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Saturday, April 09, 2016

The Honorable Preet Bharara
United States Attorney General
Southern District of New York
United States Attorney's Office
1 St. Andrew's Plaza
New York City, NY 10007
(866) 874-8900
Preet.Bharara@usdoj.gov

**Re: MORELAND COMMISSION COMPLAINTS UNHEARD & NATIONWIDE COMPLAINTS
OF PUBLIC OFFICE AND COURT CORRUPTION**

Dear Honorable Preet Bharara,

I write to your offices in conjunction with several parties who submitted information to the Governor Andrew Cuomo created Moreland Commission which was abruptly shut down by the Governor and also in reference to your January 13, 2016 Press Release which is linked herein.

<http://www.justice.gov/usao-sdny/pr/statement-us-attorney-preet-bharara-relating-moreland-commission-investigation>

This public Press statement indicates that your office had taken over the cases that made inquiries to the the Moreland Commission. I previously contacted your offices with Patrick Hanley and Suzanne McCormick on February 06, 2015 to schedule a Meeting and

we were invited to submit a formal statement of our involvement with the Moreland Commission detailing what happened and what we provided to the Commission, as well as, including pertinent information to our particular cases.

My apologies for the delay in following up as events have unfolded in the interim that are relevant to this submission. Also, it is possible that our cases tie together with some of the arrests and convictions your office is currently processing in New York.

My case is unique in that it not only involves the conduct of major Wall Street law firms and financial institutions, but further involves “the interests of the United States” where I have previously been directed by Harry Moatz, then Director of the OED of the USPTO to file for suspension of my Intellectual Properties based on Fraud Upon the United States Patent Office by Attorneys registered with the Patent Bar that Moatz regulates and others and where major Wall Street interests are some of the largest violators benefitting from my stolen Intellectual Property rights.

This led to my Intellectual Properties being suspended while Moatz and West Palm Beach FBI Special Agent Stephen Lucchesi were working together on the crimes committed by the attorneys in filing my patents in other parties’ names and other violations of law. Please note that I Petitioned President Obama, the White House, the White House Counsel’s Office and the US Attorney General in Feb. 2009¹ while my case was pending at the US Second Circuit Court of Appeals in Manhattan and sought to have the USAG “Join” in the case as an interested party.

I had been contacted and solicited to come in to New York by one “Frank Brady”, also known as Kevin McKeown, to join and support a federal case of Whistleblower Christine Anderson, Esq. who had worked inside the NY First Department Disciplinary Committee as a Staff Attorney and who had firsthand knowledge of specific corruption inside the DDC specifically relating to sabotaging and fixing Attorney Discipline

¹ February 13, 2009 Letter to President Barack Obama et al.
<http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20090213%20FINAL%20SIGNED%20LETTER%20OBAMA%20TO%20ENJOIN%20US%20ATTORNEY%20FINGERED%20ORIGINAL%20MAIL%20l.pdf>

complaints filed against lawyers in my complaints from Proskauer Rose such as Ken Rubenstein, a patent attorney who heads up MPEG where I had direct and indisputable evidence of Ken Rubenstein ***lying under oath*** in Depositions from a case brought by the NYC based Proskauer Rose firm against my Company filed in the Palm Beach Courts. Judge Jorge LaBarga became the “Assigned” Judge in this sham attempt by Proskauer Rose to destroy my company where Proskauer Rose itself had been the very Patent Attorneys for my Company and one of the major parties involved with the theft of my Technologies and Intellectual Property rights. After I filed Bar Complaints against several attorneys and disciplinary department members for conflicts of interest and other improprieties in the mishandling of my complaints, Rubenstein and his partner Raymond Anthony Joao (who illegally put 90+ patents in his name involving the Iviewit Technology), along with Thomas Cahill, Esq. ~ Chief Counsel of the First Department Disciplinary and Steven Krane of Proskauer (now deceased) were all ordered by the First Department² for investigation by the Second Department, at which point investigations were derailed.

Frank Brady, also known as Kevin Mc Keown, represented himself to me as someone who had worked inside the NY First Department Disciplinary Committee while others he sought to join and support exposing Corruption within the Courts themselves and all 4 NY State Appellate Division Attorney Discipline Committees have stated that he represented himself as someone who had done work with the US Dept. of Justice, and specifically with the IRS and US Postal Inspector’s Office according to my Technology Partner and Consultant from upstate New York, Kevin R. Hall.

You may or may not be aware that, on or about 2009 after the White House Petition was filed, Kevin R. Hall and myself had an approximately hour long plus call

²Orders for Investigation of Joao and Rubenstein
<http://www.iviewit.tv/CompanyDocs/2004%2006%2017%20Cahill%20Motion%20to%20move%20complaints%20krane%20rubenstein.pdf>
and
<http://www.iviewit.tv/CompanyDocs/2004%2008%2011%20new%20york%20first%20department%20orders%20investigation%20Krane%20Rubenstein%20Joao.pdf>

with one Ron Gardella who at the time I understand was a Criminal Investigator with the US Attorney's Office of the SDNY although I have reviewed information that says he is now a Special Agent in Charge of the Dept of Justice Office of Inspector General, DOJ OIG.

Thus, I am specifically requesting that your office seek out and review the information provided to your office on or about 2009 to Ron Gardella as part of this investigation. I also have had an ongoing case with the DOJ OIG Inspector Generals, Glenn Fine and his successor Michael Horowitz but I am unaware of the status of those investigations and with new information of new crimes being learned in my matters, including possibly the murder of my father (as alleged by my brother) and a possible murder of the man who appears to have purchased his home in an alleged fraudulent Probate Court sale, it may be time to reopen any stalled investigations³ with all parties I have contacted in the past.

As you may or may not be aware, Whistleblower Christine Anderson, Esq. was exposing essentially a "cartel" of "inside" corruption in both the State and Federal Courts and agencies in the NYC area and her case was assigned to US SDNY District Court Judge Shira Scheindlin who according to recent news reports has suddenly announced Retiring from her Lifetime appointment to the federal Bench in Manhattan. Judge Scheindlin ultimately marked 8 cases legally "related" to the Anderson whistleblower case including my case where one common denominator and factor in all cases was that the NYS Office of Attorney General headed up by Andrew Cuomo came in for each case to represent multiple "state" defendants at the same time despite obvious and inherent conflicts of interest. There is another Whistleblower case of Nicole Corrado, Esq. another heroic insider from the First Department who filed suit against the NYS First Dept DDC ethics department and those officials involved for what I believe were sexual harassment type claims but I am unsure where that case has gone.

³ Iviewit Investigations Master
<http://iviewit.tv/CompanyDocs/INVESTIGATIONS%20MASTER.htm>

In what many have viewed as a most “bizarre” move, US Judge Scheindlin ultimately Dismissed all of these “related” cases to Anderson prior to the Anderson Trial without allowing any Discovery and in one Order of Dismissal suggested the Plaintiffs seek action by the US Attorney and or NY State Attorney General who again, at that time was headed by Andrew Cuomo who is one of the main people my complaints allege has been involved in public office corruptions to derail my cases filed both civilly and criminally.

While I will have to check the date, sometime thereafter my Technology Partner and Consultant Kevin R. Hall and I also had a specific, lengthy conversation with an attorney Steven Cohen who was at that time Chief of Staff to NYS AG Andrew Cuomo where not only did I report the matters for NYAG to pursue but further informed Mr. Cohen that I would be seeking criminal charges against NYAG Cuomo for obstruction of justice. It should be noted that I had previously sought Investigation of the Ivievit matters by NYAG Spitzer and Governor Pataki as well and then later had conversations with members of current Governor Andrew Cuomo’s office about these matters. Cohen turned the case over to a one of his family members, Emily Cole, where Emily’s father is Kenneth Cole married to Maria Cuomo Cole, who was asked if she was a relative of Andrew Cuomo when it appeared that corruption again had stalled the complaints and she stated she was not a relative, which was later deemed to be untrue.

I had also filed complaints with then Governor Patterson who before he acted upon the Cuomo AG complaints, had left office and Andrew Cuomo became Governor, Cohen was let go and the complaints went nowhere to the best of my knowledge.

It is with this backdrop of events and attempts at investigation by further Reporting the matters to the NY State Senate Judiciary Committee chaired at that time by Senator John Sampson that I ultimately brought my cases to the Governor Cuomo created Moreland Commission.

Several parties⁴ and organizations⁵ who have similar public office and court corruption cases nationwide are now filing this letter along with me to your office, all who have public office and court corruption criminal complaints of a mass of victims spanning many states and all involving Attorneys at Law, Judges and Guardians involved in a series of very serious allegations and in some cases proven criminal acts, all done in conspire to use the legal process and system to rob and deplete victims of their life savings and estates and trusts. The organizations have over a thousand cases we seek your office to investigate regarding these public office and court corruptions.

THE MORELAND COMMISSION

In approaching the Moreland Commission, I personally requested upfront that non-conflicted parties address my complaint information⁶ submitted to the Commission, as my complaint alleged criminal misconduct of certain of the Commission members and the Commission's founder Governor Andrew Cuomo and his actions or lack of actions in his capacity as Attorney General and then Governor. I was then met with a wall of resistance by the Commission to preclude me from testifying and they refused to allow me and others with similar complaints against Commission members to testify, stating in part that they were not investigating “that” type of corruption despite their mission statement stating otherwise. Acting on my behalf, Doris Sassower and Elena Sassower,

⁴ Moreland Inquiries and Scheindlin/Anderson Related Cases:

Christine Anderson, Esq. Eliot Bernstein, Luisa Esposito, Eleanor Capogrosso, Kevin McKeown, Pamela Carvel, Patrick Hanley & Suzanne McCormick, John L. Petrec-Tolino, William Galison, Gizella Weiss Haus, McNamara, Galit Schloss, Alessandra Dupont, Ann Masotti, Betsy Combier, Carl Lansizera, Catherine Wilson, Eleanor Capogrosso, Jackie Weaver, Kim Lurie, Margarita Walter and Mary Keon.

⁵ ORGANIZATIONS SUPPORTING THIS COMPLAINT

1. Americans Against Abusive Probate Guardianship
2. Families Against Court Travesties, Inc.
3. VoteFamily.Us

⁶ Letters to and from Moreland Commission re Testifying at Hearings and Inquiry Information Submitted <http://www.judgewatch.org/correspondence-nys/2015/statewide-attorney-discipline/correspondence/7-21-15-email-to-caher.pdf>

and

Moreland Complaint @

<http://www.iviewit.tv/20130912%20Moreland%20Commission%20Submission%20Eliot.pdf>

from the Center for Judicial Accountability, Inc. petitioned the Moreland Commission to allow me access but to no avail, as the Commission then quickly and improperly disbanded prior to an opportunity to appear and present my case. Several parties attempting to be heard were even turned away at the hearing door by a young lady who referring to a typed list stated that you're not on the list and you can't go in, preventing many people from even entering the public proceedings and building, including reporters and complainants who had traveled hours under the impression that they would be heard and could take part in the hearings or even just attend⁷.

Another victim, Luisa Esposito, conferred with her attorney Andrew Maloney, Esq. regarding testifying at the Moreland Commission and she was advised by Maloney that "if you do not want to be found dead on the side of the road I would not testify if I were you" and therefore out of fear Ms. Esposito refrained from making a formal submission and request to testify to the Moreland Commission or even attempted to attend. Ms. Esposito has irrefutable evidence of a mass of corruption in the Disciplinary Departments of New York including information which may potentially relate to your investigation of Sheldon Silver.

**CHRISTINE ANDERSON, ESQ. - WHISTLEBLOWER ON ATTORNEY
DISCIPLINARY CORRUPTION**

As indicated, several of the parties I write on behalf of have lawsuits that are legally related to a New York Supreme Court First Department Disciplinary Committee Attorney Whistleblower Lawsuit of Christine C. Anderson, Esq. that was before Federal Judge Honorable Shira A. Scheindlin. Anderson publically exposed the inner workings of the Public Office Corruption that creates a protection racket for "favored lawyers and law firms" criminal misconduct by blocking criminal actions filed by victims against attorneys and judges and instead deferring and deflecting the criminal complaints to the Disciplinary Departments/State Bar Agencies and the Judicial Qualifications

⁷"Public Blocked From Moreland Commission Hearing" By Ivan Pentchoukov, Epoch Times | September 17, 2013

<http://www.theepochtimes.com/n3/290956-public-blocked-from-mooreland-commission-hearing>

Commissions who then quash them and retaliate on the victims further. The “self-regulating” mob styled racketeering unions controlling lawyer and judge discipline do absolutely nothing against their “members” complained of intentionally according to Anderson. Nor can anything be done by these agencies to prosecute the criminal misconduct of their members, as these agencies have no jurisdiction to handle criminal statute violations, state or federal, filed against any party, as they are merely licensing agencies with no criminal authority, a salient fact that the body politic is unaware of.

Anderson is a former Supreme Court of New York First Department Attorney Disciplinary Agent who described in her testimony and federal lawsuit how blacklisting of victims occurred who complained against any “favored lawyers and law firms” composed of judges, prosecutors and politicians, all registered members with the Bar Associations and Disciplinary Departments, Anderson further described how retaliation occurred against insiders like herself who tried to blow the whistle on the corruptions internally as required and faced even physical assault. The system of corruption to protect lawyers in private practices and government agencies that Anderson described worked through a system of calls made through a “good ole boy attorney network” designed to shut down victim complaints at the US Attorney, the DA, the AG, the Governor’s office or wherever victims sought relief. By colluding and conspiring together to suppress and deny due process to the victims and wholly obstruct them from Justice in the civil courts and criminal agencies thereby victims could not get any relief.

Once the victims complain that they and their loved ones are being further retaliated against by the judges and attorneys they have complained about in their civil cases and/or criminal complaints filed or even when they attempt to disqualify or have them recused for the abuse of process taking place in the court, the retaliation to them and loved ones intensifies. Many of the victims who have attached their names herein testified before the New York Senate Judiciary Committee⁸ exposing the Public Office

⁸ Videos of New York Senate Judiciary Committee Hearings held by former indicted Senator John Sampson

Corruption of leading New York State Government Officials. Despite claims by Sampson's Committee that a Task Force was being assembled to investigate the public office and court complaints, the whole hearings and further hearings were scrapped, very similar to what happened with the Moreland Commission submissions and evidence, leaving the victims further exposed and with no due process. There were media reports that Senator Sampson was looking into the Surrogate's Courts and the involvement of the Bank's and was then threatened and then successfully bribed to look the other way. This information was revealed at the same time as Senator Sampson's indictment on other Federal charges in the Eastern District of New York! I must say in Senator Sampson's defense that he is one of the only people to honestly disclose to me (at the Hearing) that he was conflicted with me as he was a former Proskauer Rose attorney, the law firm I was seeking him to investigate as one of the primary suspects in the Patent thefts and of the bombing of my car.

THE ALMOST PERFECT CRIME - THE DISABLING OF ATTORNEY DISCIPLINE

Once "the fix is in" to deny victims due process the victims quickly lose counsel representing them who then refuse to take on the judges or "favored lawyers and law firms" despite clear evidence of misconduct and the victims are then forced to represent themselves in complex cases Pro Se putting them at extreme disadvantage in an already corrupted court. The Judge and Attorneys quickly begin a series of frauds on, by and in the courts against the victims to quickly wipe away their properties while denying them any due process. Criminal complaints the victims attempt to make in response are derailed at the door and referred away as victims are steered to the bogus attorney regulatory agencies. In some situations the State Bar and Judicial Qualifications Committee are used as weapons against the victims and even against any attorneys helping the victims, who are either disbarred or threatened with disbarment if they go up against the protected class of attorneys. Whether or not the victims have counsel or

represent themselves Pro Se the cases are lost as they were fixed from the start. Typically the end result of a bar complaint or judicial complaint is the agency writing a nasty letter to the victim dismissing their complaint and telling them they owe their attorney fees.

This loophole in the attorney disciplinary process creates an almost perfect crime that can be committed by these “favored lawyers and law firms” whereby they have protection from the highest outpost of lawyer regulation, the disciplinary agencies and state bars. Where now criminal complaints against them are diverted to these professional agencies with no criminal prosecutorial powers or jurisdiction and thus nothing happens regarding the criminal violations alleged against them, no investigations, no prosecutions, as the attorney trade union protects their members who behave, instead of reporting them for criminal investigations for their bad behavior if they comply they are usually given a raise up, while pushing out and replacing honest attorneys like Anderson and Corrado in the process.

This Pattern and Practice of diverting criminal prosecution and providing protection using the court and state agencies has allowed lawyers and judges to freely commit a variety of criminal acts using the court as the vehicle for the crimes and these crimes are now done with impunity and without fear of retribution. In fact recent news⁹ bears an example of attorney retaliation against G. Robert Blakey, the author/father of the RICO statutes and other heroic whistleblowing lawyers, which reveals how honest lawyers doing their job to report other lawyers and judges acting outside the color of law are retaliated against by the Bar Associations that should be honoring them instead. From that article I quote,

⁹ “Whistleblower Lawyers Counterattack Against DC Disciplinary” Counsel” By Editor Filed in News February 15th, 2016 @ 8:59 pm
<https://www.whistleblower.org/multimedia/corporate-crime-reporter-whistleblower-lawyers-counterattack-against-dc-disciplinary>
And
<http://www.corporatecrimereporter.com/news/200/whistleblower-lawyers-counterattack-against-dc-disciplinary-counsel/>

“There seems to be a double standard. Has Bar Counsel ever prosecuted any attorneys at corporate firms that help their clients perpetrate fraud? And did Bar Counsel investigate prominent lawyer executives at Fannie Mae who appear to have engaged in actions that led to a multi-billion dollar restatement and left taxpayers footing the bill? Did Bar Counsel prosecute the attorneys that enabled large banks to nearly tank the economy? And has Bar Counsel prosecuted government attorneys that enabled torture and other flagrant unlawful human rights violations? Does Bar Counsel protect the public or does it protect the interests of big corporations and big government?”

The failure to prosecute lawyers and judges is what is leading to a mass of very serious crimes against the People of the United States and worldwide created by these protected Abuse of Process schemes that use the courts and other state agencies to deny due process while committing crimes and thereby obstruct justice against their partners in crime. The protection racket is run by the very same people who are entrusted to uphold the law and protect the victims. None of the complaints against Judges and Attorneys to state run agencies, no matter how devastating the crimes alleged or proven committed, have been investigated or prosecuted because of this attorney/judge protection racket that has been created.

In other words we now have, a total failure of Justice against a certain “class” of citizens through a disabling of the Attorney/Judicial Regulatory Agencies and Law Enforcement agencies that now discriminates for a new ABOVE THE LAW class of society of criminals disguised as lawyers, in various roles lawyers have access to both

privately and as government agents, which stands in utter violation of equal due process in both criminal and civil cases defeating that our country is founded on a system where NOBODY IS ABOVE THE LAW and all people are equal under law. In a recent CBS 60 Minutes¹⁰ program regarding attorneys devising how to launder money for a fictitious client, 16 lawyers explained how they would be happy to launder the dirty monies through their law firms, including a former President of the American Bar Association. One attorney even boldly stated that “we (attorneys) run the country” and no one is going to touch us “since we make the law to our advantage” or words to that effect! They have rigged the system!

THE RETALIATION AGAINST WHISTLEBLOWERS AND VICTIMS

In other news it was learned that Anderson and related cases (mine included) were alleged to have been illegally wiretapped and surveilled through the Misuse of Joint Terrorism Task Force Funds and Resources¹¹ and more by members at the top of the Ethic Departments of New York for personal and political reasons in efforts to Obstruct Justice of civil and criminal complaints against “connected” Lawyers and Judges from various courts, public offices and private law firms, See attached [Exhibit1](#) - Expose Corrupt Courts Articles Regarding Illegally Wiretapping Citizens and Judges. The Moreland Commission initially appeared to be an honest attempt to address these very troubling issues regarding Court, Judicial and Attorney Criminal Misconduct that is plaguing the New York courts but it was actually a faux committee that did nothing regarding its publicly stated intent and may have been being used instead to gain further inside information on complainants cases for further retaliation against the complaining victims and to further harass them, with no real intent to investigate and prosecute the wrongdoings.

¹⁰ 60 Minutes on Lawyers laundering illegal monies.

<http://www.cbsnews.com/news/anonymous-inc-60-minutes-steve-kroft-investigation>

¹¹ April 03, 2013 “ Formal Complaint Filed Against NYS Employees for Illegal Wiretapping”

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

The sham court proceedings the victims are trapped in have led to sham hearings at the State Bar and State Disciplinary Agencies on attorney complaints, sham Judicial Qualification Hearings on complaints against judges, sham Senate Judiciary Committee Hearings before Senator Sampson and finally sham Moreland Commission Hearings, all derailed before victims were given an honest investigation as promised. All of these sham hearings were conducted attorneys, including conflicted attorneys, who were allegedly self-regulating their profession and instead used the regulatory agencies and hearings to further hamper, delay and retaliate against victims who have the temerity to complain thereby, violating their racket.

All of these efforts to expose the corruption have left the victims mentally, physically and financially exhausted with no legal remedies civilly or criminally and no recovery of their properties and fearing for their lives and the lives of their loved ones if they speak out. In fighting to protect themselves against the legal system and without legal protections these parties have also suffered the loss of virtually their entire finances fighting the courts and paying their lawyers (who mostly abandon them without putting up proper defenses and afraid to speak out against the corruptions in the courts and who then sue them for fees) all in efforts to protect their properties and their loved ones lives that we believe are part of the Legal Abuse “game” pursuant to the Pattern and Practice of criminal misconduct described herein.

Federal Judge Shira Scheindlin in dismissing the related cases to Anderson suggested that we should take our matters to the US Attorneys and where my FBI Agent and US Attorney Agent in my West Palm Beach Florida FBI complaint went missing, leading me to be referred directly at the time in the mid 2000’s to Glenn Fine and Michael Horowitz, the past and present Inspector Generals of the DOJ. Those matters directly relate to my Federal RICO and ANTITRUST¹² lawsuit related to the Anderson

¹²May 09, 2008 Iviewit RICO and ANTITRUST
<http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20080509%20FINAL%20AMENDED%20COMPLAINT%20AND%20RICO%20SIGNED%20COPY%20MED.pdf>

lawsuit regarding the theft of my Intellectual Properties, whereby civil and criminal complaints were filed against many judges of the New York and Florida courts legal systems, the State Bar Agencies in three states and thousands of lawyers from leading law firms involved in the criminal enterprise that has infiltrated and taken over the legal system and prosecutorial agencies and who have successfully used the courts to rob me of my Constitutionally Protected rights as an inventor¹³ and further retaliate against me.

While Federal Judge Scheindlin prematurely dismissed the legally related lawsuits to Anderson and Anderson's case was lost by jury where only minutes after the jury was dismissed, Judge Scheindlin came back to the court with her stenographer and stated ON THE RECORD that the main defendant, former Chief Counsel of the First Department Disciplinary Committee, a one Thomas Cahill, Esq. (also a defendant in my RICO & ANTITRUST) had perjured his testimony before the court thereby prejudicing the jury verdict. Several of the Scheindlin cases are preparing rehearing papers to open the prematurely dismissed complaints due to the pattern and practice of a series of frauds on the court that obstructed justice and denied due process in the hearing of our lawsuits.

There is also new evidence in the cases, including evidence in some instances from information learned from the prosecutions of Sheldon Silver, Dean Skelos and Senator John Sampson and we would like the US Attorney Office to be an integral part of these renewed civil and criminal actions as they relate to criminal acts occurring in the civil cases and all of this appears within your jurisdiction as a US Attorney to investigate. On information and belief, once Raymond Joao, Esq. was terminated as my patent counsel when it was learned he was illegally patenting inventions in his own name, he then was terminated from his prior law firm and went to the law firm of Ruskin, Moscou, Evans & Faltischek where Dean Skelos¹⁴ was a partner.

¹³ Article 1, Section 8, Clause 8 - "The Congress shall have power...To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries,"

¹⁴ "Dean Skelos, Albany Senate Leader, Takes Leave of Absence From Law Firm" By WILLIAM K. RASHBAUM and THOMAS KAPLAN MAY 7, 2015

**ELIOT BERNSTEIN CASES OF ABUSE OF PROCESS TO STEAL
INVENTIONS AND STEAL INHERITANCY**

In my personal cases of Public Office and Court Corruption, which runs from Florida to New York and back again since early 2000, in two separate and distinct cases of legal process abuse, first the theft of Intellectual Properties and then a Stolen Inheritancy, with the growing exposure of the crimes being committed in and by the courts of Florida and New York that I am at the center of, the retaliation against me and other whistleblowers has now intensified. In the Family Courts of Florida recently a groundbreaking ongoing series¹⁵ about the court corruptions have been reported by Palm Beach Post reporter John Pacenti focusing in on two of my judges in my inheritancy case, Judge Martin Colin and Judge David E. French.

It is important to note that some of the same Attorneys and players from the thefts of my Intellectual Properties are also involved or connected to the sham proceedings going on in the Palm Beach County Florida Probate courts. For example, my brother Ted Bernstein who is at the center of the inheritancy frauds and whose attorneys have committed numerous proven and admitted crimes in the Probate Court is close with attorneys from GREENBERG TRAUIG who are Defendants in the theft of my Intellectual properties. Ted Bernstein has used this firm as his own lawyers and was allegedly on the phone with one Jon Swergold, attorney at Greenberg, on the day of my

http://www.nytimes.com/2015/05/08/nyregion/dean-skelos-albany-senate-leader-takes-leave-of-absence-from-law-firm.html?_r=0

¹⁵ Guardianship Series - Guardianship a Broken Trust <http://www.mypalmbeachpost.com/guardianships-colin-savitt>

and Guardianship Probate Series Palm Beach Post Compiled PDF

<http://www.iviewit.tv/Pacenti%20Articles%20Compiled%20as%20of%20Feb%202016L.pdf>

and Sun Sentinel re Colin and wife Savitt

<http://www.sun-sentinel.com/opinion/editorials/fl-editorial-guardianship-law-20160129-story.html#ifrndnlocgoogle>

and

January 14, 2016 "Judge's finances show history of unpaid debt, IRS liens, foreclosures" By John Pacenti - Palm Beach Post Staff Writer

<http://www.mypalmbeachpost.com/news/news/judges-finances-show-history-of-unpaid-debt-irs-li/np4rH/>

father's sudden passing. Further that Ted's business associate and attorney Robert Spallina who is also at the heart of the fraud has direct relationships with PROSKAUER ROSE attorneys in the Boca Raton, Fl area, including Albert Gortz, Esq. who is the first person the technologies were displayed to and who is a primary suspect in the thefts..

The articles and evidence posted by the Palm Beach Post, in addition to naming two judges in my cases, also includes attorneys involved in my cases, John Pankauski, Esq., Brian O'Connell, Esq. and Joielle Foglietta. All five of these parties in the ongoing PB Post series on the Probate Courts, Guardianship and Family Courts are also intimately involved in the alleged criminal theft of tens to hundreds of millions of dollars of my family's inheritance through court orchestrated criminal acts. If my father and mother's 30% interest in my Intellectual Properties (suspended at the USPTO) are included in the Estates and Trusts the values would be in the tens of billions making it one of the largest estates in the country and providing motive for the ongoing crimes against my family committed by lawyers. A recent Ad in the Palm Beach Post run by the AAAGP Org illustrates the dire situation the victims of these court rackets are in¹⁶.

¹⁶ April 04, 2016 AAAPG Press Release
<http://www.free-press-release.com/news-aaapg-call-for-federal-intervention-in-florida-courts-1460131303.html>

**FLORIDA RESIDENTS BEWARE!!!
YOU ARE IN DANGER OF BEING FINANCIALLY ATTACKED
AND DEPRIVED OF ALL OF YOUR LEGAL RIGHTS BY
FLORIDA GUARDIANSHIP / PROBATE JUDGES, ATTORNEYS
AND THE "PROFESSIONAL" GUARDIANS THEY PROTECT
IN ILLEGITIMATE, CORRUPT GUARDIANSHIP COURT
PROCEEDINGS DESIGNED TO FINANCIALLY DEFRAUD
YOU AND YOUR FAMILY ALL OF YOUR ASSETS AS THEY
ISOLATE AND ABUSE YOUR LOVED ONES**

*MARCO RUBIO, BILL NELSON
PAM BONDI, RICK SCOTT, PRESIDENT OBAMA, JAMES COMEY
WE HAVE DESPERATELY SOUGHT YOUR INTERVENTION
FOR YEARS TO SAVE AND PROTECT OUR FAMILIES
BUT YOU HAVE MISERABLY FAILED TO PROTECT US*

**LORETTA LYNCH, U.S. DEPARTMENT OF JUSTICE, WE DEMAND
THE IMMEDIATE APPOINTMENT OF FEDERAL MONITORS TO
PROVIDE OVERSIGHT ON THESE FLORIDA COURTS TO HONESTLY
INVESTIGATE AND ULTIMATELY PROSECUTE THE GUARDIANS,
JUDGES AND ATTORNEYS WHO RUN THIS VILE RACKET**

**MR. DONALD TRUMP, AS A PALM BEACH RESIDENT, WE
CHALLENGE YOUR PRESIDENTIAL CAMPAIGN TO SHINE A
NATIONAL SPOTLIGHT ON THIS ABJECT ABUSE OF
U.S. CITIZENS AND FAMILIES**

Florida is home to over 4.5 million retirees and baby boomers who seek a sunny place to spend their golden years. But, even as the flow of seniors in the "Silver Tsunami" increases, retiring to Florida as well as other "retirement States" has become a nightmare as the wealth accumulated by honest, law abiding, hard working Americans is being systematically extorted in thousands of fraudulent guardian and probate proceedings every year.

This devious scheme mercilessly deprives retirees of their assets inheritances and constitutional rights with racketeering lawyers, judges, guardians and complicit state agencies.

Probate/Guardianship Courts all across the State are used to financially exploit, isolate and often physically abuse elderly adults with assets while family members who object and expose these crimes publically are viciously retaliated against and isolated from their loved ones. And there is no reason to expect that anything will change without Federal intervention.

Billions of dollars have been extorted from our loved ones in this inconceivable crime that is hidden in secrecy in the Courts using sequestered files, "Inside Clubhouse" Lawyers, massive billing fraud, persons taken into Guardianship with no due process and blatant unchecked conflicts of interest and unfit, complicit Judges.

Before another victim falls into the abyss of these court based predators, we urge you to learn more at

<http://aaapg.net/the-guardianship-racket-in-florida/>
Political Advertisement paid for by the AAAPG

<http://digital.olivesoftware.com/Olive/ODE/PalmBeachPost/server/GetContent.asp?contentsrc=primitive&dohref=PBC%2F2016%2F04%2F04&entityid=Ad01500&pageno=15&chunkid=Ad01500&pagelabel=B5&reformat=1.0&primid=Ad0150004&imgext=png&type=Content&for=primitive>

Interestingly enough, the same courthouse alleged to have aided and abetted in the theft of my intellectual properties and several of law firms accused in that case are now the same players in the inheritancy case trying to steal my family inheritance and erase my father's interest in the Intellectual Properties. This new inheritancy case now involves allegations made by my brother Ted, my sister Pam and a one Rachel Walker, of murder of my father by his companion, a one Maritza Puccio, who they blamed on the very day my father died of poisoning him, Proven Fraud on the Court and Forged and Fraudulent Documents and again where the crimes proven are committed by court appointed lawyers and fiduciaries and again aided and abetted by the judges and court staff.

There is yet another possible murder of the man named Mitch Huhem who recently purchased my father's home under fraudulent circumstances and was found dead in the home shortly after acquiring the home through a Probate Firesale conducted by Judge Colin and Judge John Phillips. Huhem was allegedly found dead with his head blown off entirely according to reports and information with this occurring on or about Feb. 23, 2016. The home was alleged to be fraudulently sold through the probate court and tied Judge Martin Colin into the fraudulent sale, in what appears to be a fraudulently created shell company known as Lions Head Land Trust as the purchaser, similar to what is described in the Panama Papers recently released relating to home purchases through shell companies to money launder. Huhem was found dead days after the discovery that the company the home was sold to appeared fraudulently incorporated. Mitch Huhem was found dead during the same several days that information on the fraudulent manner that Lions Head Land Trust Inc. had been created was being exposed with the Florida Dept of State and where one Leilani Ochoada knew that I was taking this information to

state and federal investigators and federal court. See, Petition for All Writs - Anti-Injunction Act Injunction Paragraphs 146-153¹⁷.

The Intellectual Property theft case led to my first complaints against the public officials and lawyers involved in the crimes in early 2000, where it is alleged that my counsel stole my Intellectual Properties, even putting patents into their own names and those of their friends. Then in 2012 I was thrust back into the same court in Palm Beach, FL, the 125th Judicial Circuit Court where I alleged the Intellectual Property theft occurred which was primarily orchestrated through the court by Judge Jorge Labarga (who rose to FL Supreme Court Chief Judge position faster than a speeding bullet after derailing my case and presumably for his involvement in the Bush v Gore failure to recount the People's votes) in order to collect an inheritancy left to me by my mother and father at their passing. My mother's case was with Judge Martin Colin (who professes publicly that Labarga is his "mentor") and my father's case initially was with Judge David E. French. Through an improper transfer of my father's case from French to Colin the cases both ended up with Colin after Fraud on the Court was found that involved both estates and trusts.

Please see a Palm Beach Post article dated August 27, 2015¹⁸ showing Palm Beach Sheriff Bradshaw having an allegedly policy and practice of using "special" assignment deputies to investigate and hack into the lives of those who Grieve against wrongdoings, excerpts as follows (the Sheriff's "enemies"):

“A series of recorded phone conversations involving a deputy describing how he went after political enemies of

¹⁷ February 24, 2016 Motion for Injunction Federal Court Judge John Robert Blakey
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20160224%20FINAL%20ESIGNED%20MOTION%20FOR%20INJUNCTION%20ECF%20STAMPED%20COPY%20COMBINED%20FILING.pdf>

¹⁸ August 27, 2015"Deputy who said he went after Bradshaw's enemies investigated by PBSO"By Lawrence Mower - Palm Beach Post Staff Writer, Updated: Thursday, Aug. 27, 2015 | Posted: Wednesday, Aug. 26, 2015 <http://www.mypalmbeachpost.com/news/news/crime-law/deputy-who-said-he-went-after-bradshaws-enemies-in/nnRny>

Sheriff Ric Bradshaw is now the subject of a Palm Beach County Sheriff's Office investigation.

The deputy is Kenneth "Mark" Lewis, who said his responsibilities included investigating special cases on behalf of the department's top brass. He has also been responsible for uncovering the sources of leaks to the media.

"Whenever we have a bad contractor or person who attacks one of our judges [emphasis added] or the sheriff or the state attorney, that's one of the things I do," he says on one of the telephone conversations, recorded last week and posted on a Russian website Monday. "I start picking their life apart, and their businesses, their family. ... I've got to determine, are they a real threat? Or are they just crazy?"

After recently being quoted on the front page of the Palm Beach Post on February 24, 2016 in regards to the court corruption, the retaliation in the court by Judge Colin's successor, Judge John Phillips intensified, as I stated to reporters,

"Nearby protester Eliot Bernstein said senior citizens should think twice before retiring to Florida because of predatory professional guardians. 'This is going to take federal intervention,' he said. 'When there is this much money and profit in elder cleansing, in a state like this, it is going to take a lot more, like people going to go to jail.'"¹⁹

¹⁹ "Florida guardianship reform passes; seniors protest at courthouse" Palm Beach Post m Beach Post Wednesday, Feb. 24,2016 by John Pacenti

Retaliation against other victims exposing the court appointed officials and their cases written about in the PB Post series has intensified to frightening levels since exposure and in my case continued criminal complaints both state and federal being filed. The statement I made to the press was taken at a protest I attended held by the women of FACT²⁰ (Families Against Court Travesties) on the steps of the courthouse calling for honest investigations and arrest of Judge Colin, Judge French, Guardian Savitt/Colin, Judge John Phillips and the lawyers and guardians involved in the Post series.

Since these articles, protests and filings with the courts exposing the judges and lawyers, my family, including my minor children, have come under extreme attack by the Florida court officials, the attorneys and fiduciaries involved in my cases and whose crimes I am exposing and in some instances have already proven, including efforts that led to arrest for admitted forgery and fraudulent notarizations by the law firm of Tescher & Spallina, PA. These intensified retaliations are efforts to quickly shut me down of my legal rights both civilly and criminally by the state courts and state law enforcement agencies, to deny me wholly of my due process rights and inheritancy, deny investigations of the lawyers and judges and even extort me and my family through Predatory Guardianships recently placed on my children by Judge Phillips that were obtained through sham illegal hearings (where the minor children were not represented by counsel or a parent or anyone) generating sham illegal void orders of guardianship and more. I am continuously threatened since day one by the new Judge in my case, John L. Phillips, who threatens contempt and arrest at every hearing in efforts to stop my whistleblowing efforts.

<http://www.mypalmbeachpost.com/news/lifestyles/health/florida-guardianship-reform-passes-seniors-protest/nqXbx/>

²⁰FACTS cases regarding Judge John Phillips
<https://factscourtwatch.com/john-l-phillips-cases>
and

FACT Statement of Facts

<https://factscourtwatch.files.wordpress.com/2015/09/adeles-speech-on-the-economic-consequences-of-family-court-decisions.pdf>

The retaliation is further intensified by a recent real estate transaction of my father and mother's "homesteaded" home at 7020 Lions Head Lane, Boca Raton, FL 33496, whereby the sale is alleged steeped in fraud that was directly aided and abetted by Judge Colin. The sale was approved by Colin who hid a Lis Pendens I was forced to submit to him by a court order demanding all parties have his approval prior to filing anything with the court and Colin sat on the Lis Pendens for months without ruling if I could file it. While Colin was sitting on the Lis Pendens for months, my wife Candice received a Zillow alert stating the house was being sold to an undisclosed buyer and without notice to beneficiaries and so I instantly filed the Lis Pendens to stop the sale as no disclosure of the sale was made to any party. Colin then held sham hearings whereby he issued sham orders to preclude me from notifying and disclosing to the buyer the litigation that the house was tangled up in and face SEVERE SANCTIONS and CONTEMPT if I made disclosure to the buyer or even tried to make contact with the buyer. Recently, Phillips has issued orders trying to stop me and anyone else in the world who knows me from learning information regarding the home sale or posting it online or else face contempt, in what appears an extortion to preclude our first amendment rights and to preclude further investigation into the criminal aspects.

A recent email from Alan Rose, Esq. explaining the injunctive relief gained through further sham hearings and sham orders shows the levels sought to silence me and others from probing the home sale matters by the attorneys and Judge Phillips.

From: Alan Rose [mailto:ARose@mrachek-law.com]

Sent: Friday, April 8, 2016 6:04 PM

To: Ashley Bourget; iviewit@iviewit.tv; john@jmorrisseylaw.com;
Lisa@friedsteins.com; lisa.friedstein@gmail.com; jilliantoni@gmail.com;
psimon@stpcorp.com; boconnell@ciklinlubitz.com; jfoglietta@ciklinlubitz.com;
service@ciklinlubitz.com; slobdell@ciklinlubitz.com; John Patrick Morrissey;
boconnell@ciklinlubitz.com; dp@matrixmediation.com; iviewit@gmail.com;
iviewit@iviewit.tv; jfoglietta@ciklinlubitz.com; jilliantoni@gmail.com;

lisa.friedstein@gmail.com; Marie Chandler; mkoskey@feamanlaw.com;
psimon@stpcorp.com; service@ciklinlubitz.com; service@feamanlaw.com;
slobdell@ciklinlubitz.com; tourcandy@gmail.com

Cc: Marie Chandler

Subject: RE: Bernstein v. Bernstein [Case Number 2014CP003698XXXXNB IJ]

Order on Plaintiff's Amended Motion to Modify Final Order Approving Sale

Mr. Eliot Bernstein

You were under subpoena to appear today and failed to appear. Can you provide any justification or excuse for that failure? That is a serious problem and I would like to give you chance to explain.

Also, you should be aware and take note that the Court entered additional injunctive relief which applies to many people **and specifically you**. **See the entire order, focusing on ¶7²¹**.

PLEASE GOVERN YOURSELF CONSISTENT WITH THIS ORDER, SO WE ARE NOT FORCED TO TAKE ENFORCEMENT ACTION.

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991
505 South Flagler Drive
Suite 600
West Palm Beach, Florida 33401
561.655.2250 Phone
561.655.5537 Fax

Apparently Mr. Rose and others involved have failed to notify the Federal Court or Judge Phillips that the buyer, Mitch Huhem, is dead being found with gunshot wounds to the head at the same multi-million dollar property where the fraud was being exposed, making it impossible to contact him as a Witness. This email and the Order of Phillips attached appear a further attempt to try and set me up for some sort of contempt that anyone worldwide can trigger and I have no control over.

On information and belief, Colin's actions to prevent me from contacting the buyer was due to personal involvement Colin may have had in the home and the secreted

²¹ April 09, 2016 Judge Phillips Order Regarding Lions Head Home Sale
http://iviewit.tv/Simon%20and%20Shirley%20Estate/Bernstein_14CP003698_1.pdf

sale. Colin had stated on the record at a hearing to sell the home to the new attorney for my brother, Alan B. Rose, Esq. when asked about proceeding with the sale that nothing could be done before having hearings for the following pending motions²²;

1. Validity Hearings on the dispositive documents where fraud had already been found in multiple estate and trust documents and the Will and Trust of my father are also confirmed improperly notarized by Governor Rick Scott's Notary Public Division,
2. Construction Hearings on the dispositive documents where language appears to be fraudulently inserted and fiduciaries inserted where specifically precluded), and
3. Hearings to Remove Ted Bernstein as a fiduciary (as he is precluded by the language of the Trusts in both Simon and Shirley and he has violated multiple Probate Rules & Statutes.)

It was strange that after years of knowing these issues Colin suddenly created a record stating he should not be doing anything without those hearings first, yet, Colin then went ahead and ordered the sale days later having had none of the necessary hearings to make sure the sale was even legal and being done by legally authorized fiduciaries and with valid documents, continuing the pattern and practice of fraud through violation of Probate Rules and Statutes.

After approving the sale I filed for Colin's disqualification²³ after previously moving for his Disqualification and this time not only on grounds that the Fraud on his

²²March 26, 2015 Colin Hearing Home Sale
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20150326%20HEARING%20TRANSCRIPT%20HOME%20SALE.pdf>

²³ May 14, 2015 Mandatory Disqualification Motion Judge Martin Colin
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20150514%20FINAL%20Motion%20for%20Disqualification%20Colin%20ECF%20STAMPED%20COPY.pdf>

ORIGINAL ALL WRITS

<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20150609%20FINAL%20All%20Writs%20Mandamus%20Prohibition%20and%20Restraining%20Order%20Stay%20re%20Martin%20Colin%20DisqualificationECF%20STAMPED%20COPY.pdf>

REDO OF ALL WRITS

<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20150630%20FINAL%20REDO%20All%20Writs%20Mandamus%20Prohibition%20and%20Restraining%20Order%20Stay%20re%20Martin%20Colin%20DisqualificationECF%20STAMPED%20COPY.pdf>

Court made him a material and fact witness but also for Fraud By the Court for his failure to disqualify himself after knowing he was a witness and for his holding sham hearings and issuing sham rulings after mandatory disqualification was required. Colin's action therefore aided and abetted the crimes and criminals and continued the fraud. These void orders were gained through violation of judicial canons and law that required Colin to mandatorily disqualify the minute Fraud On His Court was PROVEN and he and his court officers and staff were directly involved and he knew they would need to be questioned. Again, every action Colin took after mandatory disqualification was required when he became aware he was a material and fact witness and possible suspect in the frauds in his court were done fraudulently.

Once the Fraud was discovered in the court, the cases should have been reset with new fiduciaries, judges and counsel, which would have precluded Colin's continued involvement in the cases, and thus all orders issued after disqualification was mandatory were all issued with scienter to aid, abet and facilitate further crimes and cover up the prior crimes done by the court appointed criminals acting as fiduciaries and counsel. In fact, I petitioned the court to have hearings held outside the 15th Judicial Circuit where due to my RICO and ANTITRUST and criminal complaints including members or former members of that courthouse I feared potential conflicts that could interfere with due process to stop me on the other matters. I even petitioned the Supreme Court of Florida to have the case moved outside the state as I have sued and criminally complained against the Florida Bar and its members and the Supreme Court of Florida and its members, including Florida Supreme Court Chief Judge Jorge Labarga (who was a 15th Judicial Circuit Judge at the time) and many South Florida Law Firms and Lawyers involved in the Intellectual Property Theft cases.

At the very first hearing²⁴ with Judge Colin, he threatened the attorneys and fiduciaries of my mother's estate with reading them their Miranda's as they admitted to several frauds on the court and beneficiaries. Instead of removing Tescher, Spallina and Manceri there on the spot as Co-Personal Representatives and Co-Trustees and also removing Ted who hired them as his counsel and who was the fiduciary in Shirley's estate where the initial forgeries and frauds were discovered, Colin proceeded to hold years of staged litigation whereby Colin literally let attorneys out of the case through resignation versus removal and without posting bonding to protect the victims of the FRAUD ON THE COURT, even after Spallina and Tescher admitted to committing multiple frauds on both the court and beneficiaries.

Colin acting outside the color of law by failing to turn the parties involved in for investigation and prosecution for their crimes as he is legally required to do and resetting the cases with the participants of the fraud removed, instead allowed these same attorneys and fiduciaries to then file endless pleadings for months seeking to have me held in contempt, have me arrested, have guardians appointed to my children and more and polluted and created a false record. Most shockingly is that when attorneys Tescher, Spallina, Manceri and Pankauski, all attorneys hired by my brother Ted acting as a fiduciary resigned from the cases after Tescher and Spallina admitted to Palm Beach County Detectives that their firm personally had fraudulently created a trust document Post Mortem for my mother and distributed it to my minor children's counsel, Judge Colin allowed Ted to remain and replace Tescher and Spallina as a fiduciaries and hire new counsel to replace them as his counsel.

In fact, Colin then allowed Ted to replace Tescher and Spallina as Trustee in Simon's alleged trust (despite clear language they wrote that precludes him), hire counsel Alan B. Rose, Esq. who was brought in by Tescher and Spallina originally, to replace

²⁴ September 13, 2013 Hearing Colin re Miranda Warnings to Ted Bernstein, Donald Tescher, Esq., Robert Spallina, Esq. and Mark Manceri, Esq. - Page 16
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20130913%20TRANSCRIPT%20Emergency%20Hearing%20Colin%20Spallina%20Tescher%20Ted%20Manceri.pdf>

Tescher and Spallina as Ted's counsel. Colin did this despite knowing the prior attorneys committed crimes that directly benefited their client Ted Bernstein at the expense of their other clients, the Estate and Trust beneficiaries, which Ted is not one of as again he is considered predeceased for all purposes of the trust and all purposes of disposition of the trusts as clearly stated in the alleged trusts. This failure by the court to remove all the elements of the fraud on the court and reset the cases has led to Ted misusing his fiducial power and blocking any investigation of his former attorneys and close personal business contacts and friends, Tescher, Spallina, Manceri and Pankauski. This impropriety has allowed Ted to continue to cover up the crimes through violation after violation of his fiduciary responsibilities, including denying transparency to the documents (which he claims in the Dec 15, 2015 Validity Hearing to have never seen the original documents he operates under, nor he claims he had anything done to validate the documents despite his prior counsel committing frauds), failing to account and more.

Colin then began facilitating the ILLEGAL sale of Estate and Trust properties with Ted's new attorneys and provided them cover for transactions they did that were steeped in fraud on the court, fraud on the beneficiaries and fraud on several publicly traded institutions and others. Colin facilitated and protected the guilty parties through fraud after fraud on the court, thereby constituting not only fraud ON the court but also fraud BY the court. The attorneys involved even complaining in their pleadings that all these efforts to shut me down of my rights are necessary to stop me and others from exposing crimes occurring in the court system and to silence me from complaining about judges and lawyers. One pleading even seeks to have me arrested and held in jail to force a journalist, Crystal Cox, to remove her blog posts from the internet and keep me jailed until she capitulated to their demands, an extortion using the court as a weapon.

That after the sale of the home was completed, it was discovered that a fraudulently set up company bought the home and this was being exposed before Federal Judge John Robert Blakey on February 25, 2016, two days before the new alleged owner of the house, a one Mitchell Huhem, was unbeknownst to me at the time found dead in

the home with his head allegedly blown clear off in either a suicide or murder, as no official story has been released and as of March 23, 2016 the PB Sheriff Official determination report was not completed nor released for public dissemination.

One of the first problems in my cases was that it was alleged by my brother Ted and others on the night my father died that my father had been murdered by his girlfriend, Maritza Puccio, poisoning him. That day, my brother with the aid of his attorney friends contacted the Palm Beach County Sheriff²⁵ and the Palm Beach County Medical Examiner's Office²⁶ and ordered a Sheriff investigation and autopsy. The Sheriff was dispatched to my father's home hours after he passed and where they interviewed family members outside his home at Saint Andrews Country Club, yet never entering the premises to investigate to determine any prescriptions or medications he may have been provided and then after interviews were done, the PBSO stated they would come back to finish their investigation, as they did not enter the premises to collect evidence claiming they did not want to interfere further with our family's grieving. However, they never returned and completed an investigation and instead the report was then miscategorized and improperly docketed at the Sheriff's Department as a Hospital Record Maintenance Check that took place at the hospital and not on my father's front lawn although when I had returned to the Hospital on the night of his passing I was "blocked" by a Nurse from entering my father's room saying "Security" had to be involved due to the alleged "poison" report yet I had previously been at the Hospital and spoke to his doctors earlier that day with no such issues.

²⁵September 13, 2012 Sheriff Report Alleged Simon Murder, docketed mistakenly as a medical information incident instead and as yet still uncorrected.
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20120913%20PBSO%20Sheriff%20Incident%20Report%20Simon%20Poisoned%20and%20Updates%20FOIA%20Request%20Docs%202015.pdf>

²⁶PB Medical Examiner Autopsy Report. Note the heavy metal test done that shows elevated heavy metals, including Arsenic and others, is reportedly done on a 113 year old Simon Bernstein and as yet is still uncorrected as Simon was 76 when he passed
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20140310%20Simon%20Bernstein%20Autopsy%20Coroner%20Report%20Heavy%20Metal%20Screen%20received%20in%20July%202014.pdf>

The Palm Beach Medical Examiner, despite being called to do an autopsy by Ted claiming he was poisoned, failed to run a heavy metal test until over a year after Simon's death after I contacted them to receive a copy of the report and noted that no poison tests were done. After receiving the results back it appears from the referenced herein report that there were elevated levels of heavy metals found although this Report came back for someone claimed to be 113 years old and the PBSO never followed up to determine why this occurred. However, since the Sheriff never contacted Maritza Puccio who was alleged by Ted and others to have killed Simon and who had no interests in the estates and trusts that perhaps Simon was murdered but not by Puccio,

The second problem was that starting on the day my father died, my brother and his attorneys, Donald Tescher, Esq. and Robert Spallina, Esq. (both now under SEC Consent Orders for Insider Trading²⁷) refused to turn over any estate documents to beneficiaries and claimed that my father had chosen them as fiduciaries in a Will and Amended Trust done only days before my father died and that Ted was the fiduciary in my mother's estate and trusts. See Petition for All Writs Act - Anti-Injunction Act²⁸ filed in federal Court on Discovery Abuses and Discovery as a Weapon to keep the scheme going.

This gave Ted and his counsel a lock on the properties and documents and records of Simon and Shirley and allowed them to destroy, suppress, alter and change documents

²⁷ September 28, 2015 SEC Press Release Regarding SPALLINA and TESCHER INSIDER TRADING CHARGES, "SEC Charges Five With Insider Trading, Including Two Attorneys and an Accountant"
<http://www.sec.gov/news/pressrelease/2015-213.html>

AND

September 28, 2015 SEC Government Complaint filed against TESCHER and SPALLINA @
<http://www.sec.gov/litigation/complaints/2015/comp-pr2015-213.pdf>

AND

October 01, 2015 SEC Consent Orders Felony Insider Trading SPALLINA signed September 16, 2015 and TESCHER signed June 15, 2014
<http://www.iviewit.tv/Simon%20and%20Shirley%20Estate/2015%20Spallina%20and%200Tescher%20SEC%20Settlement%20Consent%20Orders%20Insider%20Trading.pdf>

²⁸ February 24, 2016 Motion for Injunction Federal Court Judge John Robert Blakey
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20160224%20FINAL%20ESIGNED%20MOTION%20FOR%20INJUNCTION%20ECF%20STAMPED%20COPY%20COMBINED%20FILING.pdf>

to suit their crimes. The new alleged Will and Amended Trust of Simon's done only weeks before his death have now been verified by Governor Rick Scott's Notary division to also have been improperly notarized by Ted's secretary. When asked to produce documents to show these claims that they were the true fiduciaries they refused and forced me to seek counsel to get the documents my family was legally owed. I then retained Christine Yates, Esq. of Tripp Scott law firm over a month after my father died to secure the dispositive documents, Documents were finally tendered to Yates in Jan 2013, almost four months later and this is when volumes of alleged fraudulent and forged documents were discovered.

I then learned that my mother's estate **was closed by my deceased father** acting as a fiduciary and using fraudulently notarized and forged documents and that my father had allegedly notarized documents after his passing and then deposited them with the court, again at a time that he was deceased. The reason my father's identity was misused was to make it appear that he closed my mother's estate while alive and made changes after while he was alive. In an initial hearing on September 13, 2013²⁹, one year to the day of my father's passing, Judge Martin Colin after learning from the attorneys and fiduciaries involved that fraudulent and forged documents had been submitted to the Court and they further admitted committing Fraud Upon the Court in closing my mother's estate, stated he had enough evidence at that moment to read my brother acting as an alleged fiduciary and his counsel, Donald Tescher, Robert Spallina and Mark Manceri, their Miranda Rights. After that Colin was forced to reopen the Estate of my deceased mother due to the fraudulent closure. Judge Colin knowing that he was now conflicted with the matters due to the fact that the crimes occurred in his court and by his court appointed officers and fiduciaries with his name on several of the documents in question, refused repeated requests for his disqualification due to the fact that he was now a material and fact witness in the matters which require mandatory disqualification.

²⁹ Transcript September 13, 2013 Judge Martin Colin
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20130913%20TRANSCRIPT%20Emergency%20Hearing%20Colin%20Spallina%20Tescher%20Ted%20Manceri.pdf>

Colin's handling the cases involving the Fraud on His Court gives a massive Appearance of Impropriety as one cannot investigate one's self or one's court impartially and where Judicial Canon and law required his removal once he became a material and fact witness in the cases.

Colin then moved to interfere with Palm Beach County Sheriff investigations that I had filed regarding the Fraud on the Beneficiaries, Forgeries, Fraud on his Court and more. Proven Fraud Upon the Court had already been discovered and arrest made of a legal assistant/notary public of the Tescher & Spallina, PA law firm who admitted to forging six documents for six separate parties including myself, then fraudulently notarizing them and then filing them with the court, one even for my deceased father. Spallina stated to the Court and the Sheriff that he was unaware of any other crimes committed at the time of the arrest of his legal assistant but then months later after the investigations were reopened, while being interrogated by Sheriff deputies he made confession that he had created a Fraudulent Shirley Trust document and admitted he had done the crime prior to his claims to the court that he knew of no other crimes. Spallina and Tescher then resigned³⁰.

Colin finally Sua Sponte recused after three years, his recusal coming one day after declining a Petition for Disqualification and Voiding of his Orders³¹ and then he improperly, post recusal, interfered with the transfer of the cases and improperly steered them, first to Judge, Howard Coates, who was a former partner in the law firm Proskauer

³⁰ January 14, 2014 Tescher and Spallina Resignation Letter
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20140114%20Tescher%20and%20Spallina%20Resignation%20Letter%20as%20PR%20in%20estates%20of%20Simon%20and%20Shirley.pdf>

³¹ May 14, 2015 Motion to Disqualify Colin
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20150514%20FINAL%20Motion%20for%20Disqualification%20Colin%20ECF%20STAMPED%20COPY.pdf>
May 18, 2015 Order Denying Colin Disqualification
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20150518ORDERDenyingDisqualificationColin.pdf>
May 19, 2015 Order Colin Sua Sponte Recusal
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20150519%20Colin%20Recusals%20Clerk%20Reassigns.pdf>

Rose where Colin knew Proskauer was a counter defendant in my counter complaints he stayed. Coates accepted the cases despite the fact that Proskauer is a named Counter Defendant in the inheritancy lawsuit he was taking over and where Proskauer is alleged to have been the original source of the Intellectual Property Thefts. Coates took the cases and all the private and confidential court data of the cases and at the first hearing he held then Sua Sponte recused himself, after on the record denying the conflict and denying he had anything to do with my Intellectual Property companies while at Proskauer. His claim of no involvement is untrue according to Proskauer billing records³² and other information.

Coates recusal led to the cases being reassigned to Judge John L. Phillips. Phillips then in the first hearing claimed he could “wrestle octopuses” and prejudiced the case by repeatedly professing his “love” for Colin and the attorneys involved in the case, claiming he would not be looking back to review the fraud or their prior acts. Phillips, appearing to be incompetent and repeatedly professing that he was “stupid” then began acting virtually out of this world at hearings, holding hearings in the wrong cases and issuing Orders that reflect nothing of the hearings, even removing my standing as a Beneficiary, as a Trustee of Trusts for Beneficiaries, as a sued party individually and all because I did not know the exact statute at the moment he asked me that gave me standing in those capacities. Despite later providing the standing statutes in pleadings he refused to reconsider and began then to issue orders to strike three years of my pleadings in efforts to cover up and remove the evidence I had submitted for three years proving the multiple frauds on the courts and has now blocked my pleading at the Clerk's office so as to wholly deny me due process rights to defend myself in a lawsuit I was sued under.

With a crowd of observers from the FACT group and others in attendance at a sham hearing held by Phillips on February 24, 2016 to gain a Predatory Guardianship on my children that was not properly docketed with the court as a Guardian hearing and thus

³²Proskauer Billing Record Coates
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/Coates%20Billing%20Iviewit%20Holdings%20as%20Proskauer%20Partner%20on%20Iviewit%20Clean.pdf>

no state mandated recording of the GAL proceeding was had, Phillips, also knowing my minor children were unrepresented at the Guardian hearing refused to allow me at the hearing to stay the proceeding until a court reporter could be found to transcribe the case or stay the case until a record could be properly created and the children were represented and instead he proceeded in a sham hearing with no record and minors unrepresented. Phillips then ruled to have Guardians placed on my children and even has ordered that I cannot talk to the Guardian. The problem with my mother's trust case is that the children are sued as beneficiaries of a trust that does not exist and this has now been confirmed by attorney Alan B. Rose, Esq. who filed the lawsuit naming the children under a non-existent trust as defined further herein.

Further, there are claims that the minor children of my siblings and myself are the beneficiaries of the Estates and Trusts but throughout the proceedings, my minor children and my siblings minor children have not been represented by counsel or their parents in the proceedings. At the December 15, 2015 hearing the record reflects that the minor children were not represented and I had just secured counsel for them who was trying to come in Pro Hac Vice and yet despite requesting a proper stay at the hearing to get them counsel, Phillips refused the request for a stay to get counsel and proceeded with them unrepresented stating it was an untimely request when factually the law allows an oral request to be heard at time of trial for a stay.

The parents cannot represent their children because there are conflicts that have been created through the frauds on the court that have called into question who the beneficiaries are, the parents or their children and thus parents and children all need separate counsel for matters relating to beneficial interests. The beneficiaries are either 3 of 5 of the children (Ted and his sister Pam and their lineal descendants are declared "Predeceased" in the trust documents for all purposes of the trust and all purposes of disposition, making it further impossible for Ted to be acting in any fiduciary capacity or making any dispositions) or 10 grandchildren of Simon and Shirley. For issues regarding who the beneficiaries are the parents are in conflict with the children and yet I am the

only party trying to have my minor children represented and none of the other minor children have either counsel or parents representing their interests and despite the court knowing all this, proceedings have continued without representation of minor parties who have potential interests for almost four years.

Phillips continues using the court as a weapon as the record of the hearings reflects and through this abuse of legal process in a recent flurry of improper sham hearings has;

1. removed all my rights as a beneficiary, despite clear language in the documents that I am a beneficiary and Colin prior ruling that I was a beneficiary with standing to remove my brother as fiduciary, even directly me to file the Simon Trust lawsuit to remove Ted,
2. removed my standing so I may not even counter sue those who have sued me or defend myself or my minor children,
3. removed and stricken my pleadings,
4. removed my and my wife's guardian status over our children so we cannot protect or represent them and issued illegally gained PREDATORY GUARDIANSHIPS over my children, including one that is an adult child, without holding a proper guardian hearings for an adult,
5. threatened me and my wife with contempt multiple times,
6. held multiple improper hearings,
7. issued prefabricated orders that do not reflect the hearing transcripts and,
8. failed to report Felony misconduct of court appointed officials admitted to under oath in a December 15, 2015 hearing as [Exhibit2](#) herein shows.

In regard to Felony misconduct, it is believed that Phillips has covered up and committed Misprision of Felony by failing to report the FELONY state and federal crimes admitted to under oath in his court by Spallina at the "Validity Hearing" and therefore aided and abetted the crimes Spallina admitted in his court, I submit the

following court information for your review, as Exhibit 2 herein, as these crimes directly relate to Spallina and other new crimes your office should be investigating him for.

Finally, as reported by the Palm Beach Post and others in an evolving story of Probate/Guardian abuse emanating from Florida's courts, similar to the bank and mortgage frauds that found judges and lawyers fraudulently conveying properties through "robosigning" aka bank fraud, forgery and more committed by Judges and Attorneys, Florida's Judges are coming under renewed fire for their bizarre behaviors in the probate, guardianship and family courts and basically alleged to be robbing Florida's elderly while killing them in guardianships or grave robbing them after they die. The Posts stories similar to my case where the same judges in the Post articles allowed a dead person's identity to be used to commit Fraud on the Court in closing another dead person's estate and when discovered the crimes were covered up by further Fraud BY the Court by the lawyers and guardians and judges acting in conspire in what appears a CRIMINAL RICO ENTERPRISE operated using the courts..

<http://www.mypalmbeachpost.com/guardianships-elizabeth-savitt/>

and

<http://aaapg.net/florida-the-judges-wife-a-frequent-court-appointed-guardian/>

Quite amazing is the fact that Judge Phillips at the Validity hearing throughout the proceedings was attempting to block my line of questioning of Spallina regarding his consent orders and certain of the crimes he was admitting to on the stand. Phillips denying my questions based on his feeling that questions regarding Spallina's criminal acts and admissions were not pertinent or relevant to Spallina's testimony about the documents he was validating, although Spallina was confessing to actually fraudulently creating one of the documents he was validating. However, as the record reflects, Phillips appeared more interested at the hearing with threatening Eliot and his wife Candice repeatedly with contempt than with officers of his court admitting federal and

state violations of law or forcing Spallina to show cause and answer to the court regarding his admissions of fraud on the court and other crimes that Spallina stated he did not report to authorities as of the date of the hearing.

A List of Crimes the FBI should be investigating in my case matters and which I can provide further information regarding are as follows,

1. Insurance Fraud (Heritage Union Life),
 2. Bank Fraud - multiple instances.
 3. Securities Fraud - multiple instances (Stanford Trust, Oppenheimer, JP Morgan, Wilmington),
 4. Alleged Murders
 - a. Simon Bernstein
 - b. Mitchell Huhem,
 5. Fraud On and By Florida State Courts,
 6. Fraud On a Federal Court,
 7. Interstate Mail and Wire Frauds,
 8. Fraud on Beneficiaries of Estates and Trusts,
 9. Retaliation Against Whistleblower
 10. Extortion,
 11. Stolen Personal Property transferred across state lines,
 12. Forgeries,
 13. Interference with State Investigations,
 14. Fraudulent Billing Schemes,
 15. Obstruction of Justice through Abuse of Process,
 16. Civil Rights violations through denial of due process that Obstruct Justice,
 17. Ties of the Intellectual Property Thefts and Inheritancy Thefts that appear related and have led to a bomb in my family's minivan that can be seen on my homepage @ www.iviewit.tv and
 18. Theft of Intellectual Properties from myself and the estate of my father.
-
-

My cases exemplify how a victim of fraud on the court then becomes twisted to be the “bad guy” when exposing such fraud and where for protecting my family rights and exposing fraud by court officials they are now trying to have me held in contempt and jailed as if I have acted in bad faith or committed a crime. The court being used as a weapon to try and set me up for some type of court orchestrated crime like contempt they are trying to pin on me and without having legal rights to defend myself it seems like they will succeed soon and all this to cover up crimes committed by members of the Florida Courts and Florida Law Enforcement that are using these state agencies to commit the crimes and then cover them up. Relief can only now come from Federal Authorities as Florida and New York state civil and criminal authorities have turned a blind on the crimes committed by judges and lawyers.

The parties I write with also express extreme concerns for their personal safety and their loved ones due to the harsh blowback from the courts for their whistleblowing efforts and where some may be dead shortly if Federal intervention is not swift. We are all calling together for your offices to meet with us immediately as a group and/or individually to begin to have federal oversight of our complaints and begin honest investigations of the parties who have evaded justice for far too long. Frank Brady aka Kevin McKeown referenced herein has also stated that he would be willing to present the cases he brought before Scheindlin in any meeting with your offices.

As a group we have placed an Ad in the Palm Beach Post calling for a Federal Monitor over the courts of Florida and Federal Investigations of the court officials and court appointed officials in each of the cases that are alleged by the victims to be committing a host of very serious and life endangering crimes against them and their families. I have also put together a representative sampling of some of the Florida victims cases for review in a letter directly to Loretta Lynch³³ and these cases are just a

³³ April 09, 2016 United States Attorney General Loretta Lynch Letter
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20160409%20Final%20Esigned%20US%20Attorney%20Loretta%20Lynch%20Criminal%20Complaint%20Probate%20Guardian%20Family%20Court%20Victims.pdf>

small sampling of cases that we are seeking review of and the three organizations listed below have over a thousand cases they are seeking honest investigations into. Finally, I attach a link herein to a recent FBI filing³⁴ made after several hours of interview with me and Kevin Hall regarding new information for the currently ongoing investigation of attorney Robert Spallina. I believe that both of these letters to the Department of Justice are essential to understanding the merits of the claims made herein and hereby incorporate them by reference in entirety into this complaint.

ORGANIZATIONS SUPPORTING THIS COMPLAINT

1. Americans Against Abusive Probate Guardianship (AAAPG)
Spokesperson: Dr. Sam Sugar
PO Box 800511
Aventura, FL 33280
(855) 913 5337
By email: drsam@aaapg.net
On Facebook: <https://www.facebook.com/pages/Americans-Against-Abusive-Probate-Guardianship/229316093915489>
On Twitter: <https://twitter.com/helpaaapg>
2. Families Against Court Travesties, Inc.(FACT)
Spokesperson: Natalie Andre
Focusing on issues concerning child custody and abuse of the family court system, our vision is that the best interest of the child prevails in family court.
[facebook.com/FamiliesAgainstCourtTravesties](https://www.facebook.com/FamiliesAgainstCourtTravesties)
FactsCourtwatch@gmail.com
(800) 201-5560
3. VoteFamily.Us
Spokesperson: Mario A. Jimenez Jerez, M.D., B.S.E.E.
(786) 253-8158

³⁴ April 09, 2016 Letter to New Jersey FBI
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20160409%20Final%20Esigned%20FBI%20NJ%20COMPLAINT%20SPALLINA%20TESCHER%20ET%20AL.pdf>

votefamily@gmail.com

<http://www.votefamily.us/dr-mario-jimenez-in-senate-district-37/>

List of Victims @ <http://www.jotform.com/grid/60717016674052>

Respectfully Yours,



Eliot I. Bernstein
Inventor
Iviewit Holdings, Inc. – DL
2753 N.W. 34th St.
Boca Raton, Florida 33434-3459
(561) 245.8588 (o)
(561) 886.7628 (c)
iviewit@iviewit.tv
<http://www.iviewit.tv>

cc/ec:

Michael Horowitz, Esq. ~ Inspector General, United States Department of Justice
@ michael.e.horowitz@usdoj.gov and oig.hotline@usdoj.gov

Robin C. Ashton, Esq. ~ Counsel, Office of Professional Responsibility @
OPR.Complaints@usdoj.gov

Loretta Lynch, Esq. ~ Attorney General, United States Department of Justice
@ criminal.division@usdoj.gov

Michelle Pickels ~ Special Agent, Federal Bureau of Investigation @
philadelphia.complaints@ic.fbi.gov

Cindy Hoekstra, Esq. ~ Attorney, Securities & Exchange Commission -
Philadelphia Regional Office @ philadelphia@sec.gov

Enclosure(s)/Attachment(s)/URL's

All Uniform Resource Locators (URL's) and the contents of those URL's are incorporated in entirety by reference herein and therefore must be included in your hard copy file WITH ALL EXHIBITS, as part of this correspondence and as further evidentiary material to be Investigated. Due to allegations alleged by New York State Supreme Court Whistleblower Christine C. Anderson and similar claims in the Iviewit RICO & ANTITRUST Lawsuit regarding Document Destruction and Tampering with Official Complaints and Records, PRINT all referenced URL's and their corresponding exhibits and attach them to your hard copy file, as this is now necessary to ensure fair and impartial review.

In order to confirm that NO DOCUMENT DESTRUCTION OR ALTERCATIONS have occurred, once complete forward a copy of this correspondence with all exhibits and materials included to, Eliot I. Bernstein at the address listed herein. This will insure that all parties are reviewing the same documentation and no additional illegal activity is taking place. If you, for any reason, are incapable of providing this confirmation copy, please put your reasons for failure to comply in writing and send that to Eliot I. Bernstein at the address listed herein. Note, that this is a request only for a copy of this Correspondence and the referenced materials and NOT a request for any Case Investigation information, which may be protected by law.

cmb/eib

EXHIBIT 1

**INDICTMENTS COMING! US SENATOR JOHN SAMPSON
FORMER HEAD OF THE NEW YORK DEMOCRATIC PARTY AND
CHAIRMAN OF THE NEW YORK SENATE JUDICIARY
COMMITTEE WAS THREATENED & BRIBED TO COVER UP NY &
FEDERAL CORRUPTION!!**

UPDATE - INDICTMENTS COMING : Iviewit Breaking News: NY Supreme Court Ethics Oversight Bosses Alleged MISUSE of Joint Terrorism Task Force Resources & Funds & Violations of Patriot Acts Against Civilian Targets for Personal Gain... US Senator John Sampson Threatened & Bribed to Cover Up NY & Federal Corruption!!

<http://www.free-press-release.com/news-iviewit-breaking-indictments-coming-us-senator-john-sampson-threatened-bribed-to-cover-up-ny-federal-corruption-1369140092.html>

Wednesday, May 15, 2013

Expose Corrupt Courts

**INSIDER SAYS NY STATE OFFICIALS BRIEFED ON JUDICIAL
CORRUPTION INDICTMENTS**

BREAKING NEWS: A New York State Court administrative insider says that top state officials have been briefed by the feds on pending federal corruption indictments that will include New York state court employees....

And late this morning, a Washington, D.C. source confirmed the information, adding that the target of one federal corruption indictment will include at least one sitting New York State judge and other individuals- all with ties to major banks.....

<http://exposecorruptcourts.blogspot.com/2013/05/insider-says-ny-state-officials-briefed.html>

**UPDATE: SENATOR JOHN SAMPSON, FORMER NEW YORK
SENATE JUDICIARY CHAIR THREATENED AND BRIBED TO
COVER UP OFFICIAL CORRUPTION**

FRIDAY, MAY 17, 2013

Washington, D.C. Insider Says Senator John Sampson Covered-Up Court Corruption

BREAKING NEWS: Washington, D.C. insider says NYS Senator John Sampson covered-up evidence of widespread corruption in New York Surrogate's Courts.

Source says Sampson was first threatened, but then successfully bribed, to bury evidence involving countless state and federal crimes involving billions of dollars.

Syracuse, Rochester, Albany, White Plains, Brooklyn and Manhattan Surrogate's Courts are said to top the list of areas involved.

It was revealed on Wednesday that a New York State Court administrative insider said that top state officials had been briefed by the feds on pending federal corruption indictments that would include employees of New York's Office of Court Administration (a/ka/ "OCA"). Most court employees, including judges, are employed by OCA.

It was further confirmed by the Washington, D.C. source that judges, with ties to banks, would be among those charged.

<http://ethicsgate.blogspot.com/2013/05/washington-dc-insider-says-senator-john.html>

**IVIEWIT BREAKING NEWS: NY SUPREME COURT ETHICS
OVERSIGHT BOSSES ALLEGED MISUSE OF JOINT TERRORISM
TASK FORCE RESOURCES & FUNDS & VIOLATIONS OF
PATRIOT ACTS AGAINST CIVILIAN TARGETS FOR PERSONAL
GAIN..**

May 14, 2013

See Full Story at:

<http://www.free-press-release.com/news-iviewit-breaking-news-ny-supreme-court-ethics-oversight-bosses-alleged-misuse-of-joint-terrorism-task-force-resources-funds-violations-of-patriot-1368533731.html>

and

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

**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 Moosy, 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. Moosy,

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 unchecked 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 McMahan, 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.

**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>

**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>

IVIEWIT RICO MOTION FOR CLARIFICATION:

<http://www.iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20130513%20FINAL%20Motion%20for%20Clarification%20of%20Order174604%20WITH%20NO%20EXHIBITS.pdf>

Investigative Blogger Crystal Cox Sues Forbes and the New York Times for Defamation.
March 6, 2013

<http://www.free-press-release.com/news-investigative-blogger-crystal-cox-sues-forbes-and-the-new-york-times-for-defamation-1362547010.html>

COURT CASES OF INTEREST

COX VS. RANDAZZA, ET AL. “ NEVADA RICO CASE NO. 2:13-CV-00297-JCM-VCF CHANGED TO 2:13-CV-00297 JCM (NJK) CHANGED TO 2:13-CV-00297 MMD-VCF

OBSIDIAN FINANCE GROUP, LLC ET AL. V. COX CASE NO. 3:11-CV-00057-HZ
(Famed First Amendment Rights Attorney at Law and Professor, Eugene Volokh, Esq.,
Professor at UCLA School of Law is representing Cox on Appeal)

**THE BEGINNING OF THE END ~ NEW YORK SENATE
JUDICIARY COMMITTEE HEARINGS**

September 24, 2009 - Second Hearing

Public Hearing: Standing Committee On The Judiciary New York Senate
Judiciary Committee John L. Sampson Chairman

SENATE STANDING COMMITTEE ON THE JUDICIARY NOTICE OF
PUBLIC HEARING

SUBJECT: The Appellate Division First Department Departmental Disciplinary Committee, the grievance committees of the various Judicial Districts and the New York State Commission on Judicial Conduct

PURPOSE: This hearing will review the mission, procedures and level of public satisfaction with the Appellate Division First Department Departmental Disciplinary Committee, the grievance committees of the various Judicial Districts as well as the New York State Commission on Judicial Conduct

ORAL TESTIMONY BY:

Witness List for Judiciary Hearing 9/24/09 The Judicial & Attorney Disciplinary Process in the State of New York

1. Richard Kuse of New City, NY
2. Victor Kovner of the Fund for Modern Courts
3. Douglas Higbee of Mamaroneck, NY
4. Judith Herskowitz of Miami Beach, FL
5. Peter Gonzalez of Troy, NY
6. Andrea Wilkinson of Rensselaer, NY
7. Maria Gkanios of Mahopac, NY
8. Dominic Lieto of Mahopac, NY
9. Regina Felton Esq of Brooklyn, NY
10. Kathryn Malarkey of Purchase, NY
11. Nora Renzuli, Esq. of Staten Island, NY
12. Stephanie Klein of Long Beach, NY
13. Ike Aruti of Rosedale, NY
14. Terence Finnan of Keene, NY
15. Gizella Weisshaus, NY
16. **Eliot I. Bernstein of Boca Raton, FL**
17. Suzanne McCormick & Patrick Handley of NY

The Appellate Division of the Supreme Court is the entity that is legally responsible for enforcing the Rules of Professional Conduct governing the conduct of attorneys in New York State. The Appellate Division Departments have created grievance committees that are charged with the investigation of complaints against attorneys. Within the First

Judicial Department the Departmental Disciplinary Committee of the Appellate Division investigates complaints against attorneys. The New York State Commission on Judicial Conduct was created by the State Constitution and is charged with investigating complaints against Judges and Justices of the Unified Court System.

According to the 2009 Report of the Commission on Judicial Conduct, there were 1,923 complaints filed in 2008. Yet of these complaints only 262 were investigated and of those, 173 were dismissed. This hearing will examine the processes and procedures that are followed by the various agencies charged with the responsibility of enforcing the rules and regulations that must be followed by the Judiciary and the Bar in the State of New York. It will also evaluate public satisfaction with the disciplinary process.

EXHIBIT 2

**Spallina Testimony Violating SEC Consent Order and Admitting New Unreported
Crimes before Judge John L. Phillips on December 15, 2012.**

**SPALLINA ADMITS NEW STATE AND FEDERAL CRIMES AT A
“VALIDITY HEARING” BEFORE JUDGE PHILLIPS
INCLUDING NEW ADMISSIONS OF FRAUD ON THE COURT
AND MORE AND VIOLATES A CONSENT ORDER HE IS UNDER
WITH THE SEC³⁵**

1. On or about September 28, 2015, the SEC out of Washington, DC publicly announced Insider Trading and related charges in a separate action against Florida attorneys and Third-Party Defendants herein SPALLINA and TESCHER.
2. That SPALLINA pled guilty of criminal misconduct and the SEC Consent signed by SPALLINA states,
“2. Defendant has agreed to plead guilty to criminal conduct [emphasis added] relating to certain matters alleged in the complaint in this action and acknowledges that his conduct violated the federal securities laws. Specifically, Defendant has agreed to plead guilty to a one count information which charges him with committing securities fraud involving insider trading in the securities of Pharmasset, Inc. in a matter to be filed in the United States District Court for the District of New Jersey, (the “Criminal Action”).”
3. Yet, in a December 15, 2015 hearing under sworn oath as a witness in a Validity Hearing before Judge PHILLIPS, SPALLINA stated the following from the hearing transcript Page 93 Lines 14-22^{[1]36};
14. THE COURT: You can answer the question, which
15. is, did you plead to a felony?
16. MR. BERNSTEIN: Sorry, sir.
17. THE WITNESS: I have not.

³⁵ February 24, 2016 Motion for Injunction Federal Court Judge John Robert Blakey
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20160224%20FINAL%20ESIGNED%20MOTION%20FOR%20INJUNCTION%20ECF%20STAMPED%20COPY%20COMBINED%20FILING.pdf>

³⁶ December 15, 2015 PHILLIPS VALIDITY HEARING TRANSCRIPT
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20151215%20Hearing%20Transcript%20Phillips%20Validity%20Hearing.pdf>

18. THE COURT: Okay. Next question.
19. BY MR. BERNSTEIN:
20. . . . Q. Have you pled guilty to a misdemeanor?
21. . . . A. I have not.
22. . . . Q. Were you involved in a insider trading case?
23. MR. ROSE: Objection. Relevance.
24. THE COURT: Sustained. Next question.

4. Further, in the SEC Consent signed by SPALLINA reads, "12. Defendant understands and agrees to comply with the term of 17 C.P.R. f 202,S(e). which provides in part that it is the Commission's policy "not to permit a defendant or respondent to consent to a judgment or order that imposes a sanction while denying the allegations in the complaint or order for proceedings." As part of Defendant's agreement to comply with the terms of Section 202.5(e), Defendant acknowledges that he has agreed to plead guilty for related conduct as described in paragraph 2 above, and: (i) will not take any action or make or permit to be made any public statement denying, directly or indirectly, any allegation in the complaint or creating the impression that the complaint is without factual basis; (ii) will not make or permit to be made any public statement to the effect that Defendant does not admit the allegations of the complaint, or that this Consent contains no admission of the allegations; (iii) upon the filing of this Consent, Defendant hereby withdraws any papers filed in this action to the extent that they deny any allegation in the complaint; aud (iv) stipulates for purposes of exceptions to discharge sot forth in Section 523 of the Bankruptcy Code, 11 U.S.C.. §523. that the allegations in the complaint are true..."

5. SPALLINA further states under sworn testimony at the Validity Hearing regarding the trust documents he created being valid admits to fraudulently altering a Shirley Trust Document and sending to Attorney at Law Christine Yates, Esq. representing the minor children of Eliot via the mail,

Page 95 Lines 14-25 and Page 96 Line 1-19,

14. . . . Q. Mr. Spallina, have you been in discussion with
15. the Palm Beach County Sheriff's Office regarding the
-
-

16. Bernstein matters?
17. MR. ROSE: Objection. Relevance.
18. THE COURT: Overruled.
19. You can answer that.
20. THE WITNESS: Yes, I have.
21. BY MR. BERNSTEIN:
22. . . . Q. And did you state to them that you
23. fraudulently altered a Shirley trust document and then
24. sent it through the mail to Christine Yates?
25. . . . A. Yes, I did.
.1. . . . Q. Have you been charged with that by the Palm
.2. Beach County Sheriff yet?
.3. . . . A. No, I have not.
.4. . . . Q. Okay. How many times were you interviewed by
.5. the Palm Beach County Sheriff?
.6. MR. ROSE: Objection. Relevance.
.7. THE COURT: Sustained.
8. BY MR. BERNSTEIN:
.9. . . . Q. Did you mail a fraudulently signed document to
10. Christine Yates, the attorney for Eliot Bernstein's
11. minor children?
12. MR. ROSE: Objection. Relevance.
13. THE COURT: Overruled.
14. THE WITNESS: Yes.
15. BY MR. BERNSTEIN:
16. . . . Q. And when did you acknowledge that to the
17. courts or anybody else? When's the first time you came
18. about and acknowledged that you had committed a fraud?
19. . . . A. I don't know that I did do that.

6. Further, SPALLINA perjures himself in self contradiction when he tries to claim that his law firm did not mail Fraudulent documents to the court and commit further FRAUD ON THE COURT and then slips up and admits that they sent the fraudulent documents back to the court when he states;

10 · BY MR. BERNSTEIN:

11 · . . . Q · And what was she convicted for?

12 · . . . A · She had notarized the waiver releases of

13 · accounting that you and your siblings had previously

14 · provided, and we filed those with the court.

15 · . . . Q · We filed those with the court.

16 · Your law firm submitted fraudulent documents

17 · to the court?

18 · . . . A · No · We filed -- we filed your original

19 · documents with the court that were not notarized, and

20 · the court had sent them back.

21 · . . . Q · And then what happened?

22 · . . . A · And then Kimberly forged the signatures and

23 · notarized those signatures and sent them back.

7. That not only does SPALLINA admit to Felony criminal that have not yet been investigated but admits that his office members are also involved in proven Fraudulent Creation of a Shirley Trust and where MORAN has already admitted six counts of forgery for six separate parties (including for a deceased Simon and one for Eliot) and fraudulent notarizations of such documents. Spallina states in the hearing Pages 102-

103,

20 · MR. BERNSTEIN: · Sure.

21 · BY MR. BERNSTEIN:

22 · . . . Q · You've testified here about Kimberly Moran.

23 · Can you describe your relationship with her?

24 · . . . A · She's been our long-time assistant in the

25 · office.

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· 1 · . . . Q · Was she convicted of felony fraudulent

· 2 · notarization in the Estate of Shirley Bernstein?

· 3 · MR. ROSE: · Objection · Relevance.

· 4 · THE COURT: · Overruled.

· 5 · You're asking if she was convicted of a felony

- 6· . . . with respect to the Estate of Shirley Bernstein?
- 7· You can answer the question.
- 8· MR. BERNSTEIN:· Correct.
- 9· THE WITNESS:· I believe she was.

8. SPALLINA then claims that it is standard practice for he and his clients to sign sworn Final Waivers under penalty of perjury with knowingly and irrefutably false statements. Then SPALLINA had a deceased Simon file that alleged sworn document with the Court as Personal Representative on a date after his death while acting as Personal Representative as part of a Fraud on the Court and Fraud on the Beneficiaries and Interested Parties. SPALLINA states in testimony as follows,

Pages 108-110

- 17· . . . Q· ·Okay· Are you aware of an April 9th full
 - 18· ·waiver that was allegedly signed by Simon and you?
 - 19· . . . A· ·Yeah· That was the waiver that he had signed.
 - 20· ·And then in the May meeting, we discussed the five of
 - 21· ·you, all the children, getting back the waivers of the
 - 22· ·accountings.
 - 23· . . . Q· ·Okay· And in that April 9th full waiver you
 - 24· ·used to close my mother's estate, does Simon state that
 - 25· ·he has all the waivers from all of the parties?
 - 1· . . . A· ·He does· We sent out -- he signed that, and
 - 2· ·we sent out the waivers to all of you.
 - 3· . . . Q· ·Okay· So on April 9th of 2012, Simon signed,
 - 4· ·with your presence, because your signature's on the
 - 5· ·document, a document stating he had all the waivers in
 - 6· ·his possession from all of his children.
 - 7· Had you sent the waivers out yet as of
 - 8· ·April 9th?
 - . . .
 - 20· ·BY MR. BERNSTEIN:
 - 21· . . . Q· ·April 9th, 2012, you have a signed full waiver
 - 22· ·of Simon's that says that he is in possession of all of
 - 23· ·the signed waivers of all of the parties?
-
-

24. . . . A. . Standard operating procedure, to have him
25. . sign, and then to send out the documents to the kids.

..

1. . . . Q. . Was Simon in possession -- because it's a
2. . sworn statement of Simon saying, I have possession of
3. . these waivers of my children on today, April 9th,
4. . correct, the day you two signed that?

5. Okay. . So if you hadn't sent out the waivers
6. . yet to the --

7. . . . A. . I'm not certain when the waivers were sent
8. . out.

9. . . . Q. . Were they sent out after the --

10. . . . A. . I did not send them out.

11. . . . Q. . Okay. . More importantly, when did you receive
12. . those? . Was it before April 9th or on April 9th?

13. . . . A. . We didn't receive the first one until May.
14. . And it was your waiver that we received.

15. . . . Q. . So how did you allow Simon, as his attorney,
16. . to sign a sworn statement saying he had possession of
17. . all of the waivers in April if you didn't get mine 'til
18. . May?

19. MR. ROSE: . Objection. . I think it's relevance
20. . . . and cumulative. . He's already answered.

21. THE COURT: . What's the relevance?

22. MR. BERNSTEIN: . Oh, this is very relevant.

23. THE COURT: . What is the relevance on the issue
24. . . . that I have to rule on today?

25. MR. BERNSTEIN: . On the validity? . Well, it's
1. . . . relevant. . If any of these documents are relevant,
2. . . . this is important if it's a fraud.

3. THE COURT: . I'll sustain the objection.

4. MR. BERNSTEIN: . Okay. . Can I -- okay.

5. . BY MR. BERNSTEIN:

6. . . . Q. . When did you get -- did you get back prior to
7. . Simon's death all the waivers from all the children?

8. . . . A. . No, we did not.

9. . . . Q. . So in Simon's April 9th document where he
10. . says, he, Simon, on April 9th has all the waivers from
11. . his children while he's alive, and you didn't even get
12. . one 'til after he passed from one of his children, how
13. . could that be a true statement?
14. MR. ROSE: . Objection. . Relevance. . Cumulative.
15. THE COURT: . Sustained.

9. SPALLINA also perjures himself under sworn oath at the hearing when testifying to the status of his Florida Bar license, which at this time he is listed as “ineligible^{[2]37}” to practice law in the state of Florida, when he states in the December 15, 2015 hearing,

Page 91

7. . BY MR. BERNSTEIN:

8. . . . Q. . Mr. Spallina, you were called today to provide
9. . some expert testimony, correct, on the --
10. . . . A. . No, I was not.
11. . . . Q. . Oh, okay. . You're just going based on your
12. . doing the work as Simon Bernstein's attorney and Shirley
13. . Bernstein's attorney?
14. . . . A. . Yes.
15. . . . Q. . Okay. . Are you still an attorney today?
16. . . . A. . I am not practicing.
17. . . . Q. . Can you give us the circumstances regarding
18. . that?
19. . . . A. . I withdrew from my firm.

Pages 120-121

19. . BY MR. BERNSTEIN:

20. . . . Q. . Did you -- are you a member of the Florida
21. . Bar?
22. . . . A. . Yes, I am.

³⁷ Florida Bar Robert Spallina Ineligible to Practice Law
https://www.floridabar.org/wps/portal/flbar/home/attysearch/mprofile!/ut/p/a1/jc_LDoIwEAXQT-ptRwO6mkRazxgdCNYUWaKLowfr_42LioOrtJzs3cYZ41zA_dLftdNZyH7vjYvTxACM3dBrawxEHI0I3ZqgSEHEE7gimxJMMNktoDIOr2qgtF7RM_8sjMoRf-T3zn8RJNQO5BXKtp0AxeYNIRTj-HTx_eJ2II7ycdg2C6e8_WXgh/dl5/d5/L2dBISvZ0FBIS9nQSEh/?flag=Y&mid=497381

23. . . . Q. . . . Currently?
24. . . . A. . . . Yes, I am.
25. . . . Q. . . . Okay. . . . You said before you surrendered your
.1. . . . license.
.2. . . . A. . . . I said I withdrew from my firm. . . . It wasn't
.3. . . . that I was not practicing.

9. Spallina further Perjures his testimony when asked if the Fraudulent Shirley Trust he created by Post Mortem fraudulently altering a Shirley Amendment and disseminated through the mail attempted to change the beneficiaries of the Shirley Trust and he answered no. Yet, the following analysis shows different;

22. . . . BY MR. BERNSTEIN:
23. . . . Q. . . . Did the fraudulently altered document change
24. . . . the beneficiaries that were listed in Shirley's trust?
25. . . . A. . . . They did not.

11. Now comparing the language in the two documents the Court can see that this statement is wholly untrue. From the alleged Shirley Trust document,
“Notwithstanding the foregoing, as I have adequately provided for them during my lifetime, for purposes of the dispositions made under this Trust, my children, TED S. BERNSTEIN ("TED") and PAMELA B. SIMON ("PAM"), **and their respective lineal descendants** shall be deemed to have predeceased the survivor of my spouse and me, provided, however, if my children, ELIOT BERNSTEIN, JILL IANTONI and LISA S. FRIEDSTEIN, and their lineal descendants all predecease the survivor of my spouse and me, then TED and PAM, and their respective lineal descendants shall not be deemed to have predeceased me and shall be eligible beneficiaries for purposes of the dispositions made hereunder.”^{[3]38}

³⁸ Shirley Trust Page 7

<http://iviewit.tv/Simon%20and%20Shirley%20Estate/Shirley%20Trust%20plus%20fraudulent%20amendment%202.pdf>

12. Then the language from the fraudulent amendment states;

2. I hereby amend the last sentence of Paragraph E. of Article III. to read as follows: "Notwithstanding the foregoing, as my spouse and I have adequately provided for them during our lifetimes, for purposes of the dispositions made under this Trust, my children, TED S. BERNSTEIN ("TED") and PAMELA B. SIMON ("PAM '), shall be deemed to have predeceased the survivor of my spouse and me, provided, however, if my children, ELIOT BERNSTEIN, JILL IANTONI and LISA S. FRIEDSTEIN, and their respective lineal descendants all predecease the survivor of my spouse and me, then TED and PAM shall not be deemed to have predeceased the survivor of my spouse and me and shall become eligible beneficiaries for purposes of the dispositions made hereunder."^{[4]39},

13. Clearly the fraudulent amendment attempts to remove from the predeceased language TED and PAMELA's lineal descendants from being excluded by removing them from the original trust language through a fraudulent amendment as being considered predeceased and thus change the beneficiaries of the Shirley Trust and this perjury changed the outcome of the validity hearing adding cause for a rehearing and voiding the Order that resulted, which was already void and of no effect since Judge Phillips should have already voluntarily mandatorily disqualified himself from the proceedings prior to holding hearings.

14. That in relation to this very case before the Federal Court in SPALLINA's testimony under oath at the Validity Hearing SPALLINA states,

Pages 154-55

20. BY MR. BERNSTEIN:

21. . . . Q. . You referenced an insurance policy earlier,
22. . life insurance policy, that you said you never saw; is
23. . that correct?

24. . . . A. . Yes.

25. . . . Q. . And was that part of the estate plans?

³⁹ Spallina Fraudulent Shirley Trust Page 30

<http://iviewit.tv/Simon%20and%20Shirley%20Estate/Shirley%20Trust%20plus%20fraulent%20amendment%202.pdf>

1. . . . A. . We never did any planning with that. That was
2. . an insurance policy that your father had taken out
3. . 30 years before. He had created a trust in 1995 for
4. . that. That was not a part of any of the planning that
5. . we did for him.
6. . . . Q. . Did you file a death benefit claim on behalf
7. . of that policy?
8. MR. ROSE: . Objection. . Relevancy.
9. THE COURT: . Sustained.

15. This statement of SPALLINA's that he had nothing to do with the "planning with that" makes his actions in the insurance matters before this Court questionable, as if he had nothing to do with the planning of the policy and the lost and missing trust involved in this action alleged to be the beneficiary, how in the world did Spallina file an insurance death benefit claim^{[5]40} for the policy benefits acting and signing as the claimant on the policy, in the fiduciary capacity of "Trustee" of the 1995 Missing, Lost or Suppressed Trust and acting as the Policy Beneficiary, which appears now to be part of the alleged Insurance Fraud, Mail and Wire Fraud alleged in Petitioner's pleadings that is now further supported by his perjurious statement in the Florida court denying any involvement.

16. The Court should note that while SPALLINA was filing a death benefit claim as Trustee for the lost and missing trust he claims to have had no involvement with, while he was simultaneously claiming to Eliot that a Florida Probate Court order^{[6]41} would be necessary to determine who the trustee, beneficiaries, etc. of a lost and missing trust would be^{[7]42}, he was secretly and in conspire with others filing claims for the

⁴⁰ Spallina Fraudulent Insurance Claim Form He Signs as Beneficiary of the Policy as Trust of a Trust and Policy he has claimed he had nothing to do with, which is DECLINED by Heritage - See Page 05 <http://iviewit.tv/Simon%20and%20Shirley%20Estate/20121101%20Heritage%20Claim%20Form%20Spallina%20Insurance%20Fraud.pdf> , Spallina also represents in the correspondences to the carrier that he is Trustee of LaSalle National Trust, NA, which he is not but that is because LaSalle is the Primary Beneficiary.

⁴¹ January 22, 2013 SPALLINA Letter Re Insurance <http://iviewit.tv/Simon%20and%20Shirley%20Estate/20130122%20Ted%20Letter%20and%20Spallina%20Letter%20re%20Insurance.pdf>

⁴² TESCHER & SPALLINA Prepared Settlement Regarding Insurance Policy <http://iviewit.tv/Simon%20and%20Shirley%20Estate/EXHIBIT%205%20->

Policy and when that failed filing this Lawsuit, without notifying Eliot or the Creditor or the Probate Court of this action and failing to including Eliot as part of the legal action, all as part of a complex insurance fraud against Eliot and Beneficiaries of the Estate and the Creditor of the Estate, STANSBURY, and attempting to have the insurance money deposited to his law firm's trust account acting as the Beneficiary of the Policy he claims to have nothing to do with, acting as Trustee of the lost trust he claims to have never seen and impersonating himself as the Primary Beneficiary of the Policy, as Trustee of the LaSalle National Trust NA, of which he is none of.

17. That the fraudulent claim filed by SPALLINA is what led to this Federal Lawsuit being filed as a breach of contract lawsuit for HERITAGE failing to pay the claim to SPALLINA until he could prove the trust and that he was Trustee, of the trust he claims in court under sworn testimony to have had NOTHING to do with.

18. That the Court must question where Judge PHILLIPS was during the hearing where confessions to new crimes of Fraud on the Court, Mail Fraud, Fraud on the Beneficiaries (and Eliot's minor children's counsel, Christine Yates of Tripp Scott law firm) and more are being admitted to on the record by an Officer of the Court SPALLINA, a former Co-Trustee and Co-Personal Representative along with his partner in the crime and the ringleader another former Co-Trustee and Co-Personal Representative, TESCHER who also is under an SEC Consent Order for Insider Trading and one look at the transcript will find Judge PHILLIPS "doodling" (Page 138 Line 1) during the hearing and more interested in threatening Candice Bernstein with contempt of court repeatedly, even removing her from the defense table and sending her to the audience section and yet failing to force SPALLINA to show cause regarding the crimes he committed and admitted to the court, in fact sustaining Eliot from probing these serious felony admissions including Fraud on the Court and Beneficiaries in the validity matters SPALLINA was testifying about and where SPALLINA's felonies were far more serious in nature than Candice's alleged contempt for asking ROSE in the hearing to turn an exhibit for all to see and handing Eliot a document (Page 24 Lines 12-23 and Page 127 Lines 3-7).

19. Further, the Court must question and call to account for what Judge PHILLIPS did after learning of these crimes of the star witness of the “validity” hearing, some admitted by SPALLINA to have not been investigated or reported by him at the time and thus ripe for prosecution and now having pleadings which show the perjured statements in violation of his SEC Consent Order, did he take control to find out how and who the fraudulent documents were posited in the Court as part of newly admitted FRAUDS ON THE COURT and has Judge PHILLIPS contacted the SEC to report the violation of SPALLINA’s consent order or did he contact and report the crimes of Fraud on the Court to the IG of the Court or the Chief Judge or did he contact the Federal Bureau of Investigations regarding the admitted mail fraud or did he have his bailiff, a member of the Palm Beach County Sheriff deputies arrest SPALLINA on the spot?

20. Judge PHILLIPS appears to have done nothing but take SPALLINA’s sole testimony to the validity of the documents (some which SPALLINA admitted in the hearing he and others had fraudulently created) and in a bizarre ruling that defies logic and appears outside the color of law, then ruled that the documents were valid with no other parties present to confirm the perjurious Felon’s testimony whose Hands are Unclean, credibility shattered and one certainly must ask why the Trustee TED did not call ANY of the other witnesses or multiple notaries and instead choose SPALLINA his business associate and TED’s counsel as ALLEGED PR and Trustee who admitted to PBSO that he committed fraud that altered documents to benefit TED’s family, which had been wholly considered PREDECEASED prior to the fraud in Shirley Trust. TED filed for the validity hearing after his counsel committed fraud to benefit him and his only witness is his counsel that has committed fraud and TED in his own words stated under sworn oath at the Validity hearing, Page 206-210

25. . . . Q. .Okay. Ted, you were made aware of Robert
1. Spallina's fraudulent alteration of a trust document of
2. your mother's when?
3. . . . A. I believe that was in the early 2013 or '14.
4. . . . Q. Okay. And when you found out, you were the
5. fiduciary of Shirley's trust, allegedly?
6. . . . A. I'm not sure I understand the question.
-
-

7. . . . Q. . When you found out that there was a fraudulent
8. . altercation [sic] of a trust document, were you the
9. . fiduciary in charge of Shirley's trust?

10. . . . A. . I was trustee, yes. I am trustee, yes.

11. . . . Q. . And your attorneys, Tescher and Spallina, and
12. . their law firm are the one who committed that fraud,
13. . correct, who altered that document?

14. . . . A. . That's what's been admitted to by them,
15. . correct.

16. . . . Q. . Okay. So you became aware that your counsel
17. . that you retained as trustee had committed a fraud,
18. . correct?

19. . . . A. . Correct.

20. . . . Q. . What did you do immediately after that?

21. . . . A. . The same day that I found out, I contacted
22. . counsel. I met with counsel on that very day. I met
23. . with counsel the next day. I met with counsel the day
24. . after that.

25. . . . Q. . Which counsel?

1. . . . A. . Alan Rose.

...

P 209-210

24. . BY MR. BERNSTEIN:

25. . . . Q. . Have you seen the original will and trust of
1. . your mother's?

2. . . . A. . Can you define original for me?

3. . . . Q. . The original.

4. . . . A. . The one that's filed in the court?

5. . . . Q. . Original will or the trust.

6. . . . A. . I've seen copies of the trusts.

7. . . . Q. . Have you done anything to have any of the
8. . documents authenticated since learning that your
9. . attorneys had committed fraud in altering dispositive
10. . documents that you were in custody of?

11. MR. ROSE: Objection. Relevance.

12. THE COURT: Overruled.

13. THE WITNESS: I have not.
14. BY MR. BERNSTEIN:
15. . . . Q. So you as the trustee have taken no steps to
16. validate these documents; is that correct?
17. . . . A. Correct.

21. TED further shows he is an incompetent Trustee at his validity hearing where he admits having not seen the original documents, not bringing any of them to the hearing to prove them valid and that he did “NOTHING” to validate them and did not even have them forensically analyzed or request the originals back from his former disgraced counsel after their admission of fraudulent created trusts and forged documents posited into the court record in his mother’s estate and elsewhere and the admitted fraudulent use of his deceased father by his former counsel to commit fraud upon the court, fraud upon the beneficiaries and close his deceased mother’s estate (despite a COURT ORDER for TESCHER and SPALLINA to turn over “ALL” RECORDS) .

22. The formal Complaint filed by the SEC contains breaches of fiduciary duties by SPALLINA and TESCHER that are almost identical to the claims Eliot has made in the Florida Probate Courts of Palm Beach County since at least on or about May of 2013^[8]⁴³ and^[9]⁴⁴ and^[10]⁴⁵ and^[11]⁴⁶.

23. Multiple requests for Discovery from TED in the Florida Probate Courts have been made including by short term counsel Brendan Pratt,

⁴³ September 28, 2015 SEC Press Release Regarding SPALLINA and TESCHER INSIDER TRADING CHARGES, “SEC Charges Five With Insider Trading, Including Two Attorneys and an Accountant” <http://www.sec.gov/news/pressrelease/2015-213.html>

⁴⁴ September 28, 2015 SEC Government Complaint filed against TESCHER and SPALLINA @ <http://www.sec.gov/litigation/complaints/2015/comp-pr2015-213.pdf>

⁴⁵ October 01, 2015 SEC Consent Orders Felony Insider Trading SPALLINA signed September 16, 2015 and TESCHER signed June 15, 2014 <http://www.iviewit.tv/Simon%20and%20Shirley%20Estate/2015%20Spallina%20and%20Teschler%20SEC%20Settlement%20Consent%20Orders%20Insider%20Trading.pdf>

⁴⁶ May 06, 2013 Bernstein Emergency Petition Florida Probate Simon and Shirley Estate Cases @ <http://iviewit.tv/Simon%20and%20Shirley%20Estate/20130506%20FINAL%20SIGNED%20Petition%20Freeze%20Estates%20Original%20Large.pdf>

Esq.^{[12]47} but no voluntary compliance by TED has occurred and no voluntary Discovery by TED produced.

FOOTNOTES

[1] December 15, 2015 PHILLIPS VALIDITY HEARING TRANSCRIPT <http://iviewit.tv/Simon%20and%20Shirley%20Estate/20151215%20Hearing%20Transcript%20Phillips%20Validity%20Hearing.pdf>

[2] Florida Bar Robert Spallina Ineligible to Practice Law https://www.floridabar.org/wps/portal/flbar/home/attysearch/mprofile!/ut/p/a1/jc_LDoIwEAXQT-ptHRaWo6mkRazxgdCNYUWaKLowfr_42LioOrtJzs3cYZ41zA_dLfTdNZyH7vjYvTxACM3dBrawxEHIOI3ZqgSEHEE7girnXJMMNktoDIOr2qgtF7RM_8sjMoRf-T3zn8RJNQO5BXKtp0AxeYNIRTj-HTx_eJ2II7ycdg2C6e8_WXgh/dl5/d5/L2dBISEvZ0FBIS9nQSEh/?flag=Y&mid=497381

[3] Shirley Trust Page
7 <http://iviewit.tv/Simon%20and%20Shirley%20Estate/Shirley%20Trust%20plus%20fraudulent%20amendment%202.pdf>

[4] Spallina Fraudulent Shirley Trust Page
30 <http://iviewit.tv/Simon%20and%20Shirley%20Estate/Shirley%20Trust%20plus%20fraudulent%20amendment%202.pdf>

[5] Spallina Fraudulent Insurance Claim Form He Signs as Beneficiary of the Policy as Trust of a Trust and Policy he has claimed he had nothing to do with, which is DECLINED by Heritage - See Page
05 <http://iviewit.tv/Simon%20and%20Shirley%20Estate/20121101%20Heritage%20Claim%20Form%20Spallina%20Insurance%20Fraud.pdf> , Spallina also represents in the correspondences to the carrier that he is Trustee of LaSalle National Trust, NA, which he is not but that is because LaSalle is the Primary Beneficiary.

⁴⁷ November 01, 2013 Production Request Ted Bernstein
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20131101%20ELIOT%20BERNSTEINS%20FIRST%20REQUEST%20FOR%20PRODUCTION%20OF%20DOCUMENTS%20AND%20THINGS%20PROPOUNDED%20ON%20TED%20S%20%20%20BERNSTEIN.pdf>

- [6] January 22, 2013 SPALLINA Letter Re
Insurance <http://iviewit.tv/Simon%20and%20Shirley%20Estate/20130122%20Ted%20Letter%20and%20Spallina%20Letter%20re%20Insurance.pdf>
- [7] TESCHER & SPALLINA Prepared Settlement Regarding Insurance
Policy <http://iviewit.tv/Simon%20and%20Shirley%20Estate/EXHIBIT%205%20-%2020130205%20Eliot%20Letter%20to%20Spallina%20et%20al%20Regarding%20Analysis%20of%20SAMR.pdf>
- [8] September 28, 2015 SEC Press Release Regarding SPALLINA and
TESCHER INSIDER TRADING CHARGES, “SEC Charges Five With
Insider Trading, Including Two Attorneys and an Accountant”
<http://www.sec.gov/news/pressrelease/2015-213.html>
- [9] September 28, 2015 SEC Government Complaint filed against TESCHER
and SPALLINA @ <http://www.sec.gov/litigation/complaints/2015/comp-pr2015-213.pdf>
- [10] October 01, 2015 SEC Consent Orders Felony Insider Trading SPALLINA
signed September 16, 2015 and TESCHER signed June 15, 2014
<http://www.iviewit.tv/Simon%20and%20Shirley%20Estate/2015%20Spallina%20and%20Tesch%20SEC%20Settlement%20Consent%20Orders%20Insider%20Trading.pdf>
- [11] May 06, 2013 Bernstein Emergency Petition Florida Probate Simon and
Shirley Estate Cases
@ <http://iviewit.tv/Simon%20and%20Shirley%20Estate/20130506%20FINAL%20SIGNED%20Petition%20Freeze%20Estates%20Original%20Large.pdf>
- [12] November 01, 2013 Production Request Ted Bernstein
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20131101%20ELIOT%20BERNSTEINS%20FIRST%20REQUEST%20FOR%20PRODUCTION%20OF%20DOCUMENTS%20AND%20THINGS%20PROPOUNDED%20ON%20TED%20S%20%20BERNSTEIN.pdf>
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