington Blvd, Apt 424 Arlington, VA, 22201 alb07c@gmail.com</p>	<p>RESPONDENT/ARRESTED AND CONVICTED OF FRAUD AND ADMITTED TO FORGERY OF SIX SIGNATURES, INCLUDING POST MORTEM FOR SIMON/HAS HAD NOTARY PUBLIC LICENSE REVOKED BY FLORIDA GOVERNOR RICK SCOTT NOTARY PUBLIC DIVISION. *See notes</p> <p>Kimberly Moran kmoran@tescherspallina.com</p>
<p>RESPONDENT – ADULT CHILD</p> <p>Eric Bernstein 2231 Bloods Grove Circle Delray Beach, FL 33445 eberstein@lifeinsuranceconcepts.com edb07@fsu.edu edb07fsu@gmail.com</p>	<p>RESPONDENT – INITIALLY MINOR CHILD AND NOW ADULT CHILD</p> <p>Michael Bernstein 2231 Bloods Grove Circle Delray Beach, FL 33445 mchl_bernstein@yahoo.com</p>		<p>COUNSEL TO ALEXANDRA, ERIC AND MICHAEL BERNSTEIN AND MOLLY SIMON</p> <p>John P Morrissey, Esq. John P. Morrissey, P.A. 330 Clematis Street Suite 213 West Palm Beach, FL 33401 john@jmorrisseylaw.com</p>

<p>RESPONDENT – ADULT STEPSON TO THEODORE</p> <p>Matt Logan 2231 Bloods Grove Circle Delray Beach, FL 33445 matl89@aol.com</p>	<p>RESPONDENTS – MINOR CHILDREN OF PETITIONER 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>RESPONDENT – MINOR CHILD</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>	
<p>RESPONDENT/REPRIMANDED BY FLORIDA GOVERNOR RICK SCOTT NOTARY PUBLIC DIVISION FOR FAILING TO NOTARIZE AN ALLEGED 2012 WILL AND TRUST OF SIMON AND SIGNING NOTARY UNDER FALSE NAME</p> <p>Lindsay Baxley aka Lindsay Giles lindsay@lifeinsuranceconcepts.com</p>	<p>RESPONDENT MINOR CHILDREN</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>RESPONDENT – MINOR CHILD INITIALLY NOW ADULT CHILD</p> <p>Molly Simon 1731 N. Old Pueblo Drive Tucson, AZ 85745 molly.simon1203@gmail.com</p>	

EXHIBIT 1 – PROOF OF COMPLIANCE

ELIOT BERNSTEIN COMPLAINEE WITH COURT ORDER
Monday, August 4, 2014
EXHIBITS