September 01, 2016 Hearing Even Up Order Transcript

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22 THE COURT: There you go.

23 MR . FEAMAN: Because that helps our position.

24 And we're sorry, however, that the personal

25 representative's representative is not here

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1 because there are continuing issues about missing

2 property in this estate, not just jewelry, that I

3 mentioned last week. But the property that was in

4 the condo was insured at the time of Shirley

5 Bernstein ' s death for a hundred thousand dollars.

6 THE COURT: So you think that the personal

7 representative may have ripped the place off?

8 MR. FEAMAN: Well, it was a previous

9 representative. You heard Mr. Spalina testify in

10 your court in a previous case in December, and

11 Mr. Tescher, they had to resign as personal

12 representatives . And Mr. O’Connell, who is the

13 successor personal representative. So he wasn’t

14 around when all of this --

15 THE COURT: Can I ask you this?

16 MR. FEAMAN: Yes, sir.

17 THE COURT: Sounds like you think that

18 somebody has been playing with the assets of the

19 estates.

20 MR. FEAMAN: Yes, sir.

21 THE COURT: And diminishing the value of the

22 estate that’s available for your claim?

23 MR . FEAMAN: Yes, sir.

24 THE COURT: What does that have to do with

25 the even-up order that I’m being asked to do today

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1 which deals with whatever there was in the estate

2 when the property was sold and the distribution to

3 even things up was made? What does that have to

4 do with this?

5 MR. FEAMAN: Yeah, that's why we're gratified

6 that this money is coming. At least this part is

7 coming into the estate.

8 THE COURT: Sounds like you've got something

9 else you want to do to pursue your thoughts that

10 there might have been fraud earlier. But does

11 that have anything to do with this? Or are you

12 okay with me signing this?

13 MR . FEAMAN: Not directly.