

**IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA**

TED BERNSTEIN, as Trustee of the Shirley  
Bernstein Trust Agreement Dated May 20,  
2008, as Amended

Case No.: 502014CP003698XXXXNBIJ  
Probate Division

Plaintiff,

v.

ALEXANDRA BERNSTEIN; ERIC  
BERNSTEIN; MICHAEL BERNSTEIN;  
MOLLY SIMON; PAMELA B. SIMON,  
Individually and as Trustee f/b/o Molly Simon  
under the Simon L. Bernstein Trust Dtd 9/13/12;  
ELIOT BERNSTEIN, individually, as Trustee  
f/b/o D.B., Ja. B. and Jo. B. under the Simon L.  
Bernstein Trust Dtd 9/13/12, and on behalf of his  
minor children D.B., Ja. B. and Jo. B.; JILL  
IANTONI, Individually, as Trustee f/b/o J.I.  
under the Simon L. Bernstein Trust Dtd 9/13/12,  
and on behalf of her Minor child J.I.; MAX  
FRIEDSTEIN; LISA FRIEDSTEIN,  
Individually, as Trustee f/b/o Max Friedstein and  
C.F., under the Simon L. Bernstein Trust Dtd  
9/13/12, and on behalf of her minor child, C.F.,

Defendants.

**PLAINTIFF'S SECOND AMENDED<sup>1,2</sup> EXHIBIT LIST**

Plaintiff, Ted S. Bernstein (the "Trustee"), hereby files his list of exhibits for the trial  
scheduled for December 15, 2015, by Order of this Court dated September 24, 2015, as follows:

| TAB | DESCRIPTION  | BATES | MARKED | ADMITTED |
|-----|--|-------|--------|----------|
| 1.  | May 20, 2008 Shirley Bernstein Will                          |       |        |          |
| 2.  | May 20, 2008 Shirley Bernstein Trust Agreement               |       |        |          |
| 3.  | November 18, 2008 First Amendment to Shirley Trust Agreement |       |        |          |

<sup>1</sup> First Amended Exhibit List added Exhibit(s) 40A-40F

<sup>2</sup> Second Amended Exhibit List adds Exhibit 41

| TAB | DESCRIPTION  | BATES                             | MARKED | ADMITTED |
|-----|--|-----------------------------------|--------|----------|
| 4.  | July 25, 2012 Will of Simon L. Bernstein   | TS004297-TS004305                 |        |          |
| 5.  | July 25, 2012 Amended and Restated Trust Agreement of Simon L. Bernstein                                       |                                   |        |          |
| 6.  | <i>Invalid</i> November 18, 2008 First Amendment to Shirley Bernstein Trust Agreement                          | TS001397-TS001399                 |        |          |
| 7.  | Bernstein Family Charts  |                                   |        |          |
| 8.  | August 15, 2007 Letter from John A. Herrera, Esq. to Eliot Bernstein Re-Advancement of Inheritance             | TS006701-TS006703                 |        |          |
| 9.  | November 16, 2007 Client/Case Maintenance Form of Simon & Shirley Bernstein                                    | TS003232                          |        |          |
| 10. | Tescher & Spallina Attorney Notes Re: Bernstein  | TS003638-TS003646 & TS004061-4063 |        |          |
| 11. | April 9, 2008 Letter from Robert Spallina to Mr. and Mrs. Simon Bernstein Re- <i>Estate Planning</i>           |                                   |        |          |
| 12. | Undated Financial Statement of Simon Bernstein   |                                   |        |          |
| 13. | 2012 Financial Statement of Simon Bernstein  |                                   |        |          |
| 14. | May, 2012 Email from E. Bernstein to R. Spallina Re-Estate of Shirley Bernstein                                | TS003977                          |        |          |
| 15. | May 24, 2012 Letter enclosing draft Wills from Spallina to Simon Bernstein Re-Estate Planning                  | TS003983-TS004018                 |        |          |
| 16. | July 2, 2012 Simon L. Bernstein Durable Power of Attorney  | TS003916-TS003919                 |        |          |
| 17. | July 26, 2012 Letter from Spallina to Simon Bernstein Re-Estate Planning                                       | TS003982                          |        |          |
| 18. | Simon Leon Bernstein Certification of Death  | TS004163                          |        |          |
| 19. | Notice of Administration In Re: Estate of Simon L. Bernstein   | TS004177                          |        |          |
| 20. | October 23, 2012 Palm Beach Daily Business Review Notice of Administration In Re: Estate of Simon L. Bernstein | TS004274                          |        |          |
| 21. | iViewit.com LLC Promissory Noteholders Chart, Stock Ledger   | TS004329, TS004324-TS004325       |        |          |

| TAB  | DESCRIPTION  | BATES  | MARKED | ADMITTED |
|------|--|--|--------|----------|
| 22.  | LIC Holdings, Inc. Analysis of Shareholders and Shareholdings  | TS002953   |        |          |
| 23.  | 2006-2010 LIC Holdings, Inc. Tax Return 1120S Forms  | TS000925,<br>TS002419,<br>TS002421, CBIZ148,<br>TS001531 |        |          |
| 24-A | December, 2013 Amended Inventory In Re: Estate of Simon Bernstein  | TS004201-TS004203<br>TS004206-TS004207                   |        |          |
| 24-B | December 1, 2014 [2012CP004391 In Re: Estate of Simon L. Bernstein] Inventory by Brian M. O'Connell  |  |        |          |
| 25.  | March 26, 2015 Successor Trustee's Notice of Accounting of The Simon Bernstein Revocable Trust From: February 3, 2014 through March 15, 2015   |  |        |          |
| 26.  | March 31, 2015 [In Re: Estate of Shirley Bernstein, Case Number: 2011CP000653] Accounting of Successor Personal Representative   |  |        |          |
| 27.  | March 31, 2015 [In Re: Estate of Shirley Bernstein, Case Number 2011CP000653] Inventory by Ted S. Bernstein, As Successor Personal Representative  |  |        |          |
| 28.  | Fifteenth Judicial Circuit, Palm Beach County Case Number: 2011CP000653SB, In Re: Estate of Shirley Bernstein: <i>Petition to Re-Close Estate Based Upon Prior Signed Waivers and for Discharge of Successor Personal Representative</i> |  |        |          |
| 29.  | Fifteenth Judicial Circuit, Palm Beach County Case Number: 2012CP00439SB, In Re: Estate of Simon L. Bernstein: <i>Ted S. Bernstein's Motion for Instructions</i>   |  |        |          |
| 30.  | Fifteenth Judicial Circuit, Palm Beach County Case Number 2012CA013933, Stansbury v. Bernstein et al: <i>Order of Dismissal with Prejudice of Certain Parties and Claims</i>   |  |        |          |
| 31.  | January 21, 2014 Resignation of Co-Trustee   |  |        |          |

| TAB  | DESCRIPTION  | BATES | MARKED | ADMITTED |
|------|--|-------|--------|----------|
| 32.  | March 4, 2014 Affidavit of Donald R. Tescher   |       |        |          |
| 33.  | March 10, 2014 Affidavit of Robert Spallina  |       |        |          |
| 34.  | Palm Beach County Case Number: 2012CP004391 In Re: The Estate of Simon L. Bernstein- September 22, 2014 <i>Ted. S. Bernstein Amended Designations of the Deposition of Donald Tescher</i>  |       |        |          |
| 35.  | Preliminary Statement by Eliot Bernstein in the USDC Southern District of New York, Eliot Bernstein v. Appellate Division, First Department Departmental Disciplinary Committee, et al   |       |        |          |
| 36.  | <i>Internet and Blog Postings with negative references to Ted S. Bernstein; Judge Colin; various fiduciaries and counsel, and others</i>   |       |        |          |
| 36-A | January 11, 2014 Ted Bernstein Report by Investigative Blogger, Crystal L. Cox: Filing a Lien Against All Judges In Re: Shirley Bernstein  |       |        |          |
| 36-B | February 21, 2014 Ted Bernstein Report by Investigative Blogger, Crystal L. Cox Re: "Judge Martin Colin has a History of Protecting the Bad Guys..."   |       |        |          |
| 36-C | May 14, 2014 Ted Bernstein Report by Investigative Blogger, Crystal L. Cox Re: "John Pankauski"  |       |        |          |
| 36-D | March 30, 2015 Ted Bernstein Insurance Scam Article by Crystal L. Cox Re: <i>7020 Lions Head Lane Boca Raton, Real Estate Buyers Have a Legal Right to Have FULL DISCLOSURE. Buyer Be Aware</i>  |       |        |          |
| 36-E | April 20, 2015 Article by Crystal Cox Re: <i>Simon Bernstein Irrevocable Insurance Trust Dtd 6/21/95 v. Heritage Union Life Insurance Company; Insurance Fraud, Forged Documents, Murder Allegations, No Policy, and Millions Paid</i> |       |        |          |
| 36-F | June 4, 2015 Article by Crystal L. Cox Re: <i>Alan B. Rose of Mrachek,</i>   |       |        |          |

| TAB  | DESCRIPTION  | BATES                                       | MARKED | ADMITTED |
|------|--|---|--------|----------|
|      | <i>Fitzgerald, Rose, Konopka, Thomas, &amp; Weiss Florida Probate Case</i>   |   |        |          |
| 36-G | September 14, 2015 Article by Crystal L. Cox Re: <i>Florida Probate Fraud, Forgery, and Corruption</i>   |   |        |          |
| 37.  | November 9, 2012 and November 29, 2012 Letters from Christine P. Yates to Robert Spallina Re-Estates of Shirley Bernstein and Simon Leon Bernstein   | TS004363-<br>TS004364,<br>TS004365-TS004366 |        |          |
| 38.  | Accounting for Sale of 7020 Lions Head Lane, Boca Raton, FL (if sale closed)   |   |        |          |
| 39.  | Any and all documents listed by Defendants, subject to objections  |   |        |          |
| 40-A | Envelope from S. Greenwald, P.A. to Mr. and Mrs. Simon L. Bernstein  | TS000001                                    |        |          |
| 40-B | October 12, 2007 Cover Letter from Greenwald to Mr. and Mrs. Bernstein   | TS000043-TS000044                           |        |          |
| 40-C | August 15, 2000 Last Will and Testament of Simon Bernstein   | TS000002-000022                             |        |          |
| 40-D | August 15, 2000 Last Will and Testament of Shirley Bernstein   | TS000023-TS000042                           |        |          |
| 40-E | December 1, 2001 First Codicil to Last Will and Testament of Shirley Bernstein   | TS000045-TS000048                           |        |          |
| 40-F | November 30, 2001 First Codicil to Last Will and Testament of Simon L. Bernstein   | TS000049-TS000052                           |        |          |
| 41.  | December 8, 2015 Ted Bernstein Report by Investigative Blogger, Crystal L. Cox Re: <i>Florida Judge, Judge L. Phillips RULES to not disqualify himself? Wow, is that Lawful? Ethical? Etc.</i> |   |        |          |

The Trustee reserves the right to amend and/or supplement this Exhibit List and to utilize any and all exhibits offered into evidence by the Defendants.

**CERTIFICATE OF SERVICE**

I CERTIFY that a copy of the foregoing has been furnished to all persons on the Service List set forth below by email electronic transmission this 10<sup>th</sup> day of December, 2015.

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*Attorneys for Trustee, Ted Bernstein*

By: /s/ Alan B. Rose  
Alan B. Rose (Florida Bar No. 961825)

**SERVICE LIST**  
**CASE NO.: 502014CP003698XXXXNBIJ**

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|--|---|
| <p>Eliot Bernstein, individually and Eliot and Candice Bernstein, as Parents and Natural Guardians of D.B., Ja. B. and Jo. B, Minors<br/>2753 NW 34th Street<br/>Boca Raton, FL 33434<br/>(561) 245-8588 - Telephone<br/>(561) 886-7628 - Cell<br/>(561) 245-8644 - Facsimile<br/>Email: Eliot I. Bernstein (<a href="mailto:iviewit@iviewit.tv">iviewit@iviewit.tv</a>)</p> <p>John P. Morrissey, Esq.<br/>330 Clematis Street, Suite 213<br/>West Palm Beach, FL 33401<br/>(561) 833-0866 - Telephone<br/>(561) 833-0867 - Facsimile<br/>Email: John P. Morrissey (<a href="mailto:john@jmorrisseylaw.com">john@jmorrisseylaw.com</a>)<br/>Counsel for Molly Simon, Alexandra Bernstein, Eric Bernstein, Michael Bernstein</p> <p>Lisa Friedstein, individually and as trustee for her children, and as natural guardian for M.F. and C.F., Minors; and Max Friedstein<br/><a href="mailto:lisa.friedstein@gmail.com">lisa.friedstein@gmail.com</a></p> <p>Jill Iantoni, individually and as trustee for her children, and as natural guardian for J.I. a minor<br/><a href="mailto:jilliantoni@gmail.com">jilliantoni@gmail.com</a></p> | <p>Alan Rose, Esq.<br/>Mrachek Fitzgerald Rose<br/>Konopka Thomas &amp; Weiss, P.A.<br/>505 S Flagler Drive, Suite 600<br/>West Palm Beach, FL 33401<br/>(561) 655-2250 - Telephone<br/>(561) 655-5537 - Facsimile<br/>Email: <a href="mailto:arose@mrachek-law.com">arose@mrachek-law.com</a></p> <p>Pamela Beth Simon<br/>303 E. Wacker Drive, Suite 2725<br/>Chicago, IL 60601<br/>Email: <a href="mailto:psimon@stpcorp.com">psimon@stpcorp.com</a></p> <p>Brian M. O'Connell, Esq.<br/>Joielle A. Foglietta, Esq.<br/>Ciklin Lubitz Martens &amp; O'Connell<br/>515 N. Flagler Dr., 20th Floor<br/>West Palm Beach, FL 33401<br/>561-832-5900 - Telephone<br/>561-833-4209 - Facsimile<br/>Email: <a href="mailto:boconnell@ciklinlubitz.com">boconnell@ciklinlubitz.com</a>;<br/><a href="mailto:jfoglietta@ciklinlubitz.com">jfoglietta@ciklinlubitz.com</a>;<br/><a href="mailto:service@ciklinlubitz.com">service@ciklinlubitz.com</a>;<br/><a href="mailto:slobdell@ciklinlubitz.com">slobdell@ciklinlubitz.com</a></p> |
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