

## Eliot Ivan Bernstein

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**From:** Alan Rose <ARose@mrachek-law.com>  
**Sent:** Tuesday, March 8, 2016 6:19 PM  
**To:** Eliot Ivan Bernstein  
**Cc:** Lessne, Steven; O'Connell, Brian M.; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.; John P. Morrissey Esq. @ John P. Morrissey, P.A.; Foglietta, Joy A; Lisa S. Friedstein; Jill Iantoni; Pam Simon  
**Subject:** RE: Appointment of a Guardian ad Litem  
**Attachments:** Simon Bernstein Will dtd 07-25-2012 conformed copy - original in courthouse.pdf; Simon L. Bernstein Amended and Restated Trust Agreement dtd 7-25-2012 - duplicate original.pdf

Your requests are unreasonable and not required by the Court.

As to the Trusts, they were created by the Will and Trust of Simon, additional copies of which are attached even though you have been provided copies of these on numerous occasions. As to the trusts to be created per Simon's wishes, I believe you refused to allow the trusts to be funded with an interim distribution and you do not serve as trustee. I am not sure if these trusts have been created yet, but in any event, that is a matter of little consequence to the person serving as Guardian because he or she could oversee the setting up of any such trust if needed. There are no additional trust documents beyond what is attached.

You have not proposed any names; have not indicated a desire to confer; and appear to be in stall and delay mode. As I recall, you have yet to agree with Oppenheimer on a replacement trustee, and that has been ongoing for a very long time.

I assume you are against Diana Lewis, and have proposed no one else, so we will proceed to submit a list in compliance with the Court's March 1<sup>st</sup> Order.

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**From:** Eliot Ivan Bernstein [mailto:iviewit@iviewit.tv]  
**Sent:** Monday, March 07, 2016 9:23 PM  
**To:** Alan Rose; 'Eliot Ivan Bernstein'; tourcandy@gmail.com  
**Cc:** Candice Schwager @ Schwager Law Firm; Barbara Stone; Kevin R. Hall; agortz@proskauer.com; Alan Rose; attorneys@matbrolaw.com; bhenry@matbrolaw.com; 'Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell'; 'Byrd F. "Biff" Marshall Jr. ~ President & Managing Director @ Gray Robinson, PA'; 'Charles D. Rubin ~ Managing Partner @ Gutter Chaves Josepher Rubin Forman Fleisher Miller PA'; 'Chris Stroup ~ Chairman of the Board of Directors and Chief Executive Officer @ Heritage Union Life / WiltonRe'; 'David Lanciotti ~ Executive Vice President and General Counsel @ LaSalle National Trust, NA / Chicago Title Land Trust Company'; ddustin@tescherspallina.com; 'Dennis G. Bedley ~ Chairman of the Board, Director and Chief Executive Officer @ Legacy Bank of Florida'; 'Dennis McNamara ~ Executive Vice President and General Counsel @ Oppenheimer & Co. Inc.'; 'Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A.'; 'Gary R. Shendell'; 'Gary R. Shendell'; 'Gary R. Shendell'; 'General Counsel at CBIZ MHM, LLC'; 'Gerald "Jerry" R. Lewin ~ Managing Director @ CBIZ MHM, LLC'; 'Hunt Worth ~ President @ Oppenheimer Trust Company'; 'James Dimon ~ Chairman of the Board and Chief Executive Officer @ JP Morgan Chase & CO.'; 'Janet Craig, CTFA ~ Senior Vice President & Compliance Officer @ Oppenheimer Trust Company'; 'Jill Iantoni'; 'John J. Pankauski'; 'John J. Pankauski'; 'John P. Morrissey Esq. @ John P. Morrissey, P.A.'; john@pankauskilawfirm.com; 'Joseph M Leccese ~ Chairman of the Firm @ Proskauer Rose LLP'; 'Kenneth S. Pollock'; 'Kenneth S. Pollock'; 'Kenneth S. Pollock'; 'Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A.'; Louis Mrachek; 'Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts'; 'Lisa S. Friedstein'; 'Mark R. Manceri, Esquere @ Mark R. Manceri, P.A.'; mrmlaw1@gmail.com; 'Neil Wolfson ~ President & Chief Executive Officer @ Wilmington Trust Company'; 'Pamela Beth Simon'; 'Peter Feaman'; 'Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.';

pmatwiczky@matbrolaw.com; 'Ralph S. Janvey ~ Federal Court Appointed Receiver @ Stanford Financial Group'; 'Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A.'; service@feamanlaw.com; 'Steven A. Lessne ~ Shareholder @ GrayRobinson, P.A. '; 'Steven A. Lessne Esq.'; 'Steven A. Lessne Esq.'; 'Steven A. Lessne Esq. @ Gunster, Yoakley & Stewart, P.A.'; 'William M. Pearson'; 'William McCabe Esq. @ Oppenheimer Trust Company'; Marie Chandler; Anderson, Charlene; 'Jill M. Iantoni'; Joielle "Joy" A. Foglietta, Esquire @ Ciklin Lubitz Martens & O'Connell; 'Andrew Dietz @ Rock-It Cargo USA, Inc.'; 'Caroline Prochotska Rogers Esq.'; 'Marc R. Garber Esq.'; 'Marc R. Garber Esq. @ Flaster Greenberg P.C.'; 'Michele M. Mulrooney ~ Partner @ Venable LLP'

**Subject:** RE: Appointment of a Guardian ad Litem

Alan,

We would like to propose several options as candidates for the improperly obtained GAL and object to your proposed suggestion of Diana Lewis. The problem we have in getting a candidate is however that we will need a copy of the three trusts for Joshua, Jacob and Daniel that were created under the Simon Trust allegedly and dated on the day he died Sept 13, 2012 in order for anyone to properly review and determine if they want to take on such role. We have tried to have our attorney, Candice Schwager, who is also a Guardian obtain the documents that I am sued under as Trustee and my children are sued under as alleged beneficiaries and you have refused her these documents that your client Ted is liable for delivering or failing to do so to the alleged Trustee, me (who has never seen or signed any such trust) and the alleged Beneficiaries, my children (who have never received copies), along with Tescher and Spallina Ted's former counsel involved in criminal acts in these matters that benefitted Ted. Your refusal to tender these documents and provide originals for inspection to determine further fraud by the fiduciaries and counsel is again an alleged criminal act and in violation of Probate Rules and Statutes and law. Without these trusts provided to us we will be reporting this as further fraud on the court, fraud by the court and fraud on the beneficiaries to the proper state and federal authorities, including adding this to ongoing open investigations of certain parties involved in this already.

Your candidate Diana Lewis has a slew of internet posts about her that are negative and we fear that if she is taking this case without having these trusts we will have to subsequently report her for aiding and abetting the ongoing fraud on and by the Court. She also has taken campaign contributions from several parties already involved in these matters and sued in counter complaints and being added to our federal complaint and reported to state and federal authorities, which further cause us to fear prejudice against us by her in the continuing and ongoing conspiracy, as described by attorney Peter Feaman, Esq., against me and my family by the court, officers and fiduciaries of the court et al.

Also, have you reported the matters involving Mitch Huhem's alleged death as reported to the authorities and the matters involving what appears to be a fraudulent sale of the home that you Alan are dead center in the middle of with you witnessing and notarizing such alleged fraudulent transaction and deed? In addition, have you reported to the proper authorities as required by your ethics code and law the admissions to felony criminal acts by Robert Spallina that he stated under oath were unreported to any parties at the Dec 15 2015 hearing, as factually contained in the transcript of that sham hearing of your star witness at the validity hearings? Have you reported Robert Spallina for his violations of his SEC Consent Order to one count of CRIMINAL misconduct in his Insider Trading Case? Finally, have you reported to the authorities what you confessed on the stand when called as a material and fact witness and counter defendant in the February 25, 2016 hearing whereby you stated that you had removed highly confidential estate documents in the Custody of Brian O'Connell without a Writ of Possession or permission to remove such documents constituting an admission of theft of estate properties to the proper authorities? I would hope that other attorney witnesses to that confession of yours have also reported you as they are required to do when knowing of misconduct of a fellow attorney at law and where they should have all reported Spallina's admission of new state and federal crimes in the Dec 15, 2015 hearing.

I will be filing further criminal charges against you Mr. Rose and your client Ted for several new crimes we believe we now have further evidence of so I do hope you enjoy your ill gotten Court Orders of Judge Phillips obtained through further fraud on and by the court in efforts to shut down my pursuit of all of you both criminally and civilly and further exposure of your crimes. Remember they all will be appealed and there is no

statute of limitations on fraud on the court. I advise you to Govern Yourself Accordingly and that advisement is to all those parties in this communication who are aware of any criminal activities that you are failing. As you know and made Judge Phillips aware at the Feb 25, 2016, several judges, including but not limited to, Jorge Labarga, Martin Colin, David E. French and yes, while you stopped short of stating his name, I put into the record that the Exhibit A you referred to and entered into evidence also included Judge Phillips and yourself who I am seeking leave to amend my federal counter complaint to include as Counter Defendants. I also asked Judge Phillips if he had notified state and federal authorities of the felony criminal acts Spallina confessed to in his court under sworn oath as a witness in the case and he growled at me and I reminded him that if he had not reported such it would be construed as Misprision of a Felony and Aiding and Abetting and that I would be filing criminal charges against him. I wonder if you or the attorneys present who have knowledge of Judge Phillips misconduct have reported that to state and federal agents?

Please have the trust documents sent immediately to Candice Schwager and myself immediately or I will report this obstruction as well. I have also attached a Conflict of Interest Disclosure for any proposed Guardian to sign and for you and your firm to sign, as well as, Brian O'Connell who appears to have a major conflict with my family with his partner Jerald Beer that has been undisclosed by Mr. O'Connell to any party despite his having knowledge of the conflict which should cause his immediate resignation. I have asked Brian to sign one previously and for a copy of his conflicts check on the case prior to his accepting the case for his firm but he has failed to provide me with that at this time. Any failure by any Guardian to run a thorough conflicts check and return my enclosed Conflict Disclosure form for the Iviewit companies and myself and family will be immediately reported. I will anticipate that my children will be provided through their attorney a fully executed COI and any attorney contracted by the GAL would also need to provide such disclosures to my and my children's retained counsel, Candice Schwager, Esq.

I will anticipate that this communiqué will be attached to any filing with the court regarding our response to your request. Your continued threats to me in efforts to cover up the criminal acts being exposed will further reported as continued extortion and harassment of me and my family for our whistleblowing efforts that have led to proven and admitted felony criminal acts in these matters by Officers of the Court in combination and conspire with others. You should know that court orders attempting to silence someone illegally through abusive process are illegal.

Thank you,

Eliot Bernstein

## **I-VIEW-IT TECHNOLOGIES, INC.**

*Surf with Vision*

Eliot I. Bernstein  
Inventor  
Iviewit Holdings, Inc. – DL  
Iviewit Holdings, Inc. – DL (yes, two identically named)  
Iviewit Holdings, Inc. – FL  
Iviewit Technologies, Inc. – DL  
Uviewit Holdings, Inc. - DL  
Uview.com, Inc. – DL  
Iviewit.com, Inc. – FL  
Iviewit.com, Inc. – DL  
I.C., Inc. – FL  
Iviewit.com LLC – DL  
Iviewit LLC – DL  
Iviewit Corporation – FL  
Iviewit, Inc. – FL  
Iviewit, Inc. – DL

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<http://www.iviewit.tv>  
<http://iviewit.tv/inventor/index.htm>  
<http://iviewit.tv/iviewit2>  
<http://www.facebook.com/#!/iviewit>  
<http://www.youtube.com/user/eliotbernstein?feature=mhum>  
in loving memory and sad post mortem attorney corruption story  
<http://iviewit.tv/ShirleyBernstein>  
<http://iviewit.tv/SimonBernstein>  
<http://iviewit.tv/ThisisBullshit>

Ellen DeGeneres on Iviewit Technologies that launched her to fame on the Internet,  
A truly cutting edge woman.  
[https://www.youtube.com/watch?feature=player\\_embedded&v=1iSS8CHiyBw](https://www.youtube.com/watch?feature=player_embedded&v=1iSS8CHiyBw)

Also, check out

Eliot's Testimony at the NY Senate Judiciary Committee Hearings Professional Video courtesy of NY Senate, my fav part at end  
[http://www.youtube.com/watch?v=7oHKs\\_crYIs](http://www.youtube.com/watch?v=7oHKs_crYIs)

Eliot's Testimony at the NY Senate Judiciary Committee Hearings Professional Video Handheld Camera View, my favorite version at the very end  
<http://youtu.be/3Q9MzqZv4lw>

and

Christine Anderson New York Supreme Court Attorney Ethics Expert Whistleblower Testimony, FOX IN THE HENHOUSE and LAW WHOLLY VIOLATED TOP DOWN EXPOSING JUST HOW WALL STREET / GREED STREET / FRAUD STREET MELTED DOWN AND WHY NO PROSECUTIONS OR RECOVERY OF STOLEN FUNDS HAS BEEN MADE. Anderson in US Fed Court Fingers, US Attorneys, DA's, ADA's, the New York Attorney General and "Favored Lawyers and Law Firms" @  
<http://www.youtube.com/watch?v=6BIK73p4Ueo>

and finally latest blog  
<http://iviewit.tv/iviewit2/?p=187>

Eliot Part 1 - The Iviewit Inventions @  
<http://www.youtube.com/watch?v=LOn4hwemqW0>

Iviewit Inventor Eliot Bernstein Guest on Les Winston DisBar the Florida Bar Show #1  
<http://youtu.be/i1Ao1BYvvoQ>

Iviewit Inventor Eliot Bernstein Guest on Les Winston DisBar the Florida Bar Show #2  
<http://youtu.be/OaXys6bImFI>

Iviewit Inventor Eliot Bernstein Guest on Les Winston DisBar the Florida Bar Show #3  
<http://youtu.be/9R1PNnJVVGU>

Iviewit Inventor Eliot Bernstein Guest on Les Winston DisBar the Florida Bar Show #4  
<http://youtu.be/rUHCZFkro08>

Eliot Bernstein Iviewit Inventor Television Interview Dick Woelfle Network 125  
<http://youtu.be/WEgSXJFqrhQ>

Eliot for President in 2012 Campaign Speech 1 with No Top Teeth, Don't Laugh, Ok, laugh but very important  
<http://www.youtube.com/watch?v=DulHQDcwQFM>

Eliot for President in 2012 Campaign Speech 2 with No Top OR Bottom Teeth, Don't Laugh, Ok, laugh again but more important  
<http://www.youtube.com/watch?v=jbOP3U1q6mM>

Eliot for President in 2012 Campaign Speech 3 most important  
[https://www.facebook.com/iviewit?ref=tn\\_tnmn#!/note.php?note\\_id=319280841435989](https://www.facebook.com/iviewit?ref=tn_tnmn#!/note.php?note_id=319280841435989)

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<http://deniedpatent.blogspot.com>  
<http://www.judgewatch.org/index.html>  
<http://www.parentadvocates.org>  
<http://www.newyorkcourtcorruption.blogspot.com>  
<http://cuomotarp.blogspot.com>  
<http://www.disbarthefloridabar.com>  
<http://www.constitutionalguardian.com>  
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<https://mccormickestatefraud.wordpress.com>  
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[www.marylandcorruption.com](http://www.marylandcorruption.com)  
[www.judgewatch.org](http://www.judgewatch.org)  
[www.fulldisclosure.net](http://www.fulldisclosure.net)  
<http://tedbernsteinreport.blogspot.com>

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"We the people are the rightful master of both congress and the courts - not to overthrow the Constitution, but to overthrow the men who pervert the Constitution." - Abraham Lincoln

"Whensoever the General Government assumes undelegated powers, its acts are unauthoritative, void, and of no force." -- Thomas Jefferson, The Kentucky Resolutions of 1798

"If a law is unjust, a man is not only right to disobey it, he is obligated to do so." Thomas Jefferson

"Each time a person stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring, these ripples build a current that can sweep down the mightiest walls of oppression and resistance." - Robert F. Kennedy

And to those who stand together in Truth, Justice and the American Way, I say we be FRATRES CONJURATI!

"Is life so dear or peace so sweet as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take, but as for me, give me liberty, or give me death!" - Patrick Henry

"Dick: The first thing we do, let's kill all the lawyers." The Shakespearean Solution, Sam The Butcher, Henry The Sixth, Part 2 Act 4, scene 2, 71–78

"Gatthew 5:5 Blessed are the Geek, for they will inherit the earth." Eliot Bernstein

I live by the saying from Ellen G. White:

"The greatest want of the world is the want of men, --men who will not be bought or sold; men who in their inmost souls are true and honest, men who do not fear to call sin by its right name; men whose conscience is as true to duty as the needle to the pole, men who will stand for the right though the heavens fall." -Education, p. 57(1903)

If you are one of these people, nice to be your friend ~ Eliot

	<b>Eliot I. Bernstein</b> Iviewit Technologies, Inc. Founder & Inventor (561) 245-8588 Work (561) 886-7628 Mobile (561) 245-8644 Facsimile iviewit@iviewit.tv eliot@iviewit.tv 2753 N.W. 34th St. Boca Raton, Florida 33434 <a href="http://www.iviewit.tv">http://www.iviewit.tv</a>
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**From:** Alan Rose [<mailto:ARose@mrachek-law.com>]  
**Sent:** Monday, March 7, 2016 7:28 PM  
**To:** Eliot Ivan Bernstein; Eliot Ivan Bernstein; [tourcandy@gmail.com](mailto:tourcandy@gmail.com)  
**Cc:** Lessne, Steven; O'Connell, Brian M.; Foglietta, Joy A; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.; John P. Morrissey Esq. @ John P. Morrissey, P.A. ; Pamela Beth Simon; [lisa.friedstein@gmail.com](mailto:lisa.friedstein@gmail.com); Jill Iantoni; Kenneth S. Pollock  
**Subject:** RE: Appointment of a Guardian ad Litem

As a follow up, we propose that the Guardian ad Litem be Diana Lewis, a former judge with some probate experience.

She is willing to accept the appointment, and is acceptable (to many of the people involved, including Messrs. O'Connell, Feaman, Morrissey).

I am not sure if Mr. Lessne agrees or can suggest someone else, but would like to know if Mr. and Mrs. Eliot Bernstein will agree to former judge Lewis or would like to propose someone else.

Thanks

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**From:** Alan Rose  
**Sent:** Friday, March 04, 2016 3:59 PM  
**To:** 'Eliot Ivan Bernstein'; 'Eliot Ivan Bernstein'; 'tourcandy@gmail.com'  
**Cc:** 'Lessne, Steven'; 'O'Connell, Brian M.'; 'Foglietta, Joy A'; 'Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.'; 'John P. Morrissey Esq. @ John P. Morrissey, P.A. '; 'Pamela Beth Simon'; 'lisa.friedstein@gmail.com'; 'Jill Iantoni'; 'Kenneth S. Pollock'  
**Subject:** Appointment of a Guardian ad Litem

Mr. and Mrs. Eliot Bernstein:

The Court has entered the attached Orders, and in part ordered us to agree on a Guardian ad Litem within 3 business days, if we can.

Is there anyone you would like to suggest? I suggest we email each other with any names of prospective Guardians ad Litem, and we can consider and discuss the choices, and if possible agree on one.

I understand you are dissatisfied with many aspects of this matter. If you will never agree with us on the selection of the appointed guardian, you can advise us of that as well to streamline the process. I hope you will work with the parties to make this transaction smooth.

Thanks

Alan B. Rose, as  
Counsel for Successor Trustee of the Shirley Bernstein Trust  
Counsel for Successor Personal Representative if the Estate of Shirley Bernstein  
Counsel for Successor Trustee of the Simon Bernstein Trust

Cc: Steven Lessne, Counsel for Oppenheimer  
All other parties and counsel of record

Alan B. Rose, Esq.  
[arose@Mrachek-Law.com](mailto:arose@Mrachek-Law.com)  
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