

## From the Desk of:

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Inventor

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**Sent Via: Email and US Certified Mail**

Saturday, April 09, 2016

Michelle Pickels

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**RE: INVESTIGATION OF ROBERT M. SPALLINA ET, AL; ORIGINAL ACTION  
SECURITIES AND EXCHANGE COMMISSION V. SPALLINA ET AL. - NEW JERSEY  
DISTRICT COURT, CASE NO. 3:15-CV-07118 - VIOLATION OF CONSENT ORDER**

I am writing in furtherance of information provided in our phone call of March 07, 2016, showing violations of the SEC Consent Order by Robert Spallina based upon sworn testimony on Dec. 15, 2015<sup>1</sup> in the Florida Probate Court of Palm Beach County where Mr. Spallina further admitted to new crimes which should be investigated and stated he did not plead guilty to felony or misdemeanor charges in violation of the terms of his consent. It should also be noted that Spallina made these admissions under sworn oath before Judge John L. Phillips and I have no knowledge that Judge Phillips has reported the criminal misconduct and fraud on the court that Spallina admitted to before him. Judge Phillips then began a pattern and practice with Robert Spallina's business partner Ted Bernstein and new lawyer Alan Rose who was working with Spallina to then shut down my legal rights and my minor children's rights using the Court as a

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<sup>1</sup>December 15, 2015 Validity Hearing before Judge John L. Phillips

<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20151215%20Hearing%20Transcript%20Phillips%20Validity%20Hearing.pdf>

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Weapon, including placing Predatory Guardians on my children recently in order to silence my whistleblowing efforts against these frauds and my demands for criminal prosecutions of court officials and fiduciaries appointed by the court in my inheritancy cases.

Additional information is provided where I believe Mr. Spallina should be investigated for acting in concert with “state actors” such as Palm Beach Judge Martin Colin, Palm Beach Judge John Phillips, and the Palm Beach Sheriff’s Office together with private actors such as Ted Bernstein, Alan B. Rose, Esq. and others in furtherance of a scheme to deny due process and other US Constitutional rights and civil liberties to my family by fraudulently delaying and tortuously interfering with rights of inheritance in the Estates and Trusts of my parents Shirley and Simon Bernstein and with insurance contracts and other IRA and pension account frauds.

The schemes, include but are not limited to, an ongoing scheme delaying, denying and obstructing the production of “Original” Estate and Trust documents and other records (including IRS returns), falsely and fraudulently applying for Life Insurance benefits in an insurance fraud scheme which includes interstate mail and wire fraud, bank fraud and insurance fraud, a scheme to falsify, forge and fraudulently notarize documents and alter the true dispositive documents showing proper Trustees and Fiduciaries in the Estates and Trusts, the secreting, hiding and theft of millions of dollars which further involves monies that were in the Stanford Trust ( Sir Robert Allen Stanford Ponzi scheme ) and monies at other banks and institutions regulated by the SEC such as Wilmington Trust, JP Morgan, Oppenheimer Trust and other entities.

My cases are as follows:

Judge Martin Colin / Howard Coates / John Phillips Estate & Trust Cases  
Estate and Trust Cases, Simon, Shirley and Eliot Children  
Cases Transferred from Colin to Coates to Phillips

1. Case # 502012CP004391XXXXSB – Simon Bernstein Estate
2. Case # 502011CP000653XXXXSB – Shirley Bernstein Estate
3. Case # 502014CP002815XXXXSB – Oppenheimer v. Bernstein Minor Children
4. Case # 502014CP003698XXXXSB – Shirley Trust Construction
5. Case # 502015CP001162XXXXSB – Eliot Bernstein v. Trustee Simon Trust  
Case OLD CASE # 502014CA014637XXXXMB
6. Case # TBD – Creditor Claim – Eliot v. Estate of Simon

Judge Coates Case

7. Case ID: 502015CP002717XXXXNB
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Judge David E. French Cases

8. Case # 2012CP004391 IX – Simon Bernstein Estate

Federal Illinois Case – Judge John Robert Blakey

9. Case # 13-cv-03643 - Federal Lawsuit in the US District Court of Eastern Illinois

Florida Appeals – 4<sup>th</sup> DCA

10. 4DCA#: 16-0064
11. 4DCA#: 15-3849
12. 4DCA#: 16-0222

Florida Supreme Court

13. SC16-29
14. SC15-1077

Crystal Cox Blogs About Estate and Trust case issues

<http://tedbernsteinreport.blogspot.com/>

#### RICO & ANTITRUST LAWSUIT & LEGALLY RELATED CASES TO WHISTLEBLOWER ANDERSON BY FED JUDGE SHIRA SCHEINDLIN

Related Cases @ US District Court - Southern District NY

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

Sought Relation but not legally related by Scheindlin

1. 08cv02852 Galison v The State of New York, et al.,
2. 08cv4053 Gizella Weisshaus v The State of New York, et al.
3. 06cv05169 McNamara v The State of New York, et al

Cases @ New York Second Circuit

1. File USCA Case Number 10-5303 = P. Stephen Lamont Appeal Docket  
No.
- 
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2. Case 08-4873-cv United States Court of Appeals for the Second Circuit Docket - Bernstein, et al. v Appellate Division First Department Disciplinary Committee, et al. - TRILLION DOLLAR LAWSUIT
3. Capogrosso v New York State Commission on Judicial Conduct, et al.
4. Esposito v The State of New York, et al.
5. McKeown v The State of New York, et al.

I further assert that additional violations and potentially crimes under the Civil Rights laws have occurred by a series of orchestrated actions by State actors and private parties to retaliate against myself and family for exercising First Amendment and related rights in exposing fraud and crimes on the Court and by the Court machinery of Palm Beach County resulting in threats against my personal liberty, threats of jail and contempt, threats of Baker Acting me under Florida law, false CPS investigations involving my minor children, and illegally imposing Predatory Guardianship of my minor children and an adult child (without a proper hearing) through sham hearings and all for simply seeking the truth, exposing and proving fraud on the court, seeking to have law firm employees arrested who forged and fraudulently notarized documents in my cases Post Mortem for my father and mother, filing criminal complaints against the lawyers and judges committing criminal acts under the color of law against my family and exercising my fundamental US Constitutional rights to protect my life, liberty and properties.

Please note that I am not alone in expressing and exposing illegal schemes in the Palm Beach County Probate and Guardianship Courts. To the contrary, the recent retaliations have occurred against the backdrop of a series of articles by the Palm Beach Post by Investigative Reporter John Pacenti<sup>2</sup> showing False Billing schemes, Conflicts of Interest, and schemes to deny and wrongfully take property and persons liberty by two of the Judges in my cases, Martin

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<sup>2</sup> 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%202002%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/>  
and

"Judge's wife accused of taking fees before court OKs them"

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

Colin and David French, and further that 16 other Complainants (out of thousands maintained by the organizations that I write alongside with) have come forward already and where we are seeking Federal Intervention and Investigation of the Court Corruption and this information was sent to the Honorable United States Attorney General, Loretta Lynch<sup>3</sup>, calling for immediate federal monitoring and investigation of Florida Judges, Attorneys and Guardians. See Victim Ad Below Placed in the Palm Beach Post on April 4, 2016 by AAAGP<sup>4</sup>.

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<sup>3</sup> April 09, 2016 United States Attorney General Loretta Lynch Letter

<sup>4</sup> April 04, 2016 AAAPG Press Release Calling for Federal Investigations – Dr. Sam Sugar

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**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

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For reference I provide a link to my Oct. 2, 2015 Letter to the SEC/FBI<sup>5</sup> submitted prior to the Dec. 2015 Probate Hearing already referenced herein as well as my original March 25, 2009 SEC Complaint<sup>6</sup> also provided to the SEC and FBI and other agencies. Additionally, I attach a Petition under the All Writs Act and Anti-Injunction Act<sup>7</sup> filed in the US District Court for the Northern District of Illinois where the related Life Insurance litigation directly involving actions by Robert Spallina is pending. This Petition outlines the history of Document and Discovery abuses as part of the scheme, as well as expands upon some of the information regarding “stolen millions” from my parents’ Estates and Trusts and although the federal Court did not presently grant immediate relief on the Petition, the Petition was not struck from the Record as requested by opposing counsel and remains a part of the federal litigation record.

**Note:** As indicated in my recent phone call with Special Agent Pickels made upon information and belief, within days of further fraud being exposed involving Ted Bernstein and one of his lawyers, Alan Rose, relating to a multi-million property of the Trusts and Estates at 7020 Lions Head Lane, Boca Raton, Fl 33496, another business contact of Ted Bernstein named one Mitch Huhem was reportedly found in the garage of such home on or about February 23, 2016 with a gunshot(s) wound<sup>8</sup> to the head so significant that others were not shown the body and this remains an “Open” investigation with the Palm Beach Sheriff Office who somehow had not interviewed Ted Bernstein in the matter as of March 10, 2016.

See the Petition for Injunction under All Writs / Anti Injunction Act Paragraphs exhibited in footnote six at page 146-153 showing details and sequence of how the frauds were being exposed during the same days and general timeframe when Mitchell Huhem is found dead.

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<sup>5</sup> October 02, 2015 FBI/SEC Submission re Donald Tescher and Robert Spallina  
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20151002%20FINAL%20SIGNED%20PRINTED%20SEC%20Spallina%20Tescher%20Letter.pdf>

<sup>6</sup> March 25, 2009 SEC Intel Complaint  
<http://iviewit.tv/CompanyDocs/20090325%20FINAL%20Intel%20SEC%20Complaint%20SIGNED2073.pdf>

<sup>7</sup> February 24, 2016 Motion for Injunction - Federal Judge John Robert Blakey  
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20160224%20FINAL%20ESIGNED%20MOTION%20FOR%20INJUNCTION%20ECF%20STAMPED%20COPY%20COMBINED%20FILING.pdf>

<sup>8</sup> “EXCLUSIVE — Donald Trump Friend, Motivational Speaker Mitch Huhem Found Dead in \$1.1 Million-Boca Raton Home ... Suicide Suspected!” February 26, 2016 by Jose Lambiet  
<http://www.gossipextra.com/2016/02/26/donald-trump-friend-motivational-speaker-mitch-huhem-found-dead-boca-raton-5709>

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Further see the March 10, 2016 email<sup>9</sup> from Ted Bernstein attorney Alan Rose falsely claiming that, “Neither Ted nor anyone else on your mother's side of this sale knew or needed to know about the buyer” when in fact Mitch Huhem’s sisters will show via a picture of them holding hands together<sup>10</sup> that Ted Bernstein had Thanksgiving Dinner 2015 with Mitch Huhem and his wife and further that Mitch Huhem’s Will allegedly was changed to Benefit exclusively the new wife Deborah Huhem and Attorney Laurence Pino, both involved in the Lions Head Land Trust fraud and where Deborah Huhem was setting up SEC regulated companies but using different last names depending on where she was filing documents.

This itself may be further evidence and part of a pattern and practice of derailing events involved in these matters with the Palm Beach Sheriff's Office (PBSO) herein who similarly have failed despite multiple requests to follow up on frauds committed by Robert Spallina, his partner Donald Tescher, my brother Ted Bernstein, attorney Alan B. Rose, Esq. and others, including fraud in, on and by Judge Colin’s Court and other financial frauds they are aware of. The investigations with PBSO that I allege have been interfered with by Judge Colin and others, include but are not limited to the following:

#	<i>Department Filed With</i>	<i>Complaint</i>	<i>Filed With</i>	<i>Filed Date</i>
1	Palm Beach Sheriff	Case No. 12121312 - Alleged Murder of Simon Bernstein filed by Ted Stuart Bernstein	Palm Beach County Sheriff	Filed by Ted Bernstein on September 13, 2012 the day Simon died
2	Palm Beach County Medical Examiner	Palm Beach County Coroner Reports - Case No. 12-0913 - Alleged by	Palm Beach County Medical Examiner - Michael D. Bell,	Filed by Ted Bernstein September 13,

<sup>99</sup> March 10, 2016 Alan Rose and Ted Bernstein letter to Eliot Bernstein stating Ted did not know Mitch Huhem  
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20160310%20Alan%20Rose%20Email%20Regarding%20Ted%20not%20knowing%20Mitch%20Huhem.pdf>

<sup>10</sup> 2015 Thanksgiving Diner Ted and Mitch Huhem holding hands.  
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/2015%20Thanksgiving%20Dinner%20Ted%20Bernstein%20and%20Mitch%20Huhem.pdf>



		Ted Stuart Bernstein murder of his father Simon Bernstein	MD	2012 the day Simon died
3	Palm Beach County Sheriff	Case No. 13097087 Multiple Financial Crimes, Fraud, Forgery, Theft of Assets and more 07/15/13 Palm Beach County Sheriff	Palm Beach County Sheriff	Filed by Eliot Bernstein July 2015
4	Palm Beach County Sheriff Internal Affairs & Captain Carol Gregg	Case No. TBD	Palm Beach County Sheriff Internal Affairs - Sergeant Gendreau	Filed by Eliot Bernstein January 7, 2014
5	Palm Beach County Sheriff	Case No. 14029489 - Supplemental Financial Crimes	Palm Beach County Sheriff	Filed by Detective Ryan Miller et al.
6	Palm Beach County Sheriff	Case No. 13159967 - 12/23/13 Palm Beach County Sheriff Theft Report	Palm Beach County Sheriff	12/23/2013
7	Boca Raton, Police Dept	Case #2014-015-141 Boca PD	Boca Raton, Police Dept	11/1/2014
8	Boca Raton, Police Dept	Case No. - 2013008568 Boca Raton PD - Fraudulent Documents	Boca Raton, Police Dept	2013
9	Jacksonville IL PD	Case #2014000865 - Jacksonville IL - Insurance Fraud and more	Jacksonville IL PD	14-Jan-14
10	Palm Beach County Sheriff Arrest of Kimberly Moran	Kimberly Moran Criminal Complaint - Palm Beach County Case No. 13CF010745	Palm Beach County Sheriff Arrest of Kimberly Moran	
11	Palm Beach County Sheriff Internal Affairs	Palm Beach County FL - IA Case IR15263	Palm Beach County Sheriff Internal Affairs	
12	Governor Rick Scott Notary Public Division	Governor Rick Scott Notary Public - Kimberly Moran - Fraudulent and	Governor Rick Scott Notary Public Division	19-Jun-13

		Forged Notary Documents submitted to Courts		
13	Governor Rick Scott Notary Public Division	Governor Rick Scott Notary Public - Lindsay Baxley aka Lindsay Giles Fraudulent and Forged Notary Documents submitted to Courts	Governor Rick Scott Notary Public Division	29-Oct-13

**REFERRAL IF NECESSARY:** Please Note that these matters are being submitted to the FBI New Jersey office due to the “Open Case” of Robert Spallina and in relation to the SEC matters. However, should Referral of any of these related matters to a separate office of the FBI be necessary, I seek to have such matters Referred and be provided with proper contact information of the Offices where the matters are referred.

Feb. 2016 All Writs Act - Anti Injunction Act Petition<sup>11</sup> for Injunctive relief against evidence, assets etc:

**Spallina Violates SEC Consent at 12.15.16<sup>12</sup> Hearing and Admits to new crimes under oath.**

- A. Violates Consent Order by Denying Criminal Responsibility - See Page 91-93
- B. Admits to Mail Fraud - See Pages 95-97
- C. Admits to Altering Trust Doc which benefitted Ted Bernstein, Pamela Simon -See Page 95

**Spallina Frauds Discovered in 2014 involving Stanford Trust, Judge Martin Colin, Key Financial player Chris Prindle and others involved with Stanford, Oppenheimer and JP Morgan go back to at least 2010**

<sup>11</sup> February 24, 2016 Motion for Injunctive relief under the All Writs Act, Anti-Injunction Act and alternatively a Temporary Restraining Order-Stay-Preliminary Injunction and Other relief  
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20160224%20FINAL%20ESIGNED%20MOTION%20FOR%20INJUNCTION%20ECF%20STAMPED%20COPY%20COMBINED%20FILING.pdf>

<sup>12</sup> December 15, 2015 Validity Hearing Transcript Judge John Phillips  
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20151215%20Hearing%20Transcript%20Phillips%20Validity%20Hearing.pdf>

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Documentary Evidence<sup>13</sup> which was only Discovered on or about June of 2014 shows that the Spallina frauds go back to at least 2010 by an alleged Petition purporting to involve the Successorship of the Trustee after the Stanford Trust Company was seized by federal authorities. This document alleges to be signed by myself, my wife Candice Bernstein and signed and filed with the Palm Beach County Court by Robert Spallina as attorney, yet neither my wife Candice nor I had even met Robert Spallina in 2010 or even heard of him, nor signed the alleged documents and this was Reported on the Record to Palm Beach County Judge Martin Colin in a hearing with attorney Steven Lessne and Oppenheimer on or around June of 2014 and also reported as a Criminal Charge of Forgery and Fraud to the Palm Beach Sheriff's Office (PBSO). ***This is one of several financial frauds and document frauds involving Spallina and related parties where the Palm Beach Sheriff's Office has never followed up despite complaints made even to Internal Affairs at the PBSO.***

This fraud was also reported in a recent federal court filing by myself before Hon. Judge John Robert Blakey, Northern District of Illinois, in an application to the Court under the All Writs Act and Anti-Injunction Act<sup>14</sup>. The PBSO has failed for several years now to follow-up on several criminal complaints involving Robert Spallina, his partner Tescher and Ted Bernstein including the complaint over this alleged 2010 document and as their reports show, the complaints were closed immediately after I requested that the Judges and Lawyers be further investigated in new and evolving frauds I learned of over the last two year involving the firesale sale of my father's home at 7020 Lions Head Lane, Boca Raton, Fl where Mitch Huhem was recently found allegedly with gunshot wounds blowing his head off.

**At least 4 Different "stories" - documents on Original Trustee with Stanford/Oppenheimer/JP Morgan Funds and Minor Children Trusts:**

There are at least 4 separate and different "versions" of who was the Original Trustee of my children's Trusts set up by my father Simon Bernstein as follows:

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<sup>13</sup> June 19, 2010 Orders Appointing Oppenheimer claim Kratish Initial Trustee  
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20100619AllegedForgedEliotCandicePetitiontoAppointSuccessorTrusteeJoshuaJacobandDaniel.pdf>

<sup>14</sup> February 24, 2016  
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20160224%20FINAL%20ESIGNED%20MOTION%20FOR%20INJUNCTION%20ECF%20STAMPED%20COPY%20COMBINED%20FILING.pdf>

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1. The Spallina document which was Discovered in 2014<sup>15</sup> and which I and my wife Candice never signed and purports to have been filed with Judge Martin Colin in Palm Beach in 2010 claims the original Trustee of these Stanford/Oppenheimer/JP Morgan children Trusts in 2006 was Traci Kratish, a CPA and Attorney who didn't even work for my father until after these Trusts were allegedly created;
2. The original lawsuit complaint<sup>16</sup> filed by Oppenheimer attorney Steven Lessne with Judge Martin Colin claims Gerald Lewin was the original "Trustee" of these Trusts and the trusts were missing signature pages and had contradictory language as to who the trustee was showing two different trustees names instead of one, what sex the Trustee was and other problems. It should be noted that I had been requesting copies of the operating documents for these Trusts from Oppenheimer for approximately a year or so by the time these documents came into Court with Judge Colin and Judge Colin was informed this on the Record at least in Sept. 2013 and possibly other dates;
3. A copy of a Tax Filing on the Trusts signed by Gerald Lewin in 2007<sup>17</sup> turned over in 2014 and 2015 shows Stanford as the Original Trustee of the Trusts, Not Traci Kratish as the Spallina 2010 document shows nor Gerald Lewin himself as Steven Lessne claimed in the Oppenheimer suit and further shows the Trusts commencing on Sept. 1st, 2006, NOT September 7th, 2006 as claimed in the

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<sup>15</sup> Petition to Appoint Successor Trustee - Page 7

<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20100619AllegedForgedEliotCandicePetitiontoAppointSuccessorTrusteeJoshuaJacobandDaniel.pdf>

<sup>16</sup> June 20, 2014 Oppenheimer v Eliot Bernstein Minor Children

<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20140620%20Oppenheimer%20v.%20Eliot%20Candice%20Joshua%20Jacob%20and%20Daniel%20Case%20No%20502104cp00281xxxxsb%20Summons%20and%20Complaint%20Eliot%20Service%20Low.pdf>

<sup>17</sup> 2006 IRS 1041 Showing Stanford as Trustee not Traci Kratish, Esq., CPA

Daniel Elijsha Abe Ottomo Bernstein return

<http://iviewit.tv/Simon%20and%20Shirley%20Estate/2006%20Daniel%20Trust%20Tax%20Return%20Stanford%20as%20Trustee.pdf>

Joshua Ennio Zander Bernstein return

<http://iviewit.tv/Simon%20and%20Shirley%20Estate/2006%20IRS%201041%20Jacob%20Bernstein%20Irrevocable%20Trust%20Showing%20Stanford%20as%20Trustee%20not%20Kratish.pdf>

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Spallina 2010 document. Note: Traci Kratish states she did not even start working for my father until Sept. 10th, 2006.

4. Traci Kratish's statement to the PBSO<sup>18</sup> shows she has no "independent recollection" of signing the alleged Trusts, says she did not work there until Sept. 10, 2006, and did not believe she was involved "pre-Stanford", thus could not have been the "Original" Trustee.

Despite all of these blatant and obvious contradictions, the PB Sheriff Office has intentionally and negligently failed to follow-up in investigating Robert Spallina and these financial frauds and crimes and as the referenced report shows once this information was learned and I requested to add Judge Martin Colin and others to the complaint, the detective, Andrew Panzer, rushed to shut the complaints down without proper due process afforded, This was the second improper shutdown of my complaints with the PBSO. The first came after the sheriff officer, Detective Ryan Miller, received notice from Judge Colin's chambers to cease investigating the fraud on his court committed by officers of his court and court appointed fiduciaries including Tescher and Spallina, as it was claimed that Colin would handle any investigation and prosecution of the crimes in his court. Upon learning of this I was forced to file an Internal Affairs Complaint and contact Captain Carol Gregg to have the case reopened due to the improper interference by Colin, who is a suspect in the crimes that occurred in and on his court by his court appointed officers and fiduciaries as alleged. Once the case was reopened under a new case number, deputies interviewed Robert Spallina who then admitted that he created a fraudulent trust for my deceased mother, Post Mortem and sent it via mail to my children's counsel, Christine Yates of Tripp Scott law firm and yet, Panzer shut the case down without making arrest or referral for prosecution of Spallina and stated in his closing the case he did not see evidence of criminal wrongdoing despite the admission contained in the Sheriff interview of Spallina and put into the record.

Christopher Prindle is a key financial player who has been involved in the finances of Simon and Shirley Bernstein for years working first at Wachovia, then Stanford, then Oppenheimer and now at JP Morgan handling the involved financial accounts, yet none of the

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<sup>18</sup> Palm Beach County Sheriff Report re Kratish Statements - Pages 63-71  
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/PBSO%20FILES/Copies/Set%20Two.pdf>

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“fiduciaries” of the Trusts and Estates to my knowledge have contacted him regarding missing monies or missing IRA beneficiaries and accounts at JP Morgan that are currently being allegedly fraudulently handled.

On July 1, 2010, according to court ordered<sup>19</sup> production of documents from 2014, you will find TESCHER SPALLINA PRODUCTION<sup>20</sup> Bates No. TS000815, where Spallina allegedly had written to Prindle on this date claiming he had “Certified” Orders on the transfer of Trustee to Oppenheimer, yet on the same date by Bates No. TS000831 SPALLINA writes to Margaret Brown at Baker Botts saying he will be “walking them through” with the Colin Court the next week. See Paragraphs 110-111 of the All Writs Anti Injunction Act Petition already referenced and linked herein. NOTE: Only “copies” were tendered of the 7202 pages Tescher & Spallina production despite a court order to turn over ALL records upon their removal from the cases after their admission to certain fraudulent acts which should have included Original documents turned over to the new PR and Fiduciaries. Thus, by his own Bates production, Spallina is showing how he is giving one version of factual information on these accounts to Chris Prindle and a separate version to Baker Botts and also shows his close relationship with the involved Judge Colin.

**Robert M. Spallina Illegally applying for Life Insurance Benefits as Trustee of a “Lost” Trust and wrongfully being addressed as Trustee of the LaSalle National Trust Company almost Immediately after the Death of Simon Bernstein, which Ted Bernstein declared as a possible “murder” / “poisoning”<sup>21</sup>.”**

On the night of my father Simon Bernstein’s passing after already being at the hospital for several hours earlier in the day and speaking to my father’s doctors, I was now “blocked” at

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<sup>19</sup>February 18, 2014 Court Order to Produce ALL RECORDS  
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20140218%20ORDER%20ON%20PETITION%20FOR%20DISCHARGE%20TESCHER%20SPALLINA%20Case%20502012CP004391XXXXSB%20SIMON.pdf>

<sup>20</sup>Tescher and Spallina Court Ordered Production Documents  
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20140602%20PRODUCTION%20OF%20DOCUMENTS%20SIMON%20ESTATE%20BY%20COURT%20ORDER%20TO%20BEN%20BROWN%20CURATOR%20DELIVERED%20BY%20TESCHER%20AND%20SPALLINA.pdf>

<sup>21</sup> September 13, 2012 Palm Beach County Sheriff’s Incident Report Alleged Simon Bernstein Poisoned filed by Ted Bernstein and inexplicably misfiled by PBSO as a Hospital Maintenance Record Check  
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20120913%20PBSO%20Sheriff%20Incident%20Report%20Simon%20Poisoned%20and%20Updates%20FOIA%20Request%20Docs%202015.pdf>

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the Hospital by a Nurse who claimed a Report was called in that my father had been poisoned and said Hospital Security was involved<sup>22</sup> and I would have to wait for Security. On that night my brother Ted Bernstein proclaimed at the hospital that my father may have been “murdered” and that he was calling for an Autopsy by the Coroner and investigation by the Sheriff and said he and his lawyers would handle the investigations as his lawyer friends knew people at the agencies that could expedite the matters. Records later showed that Ted Bernstein had been in contact with his attorney Jon Swergold at GREENBERG TRAUIG as well as ROBERT SPALLINA on that day.

Within a few short weeks later, Robert Spallina had attempted to have one of my father’s Life Insurance Policies paid out to his law firm<sup>23</sup> applying for these funds as the Trustee of a Trust he claims he has never seen or possessed and knew he was not ever trustee of (“Simon Bernstein Irrevocable Insurance Trust” the purported Contingent Beneficiary), even though official reports on the cause of death and death certificate were not completed and he was aware that Simon was alleged murdered. During this time, the Insurance Carrier was writing to Robert Spallina as the Trustee of the LaSalle National Trust, NA (the purported Primary Beneficiary) although both capacities are falsified and the insurance carrier then denied Spallina’s claim for failure to prove the alleged lost trust as the beneficiary. Neither Spallina, nor Ted Bernstein, who also later claimed to be Trustee of the “lost” trust that he also claims to have never seen or possessed when filing the Federal Insurance Litigation Lawsuit for Breach of Contract for the insurance carrier's failure to pay the Spallina fraudulent claim, informed the insurance carrier that Simon might have been murdered, despite making such claims to the authorities.

The firm of Tescher & Spallina served as Wealth Management and Estate Planning Fiduciaries for both my parents, Shirley and Simon Bernstein of Boca Raton, Florida, between the years of late 2007 until on or around Feb. 2014, being allowed by Palm Beach County Judge Martin Colin to “resign” from the cases instead of being sanctioned, reported and removed from

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<sup>22</sup> September 12 and 13 2012 Simon Bernstein Medical Records  
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20150113%20Simon%20Bernstein%20Hospital%20Medical%20Records.pdf>

<sup>23</sup> November 01, 2012 Spallina Insurance Application as Trustee of Lost Trust and Insurance Company Addressing him as Trustee of LaSalle National Trust, NA.  
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20121101%20Heritage%20Claim%20Form%20Spallina%20Insurance%20Fraud.pdf>

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the proceedings after I had exposed significant Fraudulent and Forged documents in the Shirley Bernstein case that the firm filed in Judge Colin's Court. This was proven Fraud on the Court by fiduciaries and counsel and other frauds involving the Estate and Trusts of my mother Shirley Bernstein and my father Simon Bernstein, including Robert Spallina's signature on a document using my then Deceased father to "close" the Estate of my Deceased mother Shirley Bernstein. The resignations came months after Judge Colin stated in a hearing held on September 13th 2013<sup>24</sup> proclaiming to Ted Bernstein and attorneys Robert Spallina, Donald Tescher and Mark Manceri, that he had enough evidence to read them all their Miranda's and so stated this twice after learning of two separate and distinct frauds, including closing my deceased mother's estate using my deceased father identity Post Mortem, which led to Colin having to reopen my mother's Estate. I had filed an Emergency Petition in May of 2013 first exposing these frauds and the September 2013 Hearing was the first time Judge Colin heard these matters after previously denying my motion several times and only granted the Hearing after Tescher & Spallina employee Notary Public Kimberly Moran had made Admissions to the Governor's Office of Florida relating to these documents.

NO Complete Accountings have ever been provided by Ted, Tescher & Spallina during the times acting as Fiduciaries where millions of dollars remain Unaccounted for to this day with many of these Funds being held at SEC regulated institutions such as Wilmington Trust, JP Morgan, Oppenheimer and Stanford Financial (under Federal Receiver Ralph Janvey.) My May 6, 2013 Emergency Petition<sup>25</sup> in the Florida Probate Courts exposing the Spallina, Tescher and Ted Bernstein Frauds gives my initial information regarding the frauds at that time.

It is noted that Deposition testimony by Donald Tescher that Ted Bernstein who is my brother shows Ted had a business relationship with Tescher & Spallina that pre-dated the Estate Planning work done by Tescher & Spallina for my parents. Donald Tescher admits in Deposition to receiving a series of large checks to a separately named company owned by Tescher's family called Two Oaks Consulting, LLC, with at least 2 checks paid in the amount of

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<sup>24</sup> September 13, 2013 Hearing Colin  
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20130913%20TRANSCRIPT%20Emergency%20Hearing%20Colin%20Spallina%20Tescher%20Ted%20Manceri.pdf>

<sup>25</sup> May 06, 2013 Petition to Freeze the Estates...  
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20130506%20FINAL%20SIGNED%20Petition%20Freeze%20Estates%20Orginal%20Large.pdf>

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\$55,000.00 and another check in the amount of \$45,000 from Ted Bernstein's companies for consulting work. Ted Bernstein has continued to work with Tescher and Spallina throughout the frauds, even using him to validate trust documents in the December 15, 2015 Validity hearing despite knowing of his admissions of fraud on the very same document he was validating and in all of these matters with Ted acting as an alleged Fiduciary in the Trusts of Shirley and Simon and acting as Personal Representative ("PR") in Shirley's Estate, with Ted then replacing his counsel Spallina and Tescher as fiduciary when they resigned as Co-Personal Representatives and Co-Trustees in Simon's Estate and Trusts amidst admitting to their firm committing several frauds in Simon and Shirley's Trusts and Estates that directly benefited Ted Bernstein their legal client and friend and where all these frauds has adversely affected and damaged the rightful beneficiaries.

Tescher & Spallina also represented Ted Bernstein as a fiduciary when Shirley's Estate was fraudulently closed by Ted's deceased father (at a time he claims he should have been the Successor Personal Representative to close his mother's Estate) and Shirley's Trust was admitted to being fraudulently altered by Spallina to insert language Post Mortem to benefit Ted's family after the Shirley Trust had an Irrevocable Class of Beneficiaries upon her death. Further, the Shirley and Simon Trusts have language that specifically states Ted and his lineal descendants are pre-deceased for all purposes of the trusts. Despite this language, Colin and now Judge Phillips allow Ted to continue to act as a fiduciary, deflecting multiple pleadings by myself and William Stansbury a creditor to the Estate to remove Ted. Ted has never provided a full Accounting of Shirley's Estate and NO ACCOUNTING of her trust in violation of Probate Rules and Statutes and where millions are missing and unaccounted for in the Trusts and Estates of Simon and Shirley Bernstein as further shown herein.

To understand some of the history of improper conduct and actions by the "state actors" Judges Colin and Phillips, please see the following links to various Disqualification motions <sup>26</sup>filed against these Judge, see the following links:

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<sup>26</sup> January 01, 2014 Motion to Disqualify Colin

<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20140101%20Final%20PRINTED%20SIGNED%20Motion%20to%20Disqualify%20Colin%20and%20more%20131279ns.pdf>

June 16, 2014 - Motion for Colin Voluntary Disqualification

<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20140616%20FINAL%20SIGNED%20PRINTED%20OBJECTION%20TO%20PROPOSED%20AND%20EXISTING%20ORDERS%20and%20DISQUALIFY%>

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**Other Key Areas of Federal All Writs / Anti-Injunction Act Petition<sup>27</sup> relevant for**

**Investigation:**

Fed All Writs Paragraph 11 - Ted Bernstein, Robert Spallina, Ted's lawyer at Greenberg Traurig all on the phone the day of Simon Bernstein's sudden passing; the withholding and denying of Documents and Records starts almost instantaneously;

Paragraph 33 and 45 - Tescher & Spallina was provided nearly 10 months by Judge Colin after I filed an Emergency Motion in the Florida Probate Court May 2013 after Discovering Fraud in the Shirley Bernstein Estate by T&S before Colin Ordered T&S to turn over All Docs - Docs and "Originals" Still never Turned over 3.5 years later

Par. 88 - Shown on the Record to Judge Colin how Spallina was moving Funds around in a Legacy Bank account NOT Notifying Legacy Bank of Simon Bernstein's Death

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[200F%20HON%20JUDGE%20MARTIN%20COLIN.pdf](#)

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%20Reasigns.pdf>

June 09, 2015 Writ of Mandamus Prohibition and Restraining Order Martin Colin

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

June 30, 2015 Redo Writ of Mandamus Prohibition and Restraining Order Martin Colin

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

December 04, 2015 Disqualification of Judge Phillips

<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20151204%20FINAL%20SIGNED%20NOTARIZED%20Disqualification%20of%20Florida%20Circuit%20Court%20Judge%20John%20L%20Phillips.pdf>

December 04, 2015 Corrections to Disqualification of Judge Phillips

<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20151204%20FINAL%20CORRECTIONS%20to%20Disqualification%20of%20Florida%20Circuit%20Court%20Judge%20John%20L%20Phillips%20ECF%20STAMPED.pdf>

December 28, 2015 2nd Disqualification of Judge Phillips

<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20151228%20FINAL%20SIGNED%20NOTARIZED%20Second%20Disqualification%20of%20Judge%20Phillips%20after%20Validity%20Hearing%20on%20December%202015.%202015%20ECF%20STAMPED%20COPY.pdf>

<sup>27</sup> February 24, 2016 Motion for Injunction - Federal Judge John Robert Blakey

<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20160224%20FINAL%20ESIGNED%20MOTION%20FOR%20INJUNCTION%20ECF%20STAMPED%20COPY%20COMBINED%20FILING.pdf>

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**Par. 165 - \$2.8 Million “Missing” Unaccounted for at Wilmington Trust Fund of Simon Bernstein’s days before his passing; Does NOT account for Shirley’s 49% Interest ALSO Unaccounted for estimated at \$2.8 Million Missing for a total of \$5.6M missing;**

**Par. 146-153: Mitch Huhem Ted Bernstein and Alan Rose involved with New Fraud Company to hide Ownership of Assets at 7020 Lions Head Lane, Boca Raton, Fl ; *Mitch Huhem found dead with gunshot wounds to the head during same time frame that this fraud at Lions Head Land was being uncovered and brought to US Federal Court in the Insurance Case before Judge John Robert Blakey;***

**Par. 154-188 Other “Missing Millions”, Missing documents, records, key business evidence;**

With the alleged gruesome death of Ted Bernstein business contact Mitch Huhem occurring during the exact timeframe that I was exposing the Lions Head Land Trust fraud in federal court and informing one Leilani Ochoada I would be taking the information to state and federal investigators, these matters are of an Urgent Emergency nature particularly where Mitch Huhem’s sister Serena Olson has stated that the PBSO had not even “Interviewed” Ted Bernstein about the death as of March 10, 2016 yet Mitch Huhem’s other sister Nicole has said that Ted Bernstein told her the day after the death was allegedly Discovered that Ted was supposed to be meeting with Mitch Huhem that very day of the death but somehow had not been interviewed by the PBSO for at least several weeks after originally calling this a “suicide”.

This becomes even more serious as Ted Bernstein’s other attorney Alan Rose has now gone into high gear using the Palm Beach County Court as a Weapon to threaten myself and others like William Stansbury attempting to find out any information we have about the death of Mitch Huhem, especially where Rose is a signatory on the alleged fraudulent Deed<sup>28</sup> that was being exposed as the alleged sale took place with a company Lionshead Land Trust which

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<sup>28</sup> Deed for 7020 Lions Head Lane  
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/DEEDLIONSHEADLANDTRUSTINC7020LIONSHEADLANEBOCARATONFLSALE.pdf>

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appears to have been illegally set up as reported to Federal Judge Blakey and your office. This production request by Alan Rose has no bearing or relevance at this stage to any of the Palm Beach Probate proceedings and appears that Alan Rose is simply trying to Discover what is known by anyone else about his direct involvement in the Huhem situation and the involvement with the court in that fraudulent sale and where instead this information should be Confidential to Investigative authorities only and certainly should be safeguarded from the Court Officers and Mr. Rose as they are both alleged to be involved in the fraudulent sale of the property.

Mr. Rose has tried to gain information from Mr. Stansbury recently by deposing him and Mr. Stansbury's attorney, Peter Feaman, Esq. had to file a Motion for a Protective Order<sup>29</sup> to cease this predatory request. This is very concerning behavior as immediately after it was learned and disclosed to authorities that the home was sold to what appears a fraudulently set up shell company fraudulently incorporated in the name of a one Leilani Ochoada, as incorporator who gave statements that she was not involved in the company at all and then suddenly the alleged buyer of the home is found dead that week as I am notifying Federal Judge Blakey and others of the alleged fraud. Information regarding private and confidential calls by myself and others and exchanges given to the court or Alan Rose at this time where both may be conflicted with the matters and party to the fraud could put others at extreme risk and therefore Alan B. Rose, Esq. should be stopped from using the court to obtain this information for himself and the court and should contact federal authorities for this highly sensitive data that I am willing and have been already giving information to.

These actions come after the prior attempts of false CPS claims against my children, attempts to jail me on contempt, threats of being Baker acted and now having a Predatory Guardian, Diana Lewis, Esq. placed on my children simply for seeking the truth and exercising First Amendment rights and coming forward to law enforcement authorities. Federal intervention in Palm Beach County is necessary and should occur immediately as sham hearings are being scheduled to attempt to have me held in contempt of court and arrest me on false and framed charges.

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<sup>29</sup> March 18, 2016 Motion for Protective Order  
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20160318%20Feaman%20Stansbury%20Motion%20For%20Protective%20Order.pdf>

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In support of my claims that Judge Phillips is acting outside the color of law and using the court as a weapon, Mr. Stansbury, after an improperly scheduled and unrecorded Predatory Guardianship hearing wrote a statement<sup>30</sup> describing his view of the hearings. Stansbury has witnessed and been party to these fraudulent sham hearings for almost four years (having amassed several hundred thousand dollars in legal fees as a mere creditor to the estate having to pay for hearings steeped in frauds and more) and one can see as any observer of the record in my cases that I as a victim of Fraud on and by the court of Colin and Phillips am being retaliated against along with MY MINOR CHILDREN, in a grandstand effort to spin the case and create a false record that I am somehow the bad guy for exposing the corruption and continuing to pursue criminal authorities to have the crimes committed by and on the court prosecuted by law enforcement. Also attending the same Predatory Guardianship hearing were several women from the group FACT (Families Against Court Travesties) who run a program Court Watch and their statement<sup>31</sup> of the hearing is also evidenced herein in further support of my claims that the court is being used to silence and suppress my due process rights. I have taken the matters of Fraud on the Court and the failure to properly and legally rectify it to the District Court and the Supreme Court of Florida, who did not hear the matter and refused to regulate the Judges and Attorneys involved and remove them and reset the cases as required by law with non conflicted, non adverse parties.

I understand that William Stansbury, Leilani Ochoada and possibly others such as Mitch Huhem's sisters are willing to come forward to the FBI and I will provide contact information once this is confirmed.

In closing it should be noted that the crimes against my family have all been committed through Abuse of Process by Court Officials and Court Appointed Officers and Fiduciaries. In both the Federal Insurance Litigation before Hon. Judge Blakey and the Shirley Trust

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<sup>30</sup> March 02, 2016 Statement of William Stansbury Regarding Predatory Guardianship Hearing Judge Phillips.

<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20160302%20Signed%20William%20Stansbury%20Amended%20Eliot%20and%20Candice%20Bernstein%20GAL%20issue%203.2.2016.pdf>

<sup>31</sup> February 26, 2016 FACT Court Watch Report on Predatory Guardianship Hearing of John Phillips  
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20160226%20FACT%20Court%20Report%20Guardianship%20Hearing%20Phillips.pdf>

Other cases reviewed by FACT regarding the Predatory Misconduct of Judge John L. Phillips who heads the Guardian program of the Palm Beach Court can be found @ <https://factscourtwatch.com/john-l-phillips-cases>

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Construction case before Judge Phillips, Fraud on the Court occurs in the very first filing in both cases by the Petitioners, who fraudulently misrepresent themselves in the capacities they are suing parties under and fraudulently sue other parties using sham trust entities that do not legally exist at this time. In the Federal litigation, Ted Bernstein, through his former attorneys, Robert Spallina, Esq., Donald Tescher, Esq. and his current attorneys, Adam Simon, Esq. and Alan B. Rose, filed a federal “Breach of Contract” lawsuit with Ted claiming he was the Trustee of a Trust that Ted later claims he has never seen or possessed and no signed legally binding document has since been produced. This is the same alleged Trust that his attorney Spallina, only weeks before claimed he was Trustee of and was declined the fraudulently applied for life insurance benefit. Ted then sued as acting as Trustee and sued the carrier for their failure to pay Spallina’s claim as a breach of contract, where Ted should have been suing Spallina for fraud on an insurance carrier instead. Ted at the time of filing this federal lawsuit knew that he was not trustee of the “lost” trust and yet filed the lawsuit as “trustee” and not as alleged trustee of a lost trust that he does not possess or ever seen. Judge Blakey recently in a denial of Ted’s Summary Judgment<sup>32</sup>, clearly points out that it is unknown if Ted is a trustee or if there is even a trust,

In the Court of Judge Colin and Judge Phillips, Ted and his counsel, Alan B. Rose, Esq. again filed the Shirley Trust Construction lawsuit<sup>33</sup> fraudulently and sued parties that do not even exist;

1. Trust f/b/o Daniel Bernstein under the Simon L. Bernstein Trust dtd 9/13/2012
2. Trust f/b/o Jake Bernstein under the Simon L. Bernstein Trust dtd 9/13/2012
3. Trust f/b/o Joshua Bernstein under the Simon L. Bernstein Trust dtd 9/13/2012.

According to a recent email<sup>34</sup> by Alan Rose to myself whereby when asked to produce the three alleged trusts for my minor children that I was sued as Trustee of and my children sued as

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<sup>32</sup> March 15, 2016 Blakey Order Denying Ted Motion for Summary Judgement  
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20160315%20ORDER%20BLAKEY%20SUMMARY%20JUDGMENT%20DISSMISS%20DENIED.pdf>

<sup>33</sup> August 06, 2014 Shirley Trust Construction Lawsuit  
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20140806%20Theodore%20Filing%20for%20Construction%20of%20Trust.pdf>

<sup>34</sup> March 08, 2016 Alan Rose Email that Trusts he Sued Under in Shirley Trust Construction Lawsuit DO NOT EXIST.  
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20160308%20Alan%20Rose%20Mrachek%20Letter%20Regarding%20No%20Trusts%20for%20Josh%20Jake%20and%20Danny%20under%20Simon%20Trust.pdf>

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beneficiaries of, Mr. Rose unable to produce them admitted that at this time they do not even exist and even claims I am not Trustee, despite him suing me in such alleged capacity. Through this nonexistent trust my children and myself have been sued and Predatory Guardians placed on my children who have been unrepresented by counsel or their natural guardians and when the whole lawsuit is based on fraud as the parties sued do not legally exist.

Fraud upon the court again and again and despite proven fraud by officers of the court not a single thing has been done to the perpetrators by the authorities, the professional regulatory agencies and not a single thing done by the entire Florida court system to correct or cease the frauds or report the individuals as legally required and instead attempts to shut down my rights in the case through a sham case filed against sham parties, sham hearings with sham orders claiming, (i) I do not have standing in the case despite being sued in multiple capacities, (ii) I am not a beneficiary despite their being no construction hearing held, only a sham validity hearing and where I am a named beneficiary in the Shirley Trust and (iii) sham orders to strike my years of filings including my counter-complaint, naming Judge Colin and Judge French. Through these sham hearings and orders by Phillips I have been removed from my rights to file responses with the court to defend myself and assert a counter complaint and thus have been wholly stripped of my due process rights to defend myself against a lawsuit filed against me in capacities that do not even exist. The trusts sued by Alan Rose do not exist for the children and further there is no Simon Bernstein Trust dated on the day he died on September 13, 2012 as stated in his Complaint as the party being sued and no records of such trust have ever been produced. The only Simon Trust's in the records are for one done in 2008 and then one supposedly signed in July of 2012, I was with Simon at all times on September 13, 2012 while he was code bluing in the hospital until his death and at no time was he meeting with attorneys or signing any documents in the emergency room where he died early that morning.

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I have also contacted the US Attorney General Loretta Lynch<sup>35</sup> and the US Attorney Preet Bharara<sup>36</sup> regarding these and other very serious related matters, including multiple victims of similar court orchestrated crimes, in ongoing investigations, please review these letters and share any relevant data with the parties you may have.

Respectfully Yours,



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<sup>35</sup> April 09, 2016 United States Attorney General Loretta Lynch Letter  
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20160409%20Final%20Signed%20US%20Attorney%20Loretta%20Lynch%20Criminal%20Complaint%20Probate%20Guardian%20Family%20Court%20Victims.pdf>

<sup>36</sup> April 09, 2016 United States Attorney Southern District of New York Preet Bharara Letter  
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20160409%20FINAL%20SIGNED%20Letter%20DOJ%20Preet%20Bharara%20re%20Moreland%20Commission%20and%20USAttorney%20Lynch%20Letter.pdf>

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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. xoeb