

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT, 1525 PALM BEACH LAKES BLVD., WEST PALM
BEACH, FL 33401

CASE NO: 4D16-0222

L.T. No.: 2011CP000653XXXXSB
2014CP003698XXXXNB
2014CP002815XXXXNB

ELIOT IVAN BERNSTEIN

v.

TED BERNSTEIN, AS
TRUSTEE, ET AL.

Appellant / Petitioner(s)

Appellee / Respondent(s)

**APPELLANT’S NOTICE OF FLORIDA LICENSED MEDICAL DOCTOR
INSTRUCTIONS OCT. 24, 2016 AND EXTENSION AND STAY REQUEST**

1. I am the Appellant pro se.
2. I have previously moved for extensions and stay to file the Reply Brief based on medical reasons.
3. I have attached as Exhibit 1 a Notice of Instructions from my Licensed Florida Medical Doctor received yesterday, Oct. 24, 2016 from Dr. Jamal A. Halim, M.D., which expressly states I should “*avoid all types of stress over the next 2 weeks . . .*” pending further Medical testing for conditions that have been expressly notified to this Court in seeking proper extensions of time and a stay of proceedings in this Court and the lower Courts.

4. This condition can be life-threatening where my heart “stops” according to doctors at any time of a vasovagal attack and where my ability to sit upright and focused for lengthy periods of time is highly compromised and a danger to my medical welfare, including stress which is a major trigger of vasovagal attacks.
5. Appeals should be decided On the Merits.
6. There is overwhelming Merit to my Appeal herein.
7. The attorneys opposing my Extensions are tied up together in Fraud upon the Court and upon information are acting in concert and “coordination” by the “pile on” method of repeatedly bombarding me with multiple filings at once or a day or so apart, having received in excess of 8 separate filings total from attorneys Alan Rose and Steven Lessnee in the last 2 days alone.
8. The attorneys opposing my Extensions, primarily Alan Rose and Stephen Lessne, were brought into the cases by attorneys Tescher and Spallina, Ted Bernstein’s former counsel, who were also fiduciaries in these matters and who have admitted to fraud on the court by their law firm in these matters that directly benefited Ted and his family and who both recently signed consents with the SEC for insider trading, including Spallina pleading guilty to criminal misconduct in a separate criminal complaint. Spallina has also admitted in the lower court to committing other crimes in these matters

including mail and wire fraud and altering beneficiaries of the Shirley Bernstein Trust document that are being investigated ongoing with state and federal authorities.

9. The Pattern and Practice of Fraud and Fraud using the court in these matters is what has cost all delays and expenses and interference with expectancy and damages to multiple parties involved as is fully evidenced in the record.

10. The history of all the cases and related cases on appeal not only shows fraud upon the Court but will show and does show substantial periods of time, gaps of time as it were, where no action has occurred in the cases whatsoever and thus those opposing my extensions and determinations on the Merits have no showing available to justify their now rushed position nor shown any actual harm or prejudice by reasonable delay especially caused in substantial part if not all by such attorneys' own conduct.

Wherefore, Appellant Eliot I. Bernstein seeks 4-6 weeks appropriate extensions of time to complete acts to be in compliance with this Court and a medical stay in both this Court and the Lower Court in ALL Case matters before the courts to complete a host of tests (cardiological, neurological and ENT) ordered by various doctors involved in treatment and not accounting for a possible surgery and post surgery recovery time. Delaying these tests and procedures is life threatening as

pled earlier. If the Court demands any further information from Doctors involved or hospital records, Appellant will submit them confidentially to the Court. Appellant will notify the courts of any significant change in condition after the allotted stay.

Dated: October 25, 2016

/s/Eliot Ivan Bernstein

Appellant Pro Se
2753 NW 34th ST
Boca Raton, FL 33434
Telephone. 561-245-8588
iviewit@iviewit.tv

CERTIFICATE OF SERVICE

Appellant does hereby certify that the foregoing Motion was served on all parties on the attached service list by e-mail this 25th day of October 2016.

/s/Eliot Ivan Bernstein

Appellant Pro Se
2753 NW 34th ST
Boca Raton, FL 33434
Telephone. 561-245-8588
iviewit@iviewit.tv

SERVICE LIST

John P. Morrissey, Esq.	Lisa Friedstein
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<p>0 Clematis Street, Suite 213 West Palm Beach, FL 33401 (561) 833-0766-Telephone (561) 833-0867 -Facsimile Email: John P. Morrissey (john@jrnoitisseylaw.com)</p>	<p>2 Churchill Lane Highland Park, IL 60035 lisa@friedsteins.com</p>
<p>Peter M. Feaman, Esq. Peter M. Feaman, P.A. 5 West Boynton Beach Blvd., Suite 9 Boynton Beach, FL 33436 (561) 734-5552 -Telephone (561) 734-5554 -Facsimile Email: service@feamanlaw.com: ankoskey@feamanlaw.com</p>	<p>Jill Iantoni 1 Magnolia Lane Highland Park, IL 60035 jilliantoni@gmail.com</p>
<p>Gary R. Shendell, Esq. Kenneth S. Pollock, Esq. Shendell & Pollock, P.L. 2700 N. Military Trail, Suite 150 Boca Raton, FL 33431 (561)241-2323 - Telephone (561)241-2330-Facsimile Email: gary@shendellpollock.com ken@shendellpollock.com tella@shendellpollock.com britt@shendellpollock.com grs@shendellpollock.com</p>	<p>Counter Defendant Robert Spallina, Esq. Donald Tescher, Esq. Tescher & Spallina South Federal Hwy., Suite 500 Boca Raton, Florida 33432</p>
<p>Brian M. O'Connell, Esq. Joielle A. Foglietta, Esq. Ciklin Lubitz Martens &</p>	<p>Counter Defendant John J. Pankauski, Esq. Pankauski Law Firm PLLC</p>

<p>O'Connell 5 N. Flagler Dr., 20th Floor West Palm Beach, FL 33401 561-832-5900-Telephone 561-833-4209 - Facsimile Email: oconnell@ciklinlubitz.com; loglietta@ciklinlubitz.com; service@ciklinlubitz.com; lobdell@ciklinliibitz.com</p>	<p>120 South Olive Avenue 7th Floor West Palm Beach, FL 33401 tfilings@pankauskilawfirm. com n@pankauskilawfirm.com</p>
<p>Counter Defendant Mark R. Manceri, Esq., and Mark R. Manceri, P.A., 9 East Commercial Boulevard Suite 702 Fort Lauderdale, FL 33308 mrmlaw@comcast.net</p>	<p>Counter Defendant Donald Tescher, Esq., Tescher & Spallina, P.A. Wells Fargo Plaza 5 South Federal Hwy Suite 500 oca Raton, Florida 33432 scher@tescherspallina.com</p>
<p>Theodore Stuart Bernstein 880 Berkeley Boca Raton, FL 33487 stein@lifeinsuranceconcepts. com</p>	<p>Counter Defendant CHER & SPALLINA, P.A.. Wells Fargo Plaza 5 South Federal Hwy Suite 500 oca Raton, Florida 33432 scher@tescherspallina.com</p>
<p>Theodore Stuart Bernstein ife Insurance Concepts, Inc. 0 Peninsula Corporate Circle Suite 3010 Boca Raton, FL 33487 stein@lifeinsuranceconcepts. com</p>	<p>Counter Defendant Alan B. Rose, Esq. PAGE, MRACHEK, FITZGERALD, ROSE, ONOPKA, THOMAS & WEISS, P.A. South Flagler Drive, Suite</p>

	<p>600 West Palm Beach, Florida 33401 561-355-6991 arose@pm-law.com arose@mrachek-law.com</p>
<p>Pamela Beth Simon 950 N. Michigan Avenue Apartment 2603 Chicago, IL 60611 psimon@stpcorp.com</p>	<p>Counter Defendant L. Louis Mrachek, Esq. PAGE, MRACHEK, FITZGERALD, ROSE, MONOPKA, THOMAS & WEISS, P.A. South Flagler Drive, Suite 600 West Palm Beach, Florida 33401 561-355-6991 louis.mrachek@mrachek-law.com</p>
<p>Jill Iantoni 2101 Magnolia Lane Highland Park, IL 60035 jilliantoni@gmail.com</p>	<p>Counter Defendant Frankowski Law Firm PLLC 120 South Olive Avenue 7th Floor West Palm Beach, FL 33401</p>
<p>Lisa Sue Friedstein 2142 Churchill Lane Highland Park, IL 60035 lisa.friedstein@gmail.com lisa@friedsteins.com</p>	<p>Dennis McNamara Executive Vice President and General Counsel Oppenheimer & Co. Inc. Corporate Headquarters 125 Broad Street New York, NY 10004 800-221-5588 dennis.mcnamara@opco.com info@opco.com</p>

<p>Dennis G. Bedley Chairman of the Board, Director and Chief Executive Officer Legacy Bank of Florida Glades Twin Plaza 2300 Glades Road 120 West – Executive Office Boca Raton, FL 33431 info@legacybankfl.com dbedley@LegacyBankFL.com</p>	<p>Hunt Worth, Esq. President Oppenheimer Trust Company of Delaware 405 Silverside Road Wilmington, DE 19809 302-792-3500 hunt.worth@opco.com</p>
<p>James Dimon Chairman of the Board and Chief Executive Officer JP Morgan Chase & CO. 60 Park Ave. New York, NY 10017-2070 jdimon@jpmchase.com</p>	<p>Neil Wolfson President & Chief Executive Officer Wilmington Trust Company 100 North Market Street Wilmington, DE 19890-0001 wolfson@wilmingtontrust.com</p>
<p>William McCabe Oppenheimer & Co., Inc. 85 Broad St Fl 25 New York, NY 10004 william.mccabe@opco.com</p>	<p>STP Enterprises, Inc. 303 East Wacker Drive Suite 210 Chicago IL 60601-5210 psimon@stpcorp.com</p>
<p>Charles D. Rubin Managing Partner Matthew Chaves Josepher Rubin Attorney at Law Formerly Fleisher Miller PA Boca Corporate Center 111 NW Corporate Blvd., Suite 107 Boca Raton, FL 33431-7343 crubin@floridatx.com</p>	<p>Ralph S. Janvey Krage & Janvey, L.L.P. Federal Court Appointed Receiver Stanford Financial Group 100 Ross Ave, Dallas, TX 75201 rjanvey@kjllp.com</p>
<p>Kimberly Moran</p>	<p>Lindsay Baxley aka Lindsay</p>

<p>Tescher & Spallina, P.A. Wells Fargo Plaza South Federal Hwy Suite 500 Boca Raton, Florida 33432 noran@tescherspallina.com</p>	<p>Giles Life Insurance Concepts Peninsula Corporate Circle Suite 3010 Boca Raton, FL 33487 ay@lifeinsuranceconcepts.com</p>
<p>Gerald R. Lewin CBIZ MHM, LLC 1675 N Military Trail Fifth Floor Boca Raton, FL 33486</p>	<p>CBIZ MHM, LLC General Counsel 80 Rockside Woods Blvd. South Suite 330 Cleveland, OH 44131 ATTN: General Counsel generalcounsel@cbiz.com (216)447-9000</p>
<p>Albert Gortz, Esq. Proskauer Rose LLP One Boca Place 2255 Glades Road Suite 421 Atrium Boca Raton, FL 33431-7360 agortz@proskauer.com</p>	<p>Heritage Union Life Insurance Company Member of WiltonRe Group of Companies 187 Danbury Road Wilton, CT 06897 cstroup@wiltonre.com</p>
<p>Estate of Simon Bernstein Brian M O'Connell Pa 515 N Flagler Drive West Palm Beach, FL 33401 bconnell@ciklinlubitz.com</p>	<p>Counter Defendant Steven Lessne, Esq. Gray Robinson, PA 25 NE Mizner Blvd #500 Boca Raton, FL 33432 steven.lessne@gray-robinson.com</p>
<p>Byrd F. "Biff" Marshall, Jr. President & Managing Director</p>	<p>Steven A. Lessne, Esq. Partner, Yoakley & Stewart,</p>

<p>Gray Robinson, PA 225 NE Mizner Blvd #500 Boca Raton, FL 33432 marshall@gray-robinson.com</p>	<p>P.A. South Flagler Drive, Suite 500 East West Palm Beach, FL 33401 Telephone: (561) 650-0545 Facsimile: (561) 655-5677 E-Mail Designations: slessne@gunster.com jhoppel@gunster.com eservice@gunster.com</p>
<p>T&S Registered Agents, LLC Wells Fargo Plaza South Federal Hwy Suite 500 Boca Raton, Florida 33432 tescher@tescherspallina.com</p>	<p>David Lanciotti Executive VP and General Counsel LaSalle National Trust NA CHICAGO TITLE LAND TRUST COMPANY, as Successor 10 South LaSalle Street Suite 2750 Chicago, IL 60603 David.Lanciotti@ctt.com</p>
<p>Joseph M. Leccese Chairman Proskauer Rose LLP Eleven Times Square New York, NY 10036 jleccese@proskauer.com</p>	<p>Brian Moynihan Chairman of the Board and Chief Executive Officer 100 N Tryon St #170, Charlotte, NC 28202 Phone:(980) 335-3561</p>
<p>ADR & MEDIATIONS SERVICES, LLC Diana Lewis 2765 Tecumseh Drive West Palm Beach, FL 33409</p>	

561) 758-3017 Telephone Email: dzlewis@aol.com (Fla. Bar No. 351350)	
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Exhibit 1

WEST PALM BEACH NEUROLOGY, P.A.
JAMAL A. HALIM, M.D.
WELLINGTON RESERVE
1035 SOUTH STATE ROAD 7, SUITE 214
WELLINGTON, FL 33414-6137

(561) 422-1006 TEL.
(561) 422-1078 FAX
BATCH # MD116012603027791054

DEA # _____
LIC. # ME85753

NAME Glenn Bernstein DOB _____
ADDRESS _____ DATE _____

TAMPER-RESISTANT SECURITY FEATURES LISTED ON BACK OF SCRIPT

R

10/24/16

Patient should avoid
all type of stren over
the next 2 wks pending
GN7 / swallowing
evaluation for recurrent
syncope

Label
Refill NR 1 2 3 4 5

(Signature)

In order for the brand name product to be dispensed, the prescriber must write 'Medically Necessary' on the front of this prescription.

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