

Eliot Ivan Bernstein

From: Eliot Ivan Bernstein <iviewit@iviewit.tv>
Sent: Friday, April 22, 2016 1:43 PM
To: 'Alan B. Rose Esq.'; 'Alan B. Rose Esq.'; Anderson, Charlene; arose@mrachek-law.com; attorneys@matbrolaw.com; 'Benjamin P. Brown'; bhenry@matbrolaw.com; 'Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell '; ddustin@tescherspallina.com; 'Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A.'; 'Irwin J. Block @ The Law Office of Irwin J. Block PL'; 'Jill Iantoni'; 'John J. Pankauski'; 'John J. Pankauski'; 'John P. Morrissey Esq. @ John P. Morrissey, P.A. '; john@pankauskilawfirm.com; 'Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A.'; 'L. Louis Mrachek Esq. @ PAGE, MRACHEK, FITZGERALD, ROSE, KONOPKA, THOMAS & WEISS, P.A.'; 'Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts'; 'Lisa S. Friedstein'; 'Mark R. Manceri, Esquire @ Mark R. Manceri, P.A.'; mrmlaw1@gmail.com; 'Pamela Beth Simon'; 'Peter Feaman'; 'Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.'; 'Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A.'; service@feamanlaw.com; 'William M. Pearson'
Cc: Candice Schwager @ Schwager Law Firm; JoAnne M. Denison Esq.; John Pacenti ~ Reporter @ Palm Beach Post; 'William "Bill" Stansbury'; 'William "Bill" Stansbury'; 'Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.'; Kevin R. Hall; 'Andrew Dietz @ Rock-It Cargo USA, Inc.'; 'CANDICE BERNSTEIN'; 'Caroline Prochotska Rogers Esq.'; 'Eliot I. Bernstein'; 'Marc R. Garber Esq.'; 'Marc R. Garber Esq. @ Flaster Greenberg P.C.'; 'Michele M. Mulrooney ~ Partner @ Venable LLP'
Subject: FW: FW: E/O Simon Bernstein - Proposed Order on Petition for Authorization and Ratification on Moving and Storage and for Sale of Tangible Personal Property
Attachments: ORD - 4-21-16 Pet Auth Sell TPP Located at Lions Head Lane Boca Raton.pdf

Joy,

I object and do not consent in general and believe any such submission of this Order is furthering fraud upon the Court and fraud upon the true and proper beneficiaries.

As a currently licensed attorney in the State of Florida you have actual, direct knowledge that No Hearing was conducted to determine Construction of any of the involved copies of the Instruments and Operative documents and further have actual, direct knowledge as a Florida licensed attorney that even the "one-day" Trial was Ordered in the wrong case that was Not Noticed for a Conference on the day in question and further have actual and direct knowledge as a currently licensed attorney in Florida that no Pre-Trial procedures were utilized and that outstanding Discovery including a Feb. 2014 Order by Judge Colin had never been complied with by your own firm as the Fiduciary Personal Representative of the Simon Bernstein Estate.

Further you are actually aware and should be aware as a currently licensed practicing Florida attorney that in the Sept. 2013 Hearing with Judge Colin that Counsel Mark Manceri even affirmatively stated on the Record on Sept. 13, 2013 that I was a Beneficiary of the personal property at Lines 17-19 on page 39.

"this 18 gentleman is only a tangible personal property 19 beneficiary. He and his own proper person.
20 And the mother. "

And that Judge Colin himself further affirmatively stated I was a Beneficiary at least in this regard which of course omits the other operative documents which make me a Beneficiary.

Further that you are directly aware of the Improper Accounting and alleged theft of the TPP in this case where Judge Colin was Judge for the majority of time and where his wife Betsy Savitt is publicly accused in multiple Palm Beach Post articles of being involved in double billings and removal of TPP from estates without court approval and where your own Office as Fiduciary and PR of the Estate wholly failed to Disclose the working relationship between Brian O'Connell and Betsy Savitt that pre-dates the appointment as PR in this case and continued during the time of Brian O'Connell's appointment by Judge Colin as PR where both the Court and your Office as Fiduciary continued to fail to Disclose the relationship and have failed to disclose or take corrective action to this date.

Further that you are or should be aware of Brian O'Connell's involvement in double billing and conflict of interest claims by County Audit prior to Brian O'Connell's acceptance as PR in this case and please affirmatively disclose all such practices of double and improper billing herein. In one case alone, the improper Billing as determined by a County Audit amounted to close to \$100,000.00 and those funds were never returned or refunded, none of which was Disclosed at the time Mr. O'Connell was appointed as PR in this case.

As you will see from the Palm Beach Post,

A former Florida Supreme Court chief justice and a law professor say this constitutes, at minimum, an appearance of impropriety and should be investigated. Lunches with husband: Judge David French hears the majority of Savitt's cases. He lunches with her husband every day.

"This conflict puts the whole courthouse under a cloud because it raises so many questions and there are no answers forthcoming. And that is why we have a judicial canon on the appearance of impropriety, so there are no questions like this," Nova Southeastern law Professor Robert Jarvis said.

His wife's job as a professional guardian leaves Judge Colin compromised, handcuffing him from fully doing his job, The Post found. He's recused himself from 115 cases that involve his wife's lawyers in the last six months of 2015 after 115 recusals in six months The Post started asking questions in its investigation.

"When you have a judge suddenly recuse himself of so many cases, it certainly sends up a red flag," Jarvis said. "How did a judge allow himself to be put in such a position? I have never heard of a judge doing such a thing."

But Judge Colin doesn't see a problem. Even before his recent mass recusals, he remarked in a court hearing that in the past he had required his wife's attorneys to tell opposing lawyers that they represented Savitt.

But at least one attorney told The Post that's not always how it worked. Gary Susser gave an example in which Colin's disclosure policy fell short, saying he was "floored and shocked" when he found out about the conflict. Attorney Sheri Hazeltine didn't tell Susser until April that she works for Savitt, almost a year into a probate case, Susser said. "She never disclosed her relationship until she was told by Judge Colin to do so," he said. "It's a huge concern for me when opposing counsel represents the judge's wife."

<http://www.mypalmbeachpost.com/guardianships-martin-colin/>

You are respectfully requested to take appropriate corrective action in the Palm Beach courts to correct the frauds upon the Court and frauds upon the beneficiaries, creditors and interested parties. stop further frauds upon the Court and disclose all conflicts herein. I have sent you a conflict of interest disclosure recently, which names a partner Jerald Beer of your firm as one of the defendants in a RICO I filed and suspect in several criminal complaints filed with state and federal authorities and you have been aware of this conflict that dates back to Simon Bernstein's interest in intellectual properties (that are missing from the accountings) that your partner is alleged to have been involved in the cover up of the crimes committed primarily by me and my father's lawyers and to date you have done nothing to disclose this conflict to the court or parties involved. I

anticipate you will make available your firm's conflict check form at intake of my family's cases by your firm for review and if such failure to disclose the ongoing conflict is not resolved I will be reporting this as well to proper state and federal authorities.

Regards,

Eliot

Eliot I. Bernstein

Inventor, really cool shit that changed your world!

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From: **Eliot Ivan Bernstein** <iviewit@iviewit.tv>

Date: Thu, Apr 21, 2016 at 4:50 PM

Subject: FW: E/O Simon Bernstein - Proposed Order on Petition for Authorization and Ratification on Moving

and Storage and for Sale of Tangible Personal Property

To: "Kevin R. Hall" <kh.itconsultingsalesoffices@gmail.com>, "Candice Schwager @ Schwager Law Firm" <candiceschwager@icloud.com>, "JoAnne M. Denison Esq." <jmdenison@gmail.com>, "Andrew Dietz @ Rock-It Cargo USA, Inc." <andyd@rockitcargo.com>, CANDICE BERNSTEIN <tourcandy@gmail.com>, "Caroline Prochotska Rogers Esq." <caroline@cprogers.com>, "Eliot I. Bernstein" <iviewit@iviewit.tv>, "Marc R. Garber Esq." <marcgarber@gmail.com>, "Marc R. Garber Esq. @ Flaster Greenberg P.C." <marc.garber@flastergreenberg.com>, "Michele M. Mulrooney ~ Partner @ Venable LLP" <mmulrooney@venable.com>

From: Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]

Sent: Thursday, April 21, 2016 4:29 PM

To: 'Alan Rose'; 'mchandler@mrachek-law.com'; John P. Morrissey; 'dtescher@tescherlaw.com'; 'ddustin@tescherlaw.com'; 'rspallina@tescherspallina.com'; 'kmoran@tescherspallina.com'; 'pfeaman@feamanlaw.com'; 'gary@shendellpollock.com'; 'estella@shendellpollock.com'; 'grs@shendellpollock.com'; 'ken@shendellpollock.com'; 'britt@shendellpollock.com'; 'grs@shendellpollock.com'; 'matt@shendellpollock.com'; 'robyne@shendellpollock.com'; 'iviewit@iviewit.tv'; 'psimon@stpcorp.com'; 'lisa.friedstein@gmail.com'; 'jilliantoni@gmail.com'; 'Lisa@friedsteins.com'

Cc: O'Connell, Brian M.; Crispin Ackal, Ashley; Anderson, Charlene; Thomas, Cynthia J

Subject: E/O Simon Bernstein - Proposed Order on Petition for Authorization and Ratification on Moving and Storage and for Sale of Tangible Personal Property

All:

It has come to our attention that the attached proposed Order on Petition for Authorization and Ratification for the Payment of the Moving and Storage of, and for Authorization to Sell, the Tangible Personal Property Previously Located at 7020 Lions Head Lane, Boca Raton, FL in the Estate of Simon Bernstein matter was never circulated or submitted to Judge Phillips for entry. Please advise by 4:00 pm tomorrow if you have any changes or comments. If I do not hear from anyone by then, I will send to the judge for entry. Thank you.

Best,

Joielle A. Foglietta, Esq.

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