* Was there insurance on Simon? If so, how much? With what carriers? Who are the beneficiaries of each policy?
* Are you aware that your former Attorney Spallina filed a death benefit claim with Heritage Union Life as Trustee for a Trust that to date no executed copies exist for?
* Are you aware the carrier denied the claim since beneficial interest could not be established by your attorney Robert Spallina? Did you or Robert Spallina report to the carrier that Simon may have been murdered?
* E33 - Can you review this claim form and identify and read into the record the signature lines? Is Robert Spallina, Esq. Trustee of this alleged legally nonexistent 1995 Simon Bernstein Irrevocable Trust?
* Did you request a Sheriff Investigation into allegations you made that your father had been murdered on the day after he died?
* Did you order a Coroner Report on the day after your father died?
* Are you aware that the claim of Spallina was denied by Heritage for failure to prove his beneficial interest in the policy as he could not produce a trust?
* E34 – Can you read this denial of Spallina’s Claim into the record?
* Are you aware that Heritage requested a court order from the West Palm Beach probate court to approve Spallina’s claim? Was that done? If not what then transpired?
* Did you then file a lawsuit for Breach of Contract for Heritage’s failure to pay the claim?
* What capacities did you file that lawsuit in?
* Did you file that lawsuit as Trustee of the same lost Trust that Spallina stated to the insurance carrier he was Trustee for only a few months earlier when filing his claim with the Carrier?
* Did Spallina represent you as Trustee of the lost Trust initially in the lawsuit?
* Where you advised by counsel that you had no basis to file a lawsuit?
* E35 - Can you read into the record the excerpt of the Counter Complaint filed by Jackson National Life on behalf of Heritage?
* Who is your counsel as Trustee for the nonexistent 1995 Lost Trust now that Spallina quit?
* Are you related to Adam Simon? If so, how?
* Do you and your sister Pamela, who under both the alleged 2008 and 2012 dispositive document of your parents are considered “Predeceased” and therefore entitled to nothing from their estate plans, stand to benefit if the policy is paid through your lawsuit?
* What percentage of the death benefits will you receive through this lawsuit scheme?
* Did you report Robert Spallina to federal authorities as Trustee of the lost 1995 trust for filing a death benefit claim as the Trustee of the Trust you claim you are Trustee for?
* Did you report to anyone the possibility of insurance fraud, fraud on the beneficiaries of the Estate/Trusts of Simon and fraud on the beneficiaries of the alleged lost 1995 trust and mail and wire fraud regarding Spallina’s application in your capacities as a fiduciary in the matters?
* E36 - Can you read into the record the Letters from Heritage Union Life to Robert Spallina?
* To the best of your knowledge is Robert Spallina the Trustee of LaSalle National Trust, NA?
* To the best of your knowledge is LaSalle National Trust, NA, the PRIMARY BENEFICIARY of the life insurance policy according to Heritage?
* So it would appear that Robert Spallina is the Trustee of the Primary Beneficiary of the Policy, LaSalle National Trust, NA, is that correct?
* E37 – Can you read into the Record the letter from Heritage stating the Primary Beneficiary = LaSalle?
* You allege in your lawsuit that the legally nonexistent life insurance Trust you are alleging to be Trustee for is the contingent beneficiary of life insurance policy, is that correct?
* Does that contradict what Heritage claims?
* It appears that Robert Spallina acted as Trustee of the legally non-existent 1995 trust that alleges to be the contingent beneficiary of the Policy when filing his death benefit claim, is that correct?
* It appears that Robert Spallina acted as Trustee of the LaSalle National Trust, NA the primary beneficiary of the Policy according to Heritage, is that correct?
* So it appears that Spallina acted as the Trustee to the primary bene and what you all is the contingent beneficiary the lost 1995 Trust when filing his denied claim with Heritage, is that correct?
* E37 - OK look at this Letter from Heritage, who does the letter claim is the contingent bene? So not the 1995 Trust?
* Was Spallina and Tescher at this time also the Co-Personal representatives of the Estate of Simon that would receive the insurance benefits if no legally qualified beneficiary is established?
* Yet Spallina is representing you in the insurance matters and acting on your behalf to pay the death benefit outside the Estate, which will in part benefit you and your sister Pamela through this claim to pay the lost and legally non existent trust that both you and Spallina claim not to possess an executed copy of, is that correct?
* So both you and Spallina could be construed to be working to move the death benefit out the Estate of Simon to pay it to other beneficiaries of a non existent trust, including benefiting yourself and your sister Pamela directly, is that correct?
* If this insurance scheme and now federal breach of contract scheme is allowed, this would move the insurance proceeds from the Estate beneficiaries who both you and Spallina allege is the 10 grandchildren, is that correct?
* You and Spallina as fiduciaries of the Estates and Trusts of Simon are obligated to protect and represent the beneficiaries interests of the Estate and Trusts of Simon, is that correct?
* Does the fact that you are Trustee for a lost trust that legally does not exist that could inure benefits directly into your pocket pose a conflict of interest and adverse interests with you and the estate beneficiaries to the best of your knowledge? Would this preclude you from continuing acting as an alleged Fiduciary in your mind?
* Did Spallina and Tescher ever join in your breach of contract lawsuit as Co-Personal Representatives of the Estate of Simon to represent the interests of the Estate beneficiaries?
* Did you act in your breach of contract lawsuit to block the Estate of Simon from joining the lawsuit to represent the interests of the Estate beneficiaries?
* E38 - Can you read into the record the Title of the Opposition Motion and tell us about this Motion? Does it attempt to block the Estate from being represented in your Breach of Contract Lawsuit?
* Do you posses or ever possessed a bona fide copy of the Heritage Union Life Insurance Policy?
* Has anyone produced to this point a legal copy of Simon’s Heritage Union Life Policy? If yes, do you have a copy? If no – So there appears to be no legal contract you have claimed a breach of contract on in your lawsuit?
* Do you posses or ever possessed the legally non existent alleged 1995 insurance Trust? If not what terms are you alleging to act under?
* Do you posses or ever possessed the 2000 Life Insurance Trust done by Proskauer Rose that supersedes the 1995 lost trust?
* E39 - Can you read into the Record the excerpts from that executed 2000 Life Insurance Trust? Is Capitol Bankers life later acquired by Heritage Union Life?
* Have you notified the Federal Court of this 2000 life insurance trust and withdrawn your lawsuit and had the monies returned to the Carrier to pay the to be determined beneficiaries since the 1995 Trust is no longer relevant?
* Have you notified this Court or the Federal Court in Illinois of the 2000 life insurance trust?