

Eliot Ivan Bernstein

From: Steven A. Lessne <Steven.Lessne@gray-robinson.com>
Sent: Friday, October 31, 2014 10:46 AM
To: Eliot Ivan Bernstein
Cc: CANDICE BERNSTEIN
Subject: RE: BERNSTEIN TRUSTS

Mr. Bernstein:

In response to your e-mail:

1. My client is not in possession of “certified copies of trust documents.” The following trust documents have been provided to you, and attached to numerous filings:
 - a. Copies of the three Trust Agreements, attached as Exhibits A-C of my client’s Petition; and
 - b. Copies of the three Final Orders on (your and your wife’s) Petition to Appoint Successor Trustee, and the accompanying Acceptances of those Appointments, attached as Exhibits E-G of my client’s Petition.If you contend that one or more of the above-listed documents is not authentic, please identify the basis for your contention, and further advise (i) whether you acknowledge that the three trusts were created by Simon Bernstein for the benefit of your children; (ii) who you contend are the proper trustees, owners and/or beneficiaries of the three trusts (or the assets now held in the three trusts), and (iii) what terms you contend govern the three trusts.
2. In addition to the information provided by my client to you and your wife throughout the years related to the administration of the three trusts, all information related to the administration of the trusts, from my client’s acceptance as successor trustee through its resignation, will be set forth in its final accounting, which we expect to file in the upcoming weeks.
3. You were present in Court when Judge Colin issued his ruling setting forth your duties and deadlines with regard to the appointment of a successor trustee. If you disagree with his ruling and feel that things should proceed in a different manner, you are free to take your objections up with the Court. As I advised you and Judge Colin, each of the three trusts presently holds (i) a minimal amount of cash (which my client will be holding back to defray its expenses of final administration), (ii) 6 units (a 1.66% interest) of LIC Holdings, Inc. (which we understand no longer operates), and (iii) a 33% interest in Bernstein Family Realty, LLC (the entity that owns your home, and no other assets). Insofar as the job of your proposed successor trustee will be to administer the assets conveyed to him/her, this should be sufficient information for you to provide to your proposed successor trustee in the first instance. If the proposed successor has additional, reasonable requests for information, he/she should contact me.
4. I provided you with a draft of the Omnibus Order before it was submitted. After I did not receive comments from you in a timely manner, I submitted the proposed Order to Judge Colin. I have every reason to believe that Judge Colin will enter an Order that comports with his ruling. If you (or I) believe that his written Order, once received, does not comport with his ruling, you (or I) can address that issue with the Court.

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

Sent: Monday, October 27, 2014 2:30 PM

To: Steven A. Lessne

Cc: Andrew Dietz @ Rock-It Cargo USA, Inc.; CANDICE BERNSTEIN; Caroline Prochotska Rogers Esq.; Eliot I. Bernstein; Marc R. Garber Esq.; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Michele M. Mulrooney ~ Partner @ Venable LLP

Subject: RE: BERNSTEIN TRUSTS

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.

Eliot I. Bernstein
Inventor

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From: Steven A. Lessne [\[mailto:Steven.Lessne@gray-robinson.com\]](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> 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

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