**IN THE UNITED STATES DISTRICT COURT**

**FOR THE NORTHERN DISTRICT OF ILLINOIS**

**EASTERN DIVISION**

SIMON BERNSTEIN IRREVOCABLE )

INSURANCE TRUST DTD 6/21/95, )

)

Plaintiff, ) **Case No. 13 cv 3643**

) **Honorable John Robert Blakey**

v. ) **Magistrate Mary M. Rowland**

)

HERITAGE UNION LIFE INSURANCE )

COMPANY, )

)

Defendant, )

)

HERITAGE UNION LIFE INSURANCE )

COMPANY )

)

Counter-Plaintiff ) **Omnibus Motion**

v. )

) **Filers:**

SIMON BERNSTEIN IRREVOCABLE )

INSURANCE TRUST DTD 6/21/95 ) Eliot Ivan Bernstein, Third-Party Defendant

) and Counter-Plaintiff.

Counter-Defendant )

)

and, )

)

FIRST ARLINGTON NATIONAL BANK )

as Trustee of S.B. Lexington, Inc. Employee )

Death Benefit Trust, UNITED BANK OF )

ILLINOIS, BANK OF AMERICA, )

Successor in interest to LaSalle National )

Trust, N.A., SIMON BERNSTEIN TRUST, )

N.A., TED BERNSTEIN, individually and )

as purported Trustee of the Simon Bernstein )

Irrevocable Insurance Trust Dtd 6/21/95, )

and ELIOT BERNSTEIN, )

)

Third-Party Defendants. )

)

ELIOT IVAN BERNSTEIN, )

)

Cross-Plaintiff )

)

v. )

)

TED BERNSTEIN, individually and )

as alleged Trustee of the Simon Bernstein )

Irrevocable Insurance Trust Dtd, 6/21/95 )

)

Cross-Defendant )

and, )

)

PAMELA B. SIMON, DAVID B.SIMON, )

both Professionally and Personally )

ADAM SIMON, both Professionally and )

Personally, THE SIMON LAW FIRM, )

TESCHER & SPALLINA, P.A., )

DONALD TESCHER, both Professionally )

and Personally, ROBERT SPALLINA, )

both Professionally and Personally, )

LISA FRIEDSTEIN, JILL IANTONI )

S.B. LEXINGTON, INC. EMPLOYEE )

DEATH BENEFIT TRUST, S.T.P. )

ENTERPRISES, INC. S.B. LEXINGTON, )

INC., NATIONAL SERVICE )

ASSOCIATION (OF FLORIDA), )

NATIONAL SERVICE ASSOCIATION )

(OF ILLINOIS) AND JOHN AND JANE )

DOES )

)

Third-Party Defendants. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ )

)

BRIAN M. O’CONNELL, as Personal )

Representative of the Estate of )

Simon L. Bernstein, )

)

Intervenor. )

**Omnibus Motion for: FEDERAL PROTECTION FROM LIFE-THREATENING DANGER TO ELIOT AND HIS FAMILY VIA DENIAL OF DUE PROCESS AND PROCEDURE OBSTRUCTING JUSTICE; DESIGNATION of Status as Whistleblower and Afforded all State and Federal Protections; Transfer of All Florida Matters; APPOINTMENT of Protected Counsel; FREEZING of Assets; Re-opening of RICO Matter Due to New Predicate Acts; Appointment of Federal Prosecutor, Monitor and Investigator; and Extension of Time to Take Deposition of Donald Sanders or Provide Interrogatories.**

That Eliot Ivan Bernstein (“Eliot”), a Third Party Defendant files this Omnibus Motion and states under information and belief as follows:

**Federal Protection From Life-Threatening Danger to Eliot and his Family via Denial of Due Process and Procedure Obstructing Justice**

Eliot has recently come under life threatening danger, threats and severe duress and seeks this Court’s urgent protection. This danger is evidenced by the following:

1. Massive legal and court escalation of retaliation and denial of due process that obstructs his justice and intentionally and with scienter interferes with expectancies for he and his minor children for his exposing Attorneys at Law in corrupt acts, including proven Fraudulent Alteration and Notarization of Court documents, Admitted Forgery of documents including for decedents Post Mortem, Numerous Past and Ongoing Frauds on the Court, Fraud on Beneficiaries of his parents estates and trusts and more;
2. Eliot’s escalation of his exposure of and objections to the court corruptions and frauds committed by Officers of the Court in Palm Beach County;
3. Eliot’s joining together with, Christine C. Anderson, Esq., Barbara Stone, Esq. and other attorney/whistleblowers who are all in life threatening danger and being viciously retaliated against by the lawyers, judges and prosecutors they are blowing the whistle on, who all are members of State Bar Associations, acting in various combinations and racketeering type schemes using the their legal degrees to commit crimes and cover them up with virtually no fear of retribution as the cover up is at the highest levels of our government.
4. These self-policing Bar Associations instead of rewarding those exposing their rogue members and investigating them or reporting them to criminal authorities are instead the agencies that retaliate against the whistle blower members who are duty bound under the Rules of Professional Conduct to report the misconduct of other judges and attorneys in efforts to force them from pursuing their whistleblowing by denying due process and procedure in their efforts to protect themselves and their families and the public at large from the danger.
5. The danger is further evidenced by Eliot’s receipt of a phone call at 4am. on April 11, 2015 by his counsel Candice Schwager, Esq. of Texas, informing him and others that their lives and those of their families were in imminent danger for their whistleblowing efforts against Judicial and Attorney at Law corruption and to instantly seek federal and state protections. This phone call and the following actions with state and federal authorities already involved in Eliot’s life is documented below:

**From:** Eliot Ivan Bernstein [mailto:iviewit@iviewit.tv]   
**Sent:** Monday, April 13, 2015 7:07 AM  
**To:** Michael Horowitz ~ Partner @ Cadwalader, Wickersham & Taft LLP (michael.horowitz@cwt.com); 'The Honorable Glenn Alan Fine, Inspector General ~ Department of Justice'  
**Cc:** 'Barbara Stone (bstone575@gmail.com)'; 'JoAnne M. Denison Esq. @ Denison & Associates, PC (jdenison@surfree.com)'; Candice Schwager @ Schwager Law Firm (candiceschwager@icloud.com); '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. (marcrgarber@gmail.com)'; 'Marc R. Garber Esq. @ Flaster Greenberg P.C. (marc.garber@flastergreenberg.com)'; 'Michele M. Mulrooney ~ Partner @ Venable LLP (mmulrooney@Venable.com)'  
**Subject:** Eliot Bernstein. FW: We have been warned by counsel that we are in danger and need of Federal protection

Dear Inspector General Horowitz, please add this email to my ongoing case file with DOJ OIG.  As this involves further potential dangers to my family, where it has been alleged my father was murdered and a Coroner’s report reveals several elevated heavy metals, I take this warning very seriously, especially where I have uncovered and proven fraud and forgeries of deceased parties to gain Dominion and Control of my deceased father’s estate, the crimes committed by Attorneys at Law.  I have been trying to contact the FBI for several months to report several very serious crimes that require federal investigations and have supposedly contacted the FBI who refused to give me names of the people that were supposed to be doing the intake and have not heard back from them at all.  I have tried to contact your offices and similarly I was unable to confirm anyone’s name that I was speaking to and if in fact you had gotten my messages.  Please feel free to contact me at my numbers below. Eliot

Eliot I. Bernstein

Inventor

**From:** Eliot Bernstein [<mailto:iviewit5@gmail.com>]   
**Sent:** Monday, April 13, 2015 6:57 AM  
**To:** 'Detective Andrew Panzer @ Palm Beach County Sheriff ([PanzerA@pbso.org](mailto:PanzerA@pbso.org))'  
**Subject:** Eliot Bernstein. FW: We have been warned by counsel that we are in danger and need of Federal protection

Dear Detective Panzer, please add this to the ongoing investigation of my family estate and trust matters.  Barbara Stone is a Florida Attorney who is exposing Judicial Corruption.  I got a call at 4am from attorney Candice Schwager who informed me and Candice my wife that our lives and those of our children were in imminent danger for our Whistleblowing efforts.  This warning came from a licensed attorney.  Paul Wright is at the FBI according to Barbara.  I was told to contact state and federal authorities for protection. Eliot

**From:** barbara stone [<mailto:bstone575@gmail.com>]   
**Sent:** Sunday, April 12, 2015 7:36 PM  
**To:** Paul Wright  
**Cc:** Eliot Bernstein; Candice Schwager, Esq.; JoAnne M Denison, Esq.  
**Subject:** We have been warned by counsel that we are in danger and need of Federal protection

My attorney, Candice Schwager who is also the attorney for Eliot Bernstein contacted both of us on or about  4:00 am EST on Saturday and advised us to contact Federal authorities for protection.

She warned me and Eliot Bernstein that we and our families are in danger and in need of immediate Federal protection due to our efforts to expose judicial corruption.

Ms Schwager is a licensed attorney in the state of Texas and can be reached at 832.315.8489

I can be reached at 305 494 2463 and Mr. Bernstein can be reached at 561 245.8588.

Barbara Stone

on behalf of myself and my mother and on behalf of Eliot Bernstein and his family.

1. That this wakeup call warning of imminent danger and to get our children protected has left Eliot and Candice scrambling for two weeks to get help and keep an eye on the children and left us hardly able to keep up with the sudden increased legal hearings and pleadings dumped on us simultaneously in the six legal cases involving the Estates and Trusts of Eliot’s parents, many of the legal actions requiring strict deadlines, such as responses to accountings and more.
2. For example, with no warning or notice it was discovered that a large asset of the decedents, a home valued at $3.4 Million Dollars two weeks before Simon Bernstein’s death on Sept. 13, 2012 was secretly being sold by Ted Bernstein for $1.1 Million Dollars in five days from March 21, 2015 when Eliot found out from a Zillow Alert the property was under contract. The sale was not disclosed to beneficiaries and a sale contract was already entered into and this while Judge Martin Colin who ordered that all pleadings be approved by him first had been given a Lis Penden for the property in October 2014 and took it under consideration.
3. A motion to stop the sale was filed by Eliot and Court hearings were scheduled on an urgent basis and additionally a motion for contempt against Eliot (which was denied) was filed and this matter took precedence over the many other matters ongoing. The sale was stopped and lucky for everyone as the title company now wants additional information regarding the estate documents before consenting to the transaction.
4. That in a subsequent hearing on April 23, 2015 in a Petition to remove Ted Bernstein as alleged Trustee of Shirley Bernstein’s Trust, Ted filed four motions to be heard regarding the home in Eliot’s hearing time without proper notice, including a contempt motion that Judge Colin entertained that day for ½ of the two hours allotted against Eliot. Imagine the Judge hearing a motion for contempt against Eliot who discovered and proved Frauds on his Court by Ted’s former counsel and now Ted’s new counsel was going for contempt in retaliation for Eliot’s efforts to stop the improper fire sale of the home.
5. Where Judge Colin should have held contempt hearings for Ted’s attempt to dispose of a home with a pending Lis Penden he was aware of and not seeking the court’s or beneficiaries approval of the sale or giving notice of the sale at all and where it was admitted in hearing that they did not disclose the Lis Penden pending with the buyer either.
6. Further, inside the home were the Personal Properties of Simon and Shirley Bernstein which were under the custody of the new Executor of the Estate of Simon, Brian O’Connell, who replaced Ted’s former counsel when they resigned after admitting to fraudulently altering a Shirley Trust document to inure benefit to Ted who was disinherited from the Estates and Trusts with his lineal descendants and more. The items were ordered to be re-inventoried because Ted had sold a condominium, again without notice to beneficiaries and the Court found that the Personal Properties were moved by Ted allegedly and now stored at the Primary residence of the decedent and where Ted had no authority to move the properties.
7. That upon being informed of the sale the Executor of the Estate O’Connell filed for an immediate Order to Inspect and Take Possession of the Personal Properties since he was not noticed of the sale of the home and the Personal Property being either sold or moved.
8. The Order was granted for immediate inspection on March 26, 2015 (the original Order was granted in June 2014) and the inspection was done the following week and where Ted and his counsel had claimed the items from the Condo, a 4,000 sq ft ocean front property, were stored in the Primary Residence garages in so many boxes that it would take many people to unpack an re-inventory and when the garages were opened they virtually empty with 4 or 5 little boxes and a table with salt shakers and napkin holders were there.
9. It is believed that Ted stole then sold the items of the Condo that were not in his custody and no accounting for the items stolen has ever been done, it is believed that the sale of the home was also going to try and further confound beneficiaries efforts to enforce the Court ordered inspection and provide another layer of efforts to find out what happened to them. The Court can see from the Palm Beach Sheriff Reports exhibited herein that a complaint for the stolen Personal Properties was filed CASE NO. 13159967 on 12/23/13 and is still pending and it is believed that Ted and his counsel who are the alleged primary suspects in the thefts were trying to further evade and cover up the crimes of the thefts.
10. The Court should note that all this is happening in the same week that Eliot’s family is warned that their lives are imminent danger and to seek federal and state protection and where the stress alone from that has left Eliot’s wife scarred to death for her minor children and Eliot trying to seek protection and no one noticed calling back.
11. These extreme situations are making responding to this Court and the pleadings timely virtually impossible and that is only one case that hearings were held in since the threats and there have been several others as reported to this Court in the last motion for extension only a week or so ago.
12. That finally it was learned yesterday that an alleged Mortgage on the home Eliot’s children paid for and which is wrapped inside trusts for the children in an entity Bernstein Family Realty, LLC also in such trust all designed by Simon to protect the property from seizure of those trying to murder Eliot and his family, is being alleged to be foreclosed on by a one Walter Sahm and where Eliot believes that Sahm has been enraged by Ted and his counsel Alan Rose, Esq. who tried recently to acquire the mortgage and arranged such transaction to take over the alleged home loan Sahm claims to have and then could not do the deal they promised as the parties involved found they could not legally effectuate such transaction that Ted and Rose settled with Sahm to do and now Sahm who called Eliot apologetic claimed he was left with no other choice then to foreclose, which he stated left him saddened as this was directly against the wishes of Simon who told him the Estate would pay off the loan at his death and satisfy the debt, leaving the home free and clear other than a bogus mortgage Simon had taken on the home to add another layer of protection from Eliot’s enemies, which would be unenforceable at his death for a number of reasons and the home that Eliot’s children paid for would be theirs free and clear. Sahm however felt hoodwinked by Rose and Ted who tried to arrange this backdoor deal to gain control of Eliot’s house and force a foreclosure.
13. That Sahm has retained foreclosure counsel to file and this is yet another emergency that puts Eliot and his family in danger for their lives and another attempt to wreak havoc on them through further legal process abuse and fraud and makes it harder to respond to many critical court deadlines now dealing with this imminent threat to his family.
14. That the Court will take note that Eliot has also had a bomb in his car that blew up three cars next to it as well over his claims that attorneys at law stole his patents worth estimated billions to trillions (currently over 90% of internet traffic uses the technologies as they are backbone imaging and video technologies), see Graphic images of car bombing @ [www.iviewit.tv](http://www.iviewit.tv) and where using the Court system and other Government agencies to further cover up the crimes, disable Eliot’s due process rights and further harm him.

**DESIGNATION of Status as Whistleblower and Afforded all State and Federal Protections**

1. That while Eliot is not an Attorney at Law, nor a Member of any Bar Association, his efforts to expose the corruption of the Members of three state Bar Associations that have led to Orders ( see URL @

<http://iviewit.tv/CompanyDocs/2004%2006%2017%20Cahill%20Motion%20to%20move%20complaints%20krane%20rubenstein.pdf> ) from the New York Supreme Court Appellate Division for investigation of three of its members, including former deceased President of the New York State Bar at the time, Steven C. Krane, Esq. of Proskauer Rose, Kenneth Rubenstein, Esq. of Proskauer Rose and sole patent evaluator for MPEGLA, LLC (who Eliot claims is the largest infringer of his Intellectual Properties) and Thomas Cahill, Esq., the former Chief Counsel for the New York Supreme Court Appellate Division Departmental Disciplinary Committee (who Whistleblower Anderson sued and immediately after losing her trial against him Judge Scheindlin came into the Court after the jury had left and entered into the record that she had just learned that Cahill and others had perjured their testimony in the trial and thus poisoned the jury decision).

1. That those investigations were never completed as new allegations were levied against the New York Supreme Court Appellate Division Second Department that was charged with the investigation was also in conflict and obstructing the investigations and where never completed properly and Eliot believes remain open.
2. That Eliot is therefore a quasi Whistleblower or exposer of the rogue Members of the Bars and he has since trying to expose the crimes come under repeated life threatening retaliations by Attorneys at Law who desire to cover up the crimes through continued misuse of the Courts and Justice system to try and silence Eliot and his family as is common in retaliation against Whistleblowers by those being exposed and thus Eliot should be given all federal protections granted Whistleblowers.
3. That immediately after these recent warnings that Eliot and his family were endanger along with Whistleblower Attorney at Law Barbara Stone, Esq. by Candice Schwager, Esq., the Bar Association in their respective states recommended disbarment of two of the attorneys involved with Eliot, Joanne Dennison, Esq. (IL)[[1]](#footnote-1) and Barbara Stone, Esq. (FL)[[2]](#footnote-2) in what appears retaliation by the Bar Associations against them for blowing the whistle on massive corruption schemes being operated under the color of law by certain Judges and Attorneys in their states that they blew the whistle on as duty bound to report by their respective Bars Rules of Professional Conduct, which demand attorneys report any misconduct of other attorneys and judges they are aware of.
4. Eliot has had repeated death threats reported to state and federal authorities for his whistleblowing efforts against the highest ranking members of the Bar Associations, Judges, Prosecutors and Attorneys at Law for over a decade. Eliot is also pursuing thousands of corporations worldwide who have stolen his technologies and blocked him from market through anticompetitive monopolistic patent pooling schemes conducted by MPEGLA, LLC. and other similar schemes and many of those companies such as YouTube and Facebook are wholly dependent on Eliot’s SUSPENDED patent applications and these companies are directly tied to the alleged perpetrators of the IP crimes, Proskauer Rose and Foley & Lardner, to very powerful large law firms Eliot is suing and who have incentive to see Eliot and his family and other shareholders and patent interest holders dead versus successful in Court where they could lose everything if Eliot succeeds.
5. That Eliot has alleged that all of the Estate and Probate crimes committed again primarily by lawyers, including the alleged murder of Simon (alleged by Ted) and the theft of insurance policy that is the subject of this lawsuit where Eliot was initially not told of this Court action to steal the policy through more fraud committed by attorneys at law and Ted are designed to steal millions of dollars of his and his family inheritance to further disable any chance of Eliot getting counsel and pursuing his and others IP rights and leave him penniless or dead.
6. That it should raise the Court’s brow that Ted and his Counsel Tescher and Spallina, after calling the Palm Beach County Sheriff on the day Simon died on 9/12/12 and reporting a potential murder and contacting the Coroner to conduct an autopsy for poisoning, where simultaneously at that time filing a fraudulent claim form on behalf of a Trust which both Ted and his Counsel claim never to have seen or possessed with the insurance carrier that was DENIED due to the failure to prove a beneficial interest. Spallina who claimed to be Trustee of this nonexistent trust failed to mention to the carrier Heritage that he and his client had alleged that Simon was murdered, which could materially affect the payment of the claim. Spallina had impersonated the Trustee of this nonexistent Trust claiming to be the contingent beneficiary and Spallina had also impersonated himself as the Trustee of the LaSalle National Trust, NA, which he is not but the carrier has claimed in production documents submitted to this Court that the Primary Beneficiary of the LOST Policy they cannot find is LaSalle National Trust NA. This represents alleged multitudes of fraud and criminal misconduct in the claim filed and DENIED by the carrier, which denial led to this Breach of Contract lawsuit before Your Honor.
7. When that scheme failed, Ted then acting as the alleged Trustee of the legally nonexistent Trust filed this bogus frivolous and illegal lawsuit with this Court claiming Breach of Contract for the carriers failure to pay a fraudulent claim submitted with no beneficial interest proved, in attempts to further abscond with the policy proceeds. Ted also failed to notice this Court that he had alleged Simon was murdered, which would affect the payment of the benefits to parties possibly and failed to notify Eliot or other beneficiaries of the Estates and Trusts of this legal action and where Eliot only found out when he was sued in this action by Heritage to make him cognizant of the lawsuit as he was a child who of the insured who suspiciously was missing from this action filed by Ted.
8. That Eliot must now protect his family without help from authorities who have been virtually silent for years on ongoing investigations and silent since being noticed regarding the recent threat of imminent danger to his family made by a licensed Attorney at Law, Schwager, and where Eliot alleges this delay may also be intentional and created by lawyers who are in prosecutorial roles and controlled by the law firms that are against Eliot to leave Eliot and his family without state or federal protections.
9. Eliot, his wife Candice and their minor children are all afraid for their lives and in need of immediate protections and all Court proceedings in all cases should be stayed to give them time to protect themselves and seek intervention from authorities who seem to be deaf in the state of Florida.

**DESIGNATION OF STATUS AS WHISTLEBLOWER AND AFFORDED ALL STATE AND FEDERAL PROTECTIONS**

1. That Eliot’s Federal RICO[[3]](#footnote-3) against many state bar associations, judges and attorneys, soon to be requested reopened by Eliot to Federal Judge Shira Scheindlin regarding the new predicate crimes committed by Attorneys at Law, Robert Spallina, Esq., Donald Tescher, Esq. and others, involved in the Florida Probate Cases[[4]](#footnote-4) for his mother and father, which crimes now include but are not limited to, the alleged (by Theodore Bernstein and Pamela Simon) Murder of Simon Bernstein (Heavy Metal Test completed almost a year later reveal three elevated poisons, with Arsenic three times reportable levels), Forgery, Fraud on the Court, Fraud on Beneficiaries (primarily Eliot), Fraudulent Notarizations (Arrest of Notary and Legal Assistant for Tescher and Spallina, Kimberly Moran), Fraudulent Alteration Post Mortem of Trust Documents (admitted to by Robert Spallina to Palm Beach County Sheriff Investigators), Extortion of Eliot by intentional interference by Attorneys and Judges of his and his children’s expectancy/inheritance and more. For Police Investigations and Coroner Reports See URL @ [www.iviewit.tv/Sheriff Reports.pdf](http://www.iviewit.tv/Sheriff%20Reports.pdf)
2. That the legally related case to Eliot’s RICO CASE #07-cv-11196-SAS is Case #07cv09599-SAS Anderson v The State of New York, et al., which was filed by an inside Whistleblower at the New York Supreme Court Disciplinary Department who at trial exposed one of the largest Attorney Corruption Schemes in the history of our great Nation and one that threatens the very fabric of the US legal system and those employed by it. Not only were the highest ranking members of Supreme Court of New York Members alleged involved but Prosecutors, Judges, US Attorneys, DA’s, ADA’s, “Favored Law Firms and Lawyers” and others were alleged participants in a criminal good ol’ boy network of corruption and cover up all done by criminals cloaked as Attorneys at Law and those in charge of regulating such attorneys. The crimes against their victims beyond belief. See below information.

**FORMAL COMPLAINT FILED AGAINST NYS EMPLOYEES FOR ILLEGAL WIRETAPPING...THE WIDESPREAD ILLEGAL WIRETAPPING INCLUDED TARGETED NEW YORK STATE JUDGES AND ATTORNEYS.....**

<http://ethicsgate.blogspot.com/2013/04/formal-complaint-filed-against-nys.html>

SELECT QUOTES FROM THAT NEWS STORY

April 3, 2013

Robert Moossy, Jr., Section Chief   
Criminal Section, Civil Rights Division   
US Department of Justice   
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530

RE: FORMAL COMPLAINT AGAINST NEW YORK STATE EMPLOYEES INVOLVING CONSTITUTIONAL VIOLATIONS, INCLUDING WIDESPREAD ILLEGAL WIRETAPPING

Dear Mr. Moossy,

At some point in time shortly after 9/11, and by methods not addressed here, these individuals improperly utilized access to, and devices of, the lawful operations of the Joint Terrorism Task Force (the JTTF). These individuals completely violated the provisions of FISA, ECPA and the Patriot Act for their own personal and political agendas. Specifically, these NY state employees essentially commenced black bag operations, including illegal wiretapping, against whomever they chose- and without legitimate or lawful purpose.

This complaint concerns the illegal use and abuse of such lawful operations for personal and political gain, and all such activity while acting under the color of law. This un-checked access to highly-skilled operatives found undeserving protection for some connected wrong-doers, and the complete destruction of others- on a whim, including the pre-prosecution priming of falsehoods (set-ups). The aftermath of such abuse for such an extended period of time is staggering.

It is believed that most of the 1.5 million-plus items in evidence now under seal in Federal District Court for the Eastern District of New York, case #09cr405 (EDNY) supports the fact, over a ten-year-plus period of time, of the illegal wiretapping of New York State judges, attorneys, and related targets, as directed by state employees.

One sworn affidavit, by an attorney, confirms the various illegal activity of Manhattan's attorney ethics committee, the Departmental Disciplinary Committee (the DDC), which includes allowing cover law firm operations to engage in the practice of law without a law license. Specifically, evidence (attorney affidavits, etc.) supports the claim that Naomi Goldstein, and other DDC employees supervised the protection of the unlicensed practice of law. The evidence also shows that Ms. Goldstein knowingly permitted the unlicensed practice of law, over a five-year-plus period of time, for the purpose of gaining access to, and information from, hundreds of litigants.

Evidence also supports the widespread illegal use of black bag operations by the NYS employees for a wide-range of objectives: to target or protect a certain judge or attorney, to set-up anyone who had been deemed to be a target, or to simply achieve a certain goal. The illegal activity is believed to not only have involved attorneys and judges throughout all of the New York State, including all 4 court-designated ethics departments, but also in matters beyond the borders of New York.

The set-up of numerous individuals for an alleged plot to bomb a Riverdale, NY Synagogue. These individuals are currently incarcerated. The trial judge, U.S. District Court Judge Colleen McMahon, who publicly expressed concerns over the case, saying, I have never heard anything like the facts of this case. I don't think any other judge has ever heard anything like the facts of this case. (2nd Circuit 11cr2763).

The concerted effort to fix numerous cases where confirmed associates of organized crime had made physical threats upon litigants and/or witnesses, and/or had financial interests in the outcome of certain court cases.

The judicial and attorney protection/operations, to gain control, of the $250 million-plus Thomas Carvel estate matters, and the pre-prosecution priming of the $150 million-plus Brooke Astor estate.

The wire-tapping and ISP capture, etc., of DDC attorney, Christine C. Anderson, who had filed a lawsuit after being assaulted by a supervisor, Sherry Cohen, and after complaining that certain evidence in ethics case files had been improperly destroyed. (See SDNY case #07cv9599 - Hon. Shira A. Scheindlin, U.S.D.J.)

The eToys litigation and bankruptcy, and associates of Marc Dreir, involving over $500 million and the protection by the DDC of certain attorneys, one who was found to have lied to a federal judge over 15 times.

The set-up and chilling of effective legal counsel of a disabled woman by a powerful CEO and his law firms, resulting in her having no contact with her children for over 6 years.

The wrongful detention for 4 years, prompted by influential NY law firms, of an early whistleblower of the massive Wall Street financial irregularities involving Bear Sterns and where protected attorney-client conversations were recorded and distributed.

The blocking of attorney accountability in the $1.25 billion Swiss Bank Holocaust Survivor settlement where one involved NY admitted attorney was ultimately disbarred- in New Jersey. Only then, and after 10 years, did the DDC follow with disbarment. Gizella Weisshaus v. Fagan.

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**NY Supreme Court Bosses Illegally Wiretapping Judges Chambers & Homes. Christine Anderson Whistleblower illegally targeted for 24/7/365 surveillance in related case to Iviewit Eliot Bernstein RICO...**

 FOR IMMEDIATE RELEASE

(Free-Press-Release.com) May 14, 2013 -- According to news reports, yes, the heads of the NY Supreme Court Ethics Department have been accused of derailing Justice by targeting victims and misusing Government Resources against private citizens with no other motive then Obstruction of Justice in court and regulatory actions against them or their cronies.

World Renowned Inventor Eliot Bernstein files NEW RICO RELATED CRIMINAL ALLEGATIONS against Law Firms Proskauer Rose, Foley & Lardner, Greenberg Traurig and more. Allegations that Bernstein was a target of these criminals cloaked as ATTORNEY AT LAW ETHICS BOSSES at the NY Supreme Court were presented to Federal Judge Shira A. Scheindlin. That evidence was presented that Bernstein's father may have been a target and murdered for his efforts to notify the authorities and more!!!

READ ALL ABOUT IT @

<http://www.iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20130512%20FINAL%20Motion%20to%20Rehear%20and%20Reopen%20Obstruction%20of%20Justice165555%20WITH%20EXHIBITS.pdf>

PREVIOUS PRESS RELEASES RELATING TO JUDGES ILLEGALLY WIRETAPPED

That on Tuesday, February 19, 2013, ECC released the story,

**ETHICSGATE UPDATE FAXED TO EVERY U.S. SENATOR THE ULTIMATE VIOLATION OF TRUST IS THE CORRUPTION OF ETHICS OVERSIGHT EXCLUSIVE UPDATE:**

<http://exposecorruptcourts.blogspot.com/2013/02/ethicsgate-update-faxed-to-every-us.html>

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**IVIEWIT LETTER TO US DOJ OFFICE OF INSPECTOR GENERAL MICHAEL E. HOROWITZ**

<http://www.iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20130520%20FINAL%20Michael%20Horowitz%20Inspector%20General%20Department%20of%20Justice%20SIGNED%20PRINTED%20EMAIL.pdf>

1. However, it appears that wherever attorneys at law in whatever role they play (private attorneys, Prosecutors, Judges, etc.) become involved in Eliot’s life there is no relief and in fact further retaliations and denials of due process and procedure to Obstruct any chance at Justice.
2. That due to Eliot’s exposing these Members of three State Bars and judges, he is being legally abused by misuse of the Courts to commit crimes against him in Florida and this Court, all again done by Attorneys at Law and all to deprive him of his properties by disabling his rights, including his right to counsel (as everyone of over 100 lawyers contacted to help him have declined, most stating fear of retribution by their bar associations or stating it was too complicated to sue attorneys) and after the Candice Schwager, Esq. warning call she had to decline further representation to Eliot’s minor children as she too is fearful and suffering from the legal process abuse being directed at her and her efforts to expose the corruption.

**TRANSFER OF ALL FLORIDA PROBATE MATTERS TO THIS COURT TO ENSURE DUE PROCESS AND PROCEDURE**

1. That Eliot on 4/23/2015 at 9:45am was not present in this Federal Court before Your Honor for the Emergency Motion to Extend Time for Ted Bernstein’s Deposition due to the fact that he did not get Notice sent to him of the hearing until 7:45pm on 4/21/2015 and did not review the Notice until 4/23/2015 due to his preparation with his wife for two straight days with virtually no sleep for the following hearings (some of the Motions for hearing were filed only days before) on 4/23/2015 at 10am -12pm in Judge Colin’s court;
   1. MOVANT'S, TED S. BERNSTEIN, AS SUCCESSOR TRUSTEE OF THE SHIRLEY BERNSTEIN TRUST, MOTION TO HOLD ELIOT BERNSTEIN IN CONTEMPT OF COURT AND FOR SANCTIONS
   2. MOTION TO STOP SALE OF 7020 LIONS HEAD LANE PROPERTY
   3. SUPPLEMENT TO MOTION TO APPROVE SALE OF TRUST PROPERTY RE: CLOSING AND TITLE ISSUES FOR SHIRLEY'S HOMESTEAD
   4. TRUSTEE'S MOTION TO DISMISS ELIOT BERNSTEIN'S PETITION TO REMOVE TED S. BERNSTEIN AS SUCCESSOR TRUSTEE OF THE SHIRLEY BERNSTEIN TRUST, MOTION TO STRIKE AND MOTION TO STAY PROCEEDINGS
2. That one of the Sanctions sought in the Contempt Hearing against him in the pleading filed by Attorney Alan Rose, Esq. who was retained by Ted and the law firm Tescher & Spallina, Esq. when Tescher and Spallina were the Co-Trustees and Co-Personal Representatives of Simon’s Estate and Trusts prior to their resignation after admitting fraudulently altering a Shirley Trust document and more, “ordering Eliot immediately to remove all posting on the Ted Bernstein report and <http://tedbernsteinreport.blogspot.com> relating to the sale of House, **using the coercive powers of this Court including incarceration if needed** to compel compliance; in effect asking the Court to Extort the author of blogs relating to the Corruption in the cases before Colin and French, Crystal Cox by using Eliot as leverage, in typical mob fashion extortion. Cox only attempting to expose the corruption of the Florida Probate Court and Officers of that Court.
3. Where the only thing Eliot has done in those cases that may incite those involved to try repeatedly to have Eliot held in Contempt and appoint a Guardian is to have exposed and caught red handed the Officers of Judge Martin Colin’s court in Fraud on the Court, including but not limited to, using a dead Simon Bernstein to close the estate of his dead spouse Shirley Bernstein, leading to the Shirley Estate reopening, Forgery and Fraudulent Notarizations submitted to the Court by the law firm Tescher & Spallina PA ( who recently split apart and now renamed as Tescher and Associates), Fraud on Beneficiaries and Fraud on Minor beneficiaries Counsel by Attorneys at Law Tescher and Spallina and more.
4. It is fascinating to note that Judge Colin who became aware of the crimes in a hearing on Sept. 13, 2013 and upon learning of the Fraud on his Court threatened Ted Bernstein and his lawyers with reading them their Miranda Rights to them (not sure if he has power to do such or this was a veiled and meaningless threat), has since that time, despite learning of more and more crimes committed by the Officers of his Court has done nothing to either report or regulate the Officers of his Court involved and done NOTHING to protect the beneficiaries, including minor children and has repeatedly allowed these attorneys at law involved with the criminal acts and perpetrators to continue to act as Officers of his Court and to continue to abuse Eliot and has further allowed them to operate and take new clients before that Court.
5. See Consumer Comment #2 @ <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>
6. This is a letter whereby Ted Bernstein sent Eliot Bernstein a letter he thought he was sending to his attorney, Alan B. Rose, Esq., describing using force and aggression on Eliot and wanting to attack other friends and family members of Simon and Eliot Bernstein who have information that may be damaging to Ted. Ted even claiming he wanted to go after Eliot’s minor children school records to attempt to find dirt on them (of which there is nothing there but what angels they are) and even claims he wants Rose to fire Attorney at Law John Pankauski, Esq. (who immediately thereafter resigned as Ted’s counsel after his other attorney Mark R. Manceri, Esq. resigned) for not wanting to go after Eliot with “force” and “aggression” and because he felt Ted was misusing trust funds to defend himself. Judge Colin then moved to have this email marked as Attorney Client Privileged Information Inadvertently Disclosed despite the fact that neither Eliot nor Ted is an attorney and thus the privilege could never be established in the first place and where the letter was sent by Ted to only Eliot and no counsel was part of the email. The problem for Colin who marked the letter privileged in attempts to cover up the Attorney Rose and Fiduciary Ted’s misconduct evidenced in the letter was that prior to even knowing of a claim of privilege by Alan Rose, Esq., Eliot had sent the email to Crystal Cox who posted the extortionary letter across many sites on the world wide web and refused requests and demands by Rose to remove the posts.
7. That it appears outside the Judicial Cannons and casts a grand Appearance of Impropriety for a Judge to hear matters and adjudicate matters where crimes were committed in his Court, including FRAUD ON THE COURT, committed by Officers of his Court and Judge David E. French’s Court and whereby they will be material and fact witnesses for how can he investigate his own court and his employees instead of giving the matters over to non conflicted parties who are not centrally involved and who could conduct a fair and impartial review of the criminals and crimes. Judge Colin and French may desire to aid and abet the cover up of the crimes that would embarrass their Court and perhaps lead to revealing involvement in the actual crimes.
8. Where Eliot sued the 15th Judicial Circuit, Florida Bar and hundreds if not thousands of Attorneys in the alleged Criminal Law Firms in his RICO and also Supreme Court Chief Judge Jorge Labarga, Esq. personally for their direct involvement in the theft of his patents and where Judge Colin has claimed in a Florida Bar Resume that Chief Justice Labarga is his mentor.
9. That Eliot is seeking this Court to review and intervene the Florida Probate Cases that relate to the matters in this Case and move them to a federal jurisdiction outside the state of Florida and the reach of the Florida Bar Members (Eliot is not claiming they are all involved in the conspiracy but due to the nature of conspiracies, it is impossible to know who is good and bad) and preferably move the matters all to This Court under Your Honor’s tutelage.
10. That Eliot is afraid to go to the Florida Court as it appears they are continuously trying to entrap him in Contempt or seek Guardian for him and where his rights to due process have simply been removed through Sharp Practice after Sharp Practice by the attorneys and Judges involved. These acts against Eliot caused by criminal and civil misconduct by the Attorneys at Law have already delayed inheritances for over two years, including the insurance proceeds in this case and have caused massive damages financially to he and his children.
11. That Eliot has submitted to this Court recently a letter from a Florida attorney who represents a creditor in the Probate cases, Peter Feaman, Esq., describing misconduct by Attorney Alan B. Rose, Esq. and his client Ted Bernstein, directly relating to their misconduct in this case before Your Honor that further directly damages Eliot and his children.
12. That Eliot has submitted a filing to Judge Colin by Attorney at Law Brian O’Connell, Esq. who is the new Executor of the Estate of Simon after Ted’s Counsel Tescher and Spallina resigned after admitting to Fraudulently Altering a Trust document and disseminating it via Mail and Wire to another attorney at law representing Eliot’s children, Christine C. Yates, Esq. of Tripp Scott law firm. That once the fraudulent and forged documents were discovered by Yates to be valid she resigned as Counsel and stated that Eliot would have to bring these lawyers who committed fraud on her and the beneficiaries to the authorities and courts on his own, Pro Se, as it was too complicated for her and Eliot understood that her attempting to do so could put her and her license to practice at risk and perhaps her life for trying to help Eliot and his family and so went about proving the fraud and more to the Court on his own, which he was successful at doing, leading to arrests and ongoing investigations.

**Appointment of Protected Counsel**

1. That Eliot is requesting this Court set up protected Pro Bono counsel for Eliot that is protected by this Court to aid Eliot free of worries of threats or extortion by any members of any bar association that can provide counsel to one being denied counsel with intent and scienter to disable his due process rights and further abuse him through legal process abuse.

**Freezing of ESTATE AND TRUST Assets AND seizure of ALL COURT RECORDS where fraud upon the court occurred and ALL ATTORNEY AT LAW RECORDS involved, including judges and FIDUCIARY RECORDS DUE TO FRAUD ON THE COURt.**

**Re-opening of RICO Matter Due to New Predicate Acts**

**Appointment of Federal Prosecutor, Monitor and Investigator**

**EXTENSION OF TIME TO TAKE DEPOSITION OF DONALD SANDERS OR PROVIDE INTERROGATORIES**

1. That Eliot is currently scheduled for a series of hearings in the 4 legal cases involving the Estates and Trusts of his deceased parents to remove Ted Bernstein as the alleged Trustee and 1 case involving his three children’s trusts with hearings scheduled as well. These hearings are taking place through April and into May and Eliot requests at least until May 15, 2012 to file a reply. Two new hearings were scheduled on April 23, 2015 for end of May and June in the probate cases by Judge Colin.
2. The Summary Judgement is 800 pages and Eliot is Pro Se so this is an extensive undertaking to complete within the 20 days required and these other hearings all occurring in the time to submit this severely limits Eliot’s rights as he is Pro Se and all of these involve complex legal issues that would take a full time law firm to accomplish in months, not days, thereby putting the risk of error or missed court appearances or filings a very real danger.

Wherefore, Eliot requests this Court grant an extension of time after considering the circumstances until after June 15, 2015 to complete all of the items in this case.

**WHEREFORE,** Eliot seeks this Court enter an Order Granting the Following Relief;

1. Transfer of Florida Probate Matters to this Court for adjudication because of a Pattern and Practice of Corruption in the Florida court, Racketeering, Extortion, Interference with Expectancies and Inheritance, Denial of Due Process and Procedure and Equal Protection that Obstructs Justice; and Extensive Fraud on the Court:

Respectfully submitted,

DATED: Saturday, April 4, 2015

***/s/ Eliot Ivan Bernstein\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_***

Third Party Defendant/Cross Plaintiff PRO SE

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on Saturday, April 4, 2015, I electronically filed the foregoing with the Clerk of the Court using CM/ECF. I also certify that the foregoing is being served this day on all counsel of record identified below via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner.

1. <http://marygsykes.com/tag/joanne-denison> [↑](#footnote-ref-1)
2. Florida Bar Attorney Affidavit – Judge and Lawyer Threatening Counsel for 87 Year Old Woman <http://www.iviewit.tv/Exhibit%202%20-%20Barbara%20Stone%20Attorney%20Affidavit.pdf>

   and

   <http://www.iviewit.tv/BarbaraStoneCriminal%20ComplaintMarch2%202015.pdf>

   and

   <http://www.iviewit.tv/Barbara%20Stone%20Florida%20Bar%20Whistleblower.pdf> [↑](#footnote-ref-2)
3. Cases and Related Cases @ New York Second Circuit

   1. File USCA Case Number 10-5303 = P. Stephen Lamont Appeal Docket No.

   Case 08-4873-cv United States Court of Appeals for the Second Circuit Docket - Bernstein, et al. v Appellate Division First Department Disciplinary Committee, et al. - TRILLION DOLLAR LAWSUIT

   1. Capogrosso v New York State Commission on Judicial Conduct, et al.
   2. Esposito v The State of New York, et al.
   3. McKeown v The State of New York, et al.

   Related Cases @ US District Court - Southern District NY

   1. 07cv09599 Anderson v The State of New York, et al. - WHISTLEBLOWER LAWSUIT which other cases have been marked legally “related” to by Fed. Judge Shira A. Scheindlin, including Eliot RICO
   2. 07cv11196 Bernstein, et al. v Appellate Division First Department Disciplinary Committee, et al.
   3. 07cv11612 Esposito v The State of New York, et al.,
   4. 08cv00526 Capogrosso v New York State Commission on Judicial Conduct, et al.,
   5. 08cv02391 McKeown v The State of New York, et al.,
   6. 08cv02852 Galison v The State of New York, et al.,
   7. 08cv03305 Carvel v The State of New York, et al., and,
   8. 08cv4053 Gizella Weisshaus v The State of New York, et al.
   9. 08cv4438 Suzanne McCormick v The State of New York, et al.
   10. 08 cv 6368 John L. Petrec-Tolino v. The State of New York
   11. 06cv05169 McNamara v The State of New York, et al

   [↑](#footnote-ref-3)
4. i. Case # 502012CP004391XXXXSB – Simon Bernstein Estate

   ii. Case # 502011CP000653XXXXSB – Shirley Bernstein Estate

   iii. Case # 502014CP002815XXXXSB – Oppenheimer v. Bernstein Minor Children

   iv. Case # 502014CP003698XXXXSB – Shirley Trust Construction

   v. Case # 502015CP001162XXXXSB – Eliot Bernstein v. Trustee Simon Trust Case OLD CASE # 502014CA014637XXXXMB [↑](#footnote-ref-4)