

## Eliot Ivan Bernstein

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**From:** Eliot Ivan Bernstein <iviewit@iviewit.tv>  
**Sent:** Monday, October 27, 2014 2:30 PM  
**To:** 'Steven A. Lessne'  
**Cc:** Andrew Dietz @ Rock-It Cargo USA, Inc. (andyd@rockitcargo.com); CANDICE BERNSTEIN (tourcandy@gmail.com); Caroline Prochotska Rogers Esq. (caroline@cprogers.com); Eliot I. Bernstein (iviewit@iviewit.tv); Marc R. Garber Esq. (marcgarber@gmail.com); Marc R. Garber Esq. @ Flaster Greenberg P.C. (marc.garber@flastergreenberg.com); Marc R. Garber Esq. @ Flaster Greenberg P.C. (marcgarber@verizon.net); Michele M. Mulrooney ~ Partner @ Venable LLP (mmulrooney@Venable.com)  
**Subject:** RE: BERNSTEIN TRUSTS

**Tracking:**

**Recipient**

**Read**

'Steven A. Lessne'

Read: 10/27/2014 2:38 PM

Andrew Dietz @ Rock-It Cargo USA, Inc.  
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Michele M. Mulrooney ~ Partner @ Venable LLP  
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Steven,

We are demanding as Guardians for our three minor children and with no current successor trustee approved by the Court certified copies of the fully executed trust documents, as well as, the entire file on the trusts for each of my children in your possession. We need this in order to facilitate retaining a successor trustee in efforts to comply with the court's directives, as well as, for our records. We have asked for these records repeatedly for over two years from corporate executives, trust officers and counsel who were handling the trusts directly for Oppenheimer Trust Company and then Oppenheimer Trust Company of Delaware and to date we have not received the complete file records. Please include copies of fully executed trust documents, all changes of trusteeship, financial documents and any other records you possess from inception in 2006 of the trusts, to your becoming alleged successor trustee in 2010 to present.

I will need the files and all records in speaking to possible successors in order to retain one. In fact, it would be impossible for me to speak intelligently and knowledgeably to any potential successor trustee without the requested documents. It was my understanding from Court that I was to seek out a party and then give the name to the Court and then you but that will be impossible without putting the horse before the cart and enabling my ability to find a successor willing to take this on, especially due to your abrupt and unilateral resignation in the midst of all the charges of fraud, malpractice, breaches, etc., ongoing criminal and civil actions and without any records for a potential candidate to review. I also do not feel it would be right for you ethically to be in contact with any potential successor trustee I may

elect until after they agree to take on the successorship, as it stands you and your client are both still defendants in the stayed counter complaint.

With regard to the problems with the proposed Order that you sent,

1. Oppenheimer was ordered to serve a final accounting, not that they “may” file an accounting, this will have to be changed.
2. The Court denied Oppenheimer’s Guardian Ad Litem motion and may reconsider later, this will have to be changed.
3. The Court denied Oppenheimer’s Motion to Severe the Counter Complaint, this will have to be inserted.

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**From:** Steven A. Lessne [<mailto:Steven.Lessne@gray-robinson.com>]  
**Sent:** Friday, October 24, 2014 12:35 PM  
**To:** Eliot Ivan Bernstein  
**Cc:** CANDICE BERNSTEIN; Alan Rose; Lori E. Politis, FRP; Anne Morinelli  
**Subject:** Re: BERNSTEIN TRUSTS

Mr. Bernstein:

The court specifically set the deadlines noted in the order. The idea is for you to identify a proposed successor trustee, and if the proposed successor requires information from Oppenheimer in order to determine whether to accept or decline the appointment, Oppenheimer would provide the successor with reasonably requested information. I think you are putting the cart before the horse.

What other inaccuracies do you believe are in the order? There was no court reporter present at the hearing and, therefore, no transcript of the hearing.

Sent from my iPhone.

**Steven A. Lessne | Shareholder**  
**GRAY | ROBINSON**

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On Oct 24, 2014, at 10:40 AM, Eliot Ivan Bernstein <[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)> wrote:

Steven,

Hi, was feeling a bit under the weather and just got to your emails and there are several issues we need to correct on the proposed orders and contact the court regarding them.

First, in reaching out to find a successor after court, the first two contacts have requested a full set of documents regarding the history of the trusts from inception forward, with fully executed copies of the trusts, also, any accountings, financial records, court orders, pleadings, etc. since inception. Please send me ASAP the entire file for each trust. As it appears that selecting a successor is going to require more information and time, I am requesting that we agree to 3-4 weeks more time so that I may get the information copied and sent to several of them and then speak with them. If you agree to more time we need to notify the court.

As for the Court order proposed some of it differs from my recollection of what transpired, did you get a transcript that I may review?

Thank you, Eliot

Eliot I. Bernstein  
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