

CIVIL ACTION SUMMONS

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

Case No. 502014CP003698XXXXSB

Eliot Ivan Bernstein, Individually;  
Eliot Bernstein in his capacity as  
Natural Guardian of his  
minor children, Joshua, Jacob and Daniel;  
and as beneficiary of the alleged Shirley  
Bernstein Trust dated May 20, 2008, as  
amended and Eliot Bernstein as Trustee of the  
Eliot Bernstein Family Trust dated May 20,  
2008,

Honorable Martin Colin

Jury Trial Requested

Counter Plaintiff,

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;  
Gutter Chaves Josepher Rubin Forman Fleisher Miller, P.A.;  
Theodore Stuart Bernstein, Individually;  
Theodore Stuart Bernstein, as alleged Trustee of the Shirley Trust;  
Theodore Bernstein as Personal Representative of the Shirley Estate;  
Lisa Sue Friedstein, Individually;  
Jill Marla Iantoni, Individually;  
Pamela Beth Simon, Individually;  
Mark Manceri, Esq., Personally;  
Mark Manceri, Esq., Professionally;  
Mark R. Manceri, P.A., and all Partners, Associates and of Counsel;  
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;  
“Simon L. Bernstein Amended and Restated Trust Agreement” Dated July 25, 2012;  
Simon Bernstein Trust Agreement Dated May 20th 2008;  
Shirley Bernstein Trust Agreement Dated May 20th 2008;  
The Estate of Simon Bernstein;  
The Estate of Shirley Bernstein;  
SIMON L. BERNSTEIN IRREVOCABLE TRUST AGREEMENT (2008);  
SIMON BERNSTEIN IRREVOCABLE TRUST U/A 9/7/06;  
SHIRLEY BERNSTEIN IRREVOCABLE TRUST U/A 9/7/06;  
SHIRLEY BERNSTEIN IRREVOCABLE TRUST AGREEMENT (2008);  
SIMON BERNSTEIN IRREVOCABLE INSURANCE TRUST DATED 6/21/1995;

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SIMON BERNSTEIN 2000 INSURANCE TRUST (dated August 15, 2000);  
SHIRLEY BERNSTEIN 2000 INSURANCE TRUST (DATED AUGUST 15, 2000);  
Trust f/b/o Joshua Bernstein under the Simon L. Bernstein Trust dtd 9/13/2012;  
Trust f/b/o Daniel Bernstein under the Simon L. Bernstein Trust dtd 9/13/2012;  
Trust f/b/o Jake Bernstein under the Simon L. Bernstein Trust dtd 9/13/2012;  
ELIOT BERNSTEIN FAMILY TRUST DATED MAY 20, 2008;  
DANIEL BERNSTEIN IRREVOCABLE TRUST DATED SEPTEMBER 7, 2006;  
JAKE BERNSTEIN IRREVOCABLE TRUST DATED SEPTEMBER 7, 2006;  
JOSHUA Z. BERNSTEIN IRREVOCABLE TRUST DATED SEPTEMBER 7, 2006;  
DANIEL BERNSTEIN IRREVOCABLE TRUST 07-JUL-10 049738;  
JAKE BERNSTEIN IRREVOCABLE TRUST 07-JUL-10 0497381;  
JOSHUA Z BERNSTEIN IRREVOCABLE TRUST 07-JUL-10 0497381;  
John and Jane Doe's (1-5000),

Counter Defendants,

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Judge Martin Colin, Personally;  
Judge Martin Colin, Professionally;  
Judge David French, personally;  
Judge David French, professionally;

Material and Fact Witnesses who may  
become Defendants in any amended  
complaint.

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**SUMMONS**  
**IMPORTANT**

A lawsuit has been filed against you. You have (20) calendar days after this summons is served on you to file a written response to the attached Complaint with the Clerk of this Court. A phone call will not protect you.

Your written response, including the case number given above and the names of the parties, must be filed if you want the court to hear your side of the case. If you do not file your response on time, you may lose the case, and your wages, money, and property may thereafter be taken without further warning from the court. There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may call an attorney referral service or a legal aid office which is listed in the phone book.

If you choose to file a written response yourself, at the same time you file your written response to the Court you must also mail or hand deliver a copy of your written response to the Plaintiff/Plaintiffs attorney named below.

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THE STATE OF FLORIDA

To Each Sheriff of the State:

YOU ARE COMMANDED to serve this summons and a copy of the complaint in this action on Defendant

Alan B. Rose, Esq. – Personally;  
Alan B. Rose, Esq. – Professionally;  
Alan B. Rose, Esq., as a Partner at the Law Firm of  
Page, Mrachek, Fitzgerald & Rose, P.A.  
505 South Flagler Drive, Suite 600  
West Palm Beach, Florida 33401  
(561) 355-6991

Each Defendant is required to serve written defenses to the Complaint on Plaintiffs Attorney, whose address is:

Eliot Ivan Bernstein, Pro Se  
2753 NW 34th St.  
Boca Raton, FL 33434  
(561) 245-8588

E-mail designations:

Primary: iviewit@iviewit.tv  
Secondary: tourcandy@gmail.com  
iviewit@gmail.com

within twenty (20) calendar days after service of this Summons is served on that Defendant, exclusive of the day of service, and to file the original of the defenses with the Clerk of this Court either before service on Plaintiffs' attorney or immediately thereafter. If a Defendant fails to do so, a default will be entered against that Defendant for the relief demanded in the complaint or petition.

DATED: \_\_\_\_\_, 2014.

SHARON R. BOCK  
CLERK & COMPTROLLER

BY: \_\_\_\_\_

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### **IMPORTANTE**

Usted ha sido demandado legalmente. Tiene 20 Dias, contados a partir del recibo de esta notificacion, para contestar la demanda adjunta, por escrito, y presentarla ante este tribunal. Una llamada telefonica no lo protegera. Si usted desea que el tribunal considere su defensa, debe presentar su resquesta por escrito, incluyendo el numero del caso y los nombres de las partes interesadas. Si usted no contesta la demanda a tiempo, podiese perder el caso y podria ser despojado de sus ingresos y propiedades, o privado de sus derechos, sin previo aviso del tribunal. Existen otros requisitos legales. Si lo desea, puede usted consultar a un abogado inmediatamente. Si no conoce a un abogado, puede Hamar a una de las oficinas de asistencia legal que aparecen en la guia telefonica.

Si desea responder a la demanda por su cuenta, al mismo tiempo en que presenta su respuesta ante el tribunal, debera usted enviar por correo o entregar una copia de su respuesta a la persona denominada abajo como "Plaintiff/Plaintiffs Attorney" (Demandante 0 Abogado del Demandante).

### **IMPORTANTE**

Des poursuites judiciaires ont ete entreprises contre vous. Vous avez 20 jours consecutifs a partir de la date de l'assignation jointe aupres de ce tribunal. Un simple coup de telephone est insuffisant pour vous proteger. Vous estes obligee de déposer votre response ecrite, avec mention du numero de dossier ci-dessus et du nom des parties nommees ici, si vous souhaitez que le tribunal entende votre cause. Si vous ne deposez pas votre response ecrite dans le rai requis, vous risquez de perdre la cause ainsi que votre salaire, votre argent, et vos biens peuvent etre saisis par la suite, sans aucun preavis ulterieur du tribunal. Il ya d'autres obligations juridiques et vous requerir Jes services immediats d'un avocat. Si vous ne connaissez pas d'avocat, vous pourriez telephoner a un service de reference d'avocats ou a un bureau d'assistance juridique (figurant a l'annuaire de telephones).

Si vous choisissez de déposer vous-meme une response ecrite, il vous faudra egaleme, en meme temps que cette formalite, faire parvenir ou expedier une copie de votre response ecrite au "Plaintiff/Plaintiffs Attorney" (Plaignant ou a son avocat) nomme ci-dessous.