

**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
CASE NO: 4D16-1449
CASE NO: 4D16-1476
CASE NO: 4D16-1478
Case 15-3849
Case 16-2249
Case 16-0222
Case 16-3314
Case 16-0064
Case 16-3162

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

ELIOT IVAN BERNSTEIN

v.

TED BERNSTEIN, AS
TRUSTEE, ET AL.

Appellant / Petitioner(s)

Appellee / Respondent(s)

**Motion for Disclosure from Court as to Judges Names to be Disclosed for
Every Order in Each Case Listed Herein**

1. Appellant Eliot Bernstein respectfully makes this motion and prays for an Order to have the Clerk of the Court disclose all 4th DCA Judges who have participated and ruled in the below listed cases on any Orders issued.

- Case 15-3849 ELIOT BERNSTEIN ESTATE OF SIMON
BERNSTEIN

- Case 16-1449 ELIOT IVAN BERNSTEIN OPPENHEIMER
TRUST CO. OF DELAWARE, ET AL.
- Case 16-1476 ELIOT IVAN BERNSTEIN OPPENHEIMER
TRUST CO. OF DELAWARE, ET AL.
- Case 16-2249 ELIOT IVAN BERNSTEIN OPPENHEIMER
TRUST CO. OF DELAWARE, ET AL.
- Case 16-0222 ELIOT IVAN BERNSTEIN TED BERNSTEIN, AS
TRUSTEE, ET AL.
- Case 16-1478 ELIOT IVAN BERNSTEIN TED BERNSTEIN, AS
TRUSTEE, ETC., ET AL.
- Case 16-3314 ELIOT IVAN BERNSTEIN TED BERNSTEIN, AS
TRUSTEE, ETC., ET AL.
- Case 16-0064 ELIOT IVAN BERNSTEIN TED BERNSTEIN, AS
TRUSTEE. ET AL.
- Case 16-3162 ELIOT IVAN BERNSTEIN WILLIAM E.
STANSBURY, et al.

2. After speaking with the Clerk of this Court in efforts to get the names of the Judges on each Order signed by a Clerk versus a sitting Judge, I was advised that some Orders may be signed by the Clerk solely but that other Orders signed by the Clerk may have been determined by a temporary panel of Judges prior to a permanent panel being assigned and the clerk signed on their behalf and the judges names are therefore not on the Orders.
3. As virtually all of the Orders are signed by a clerk, the Clerk directed me to file a Motion with this Court to have each Order reviewed that is not signed by a Judge or Judges and if there was a panel of Judges or a single Judge ruling seek to have disclosed to me their names so as I can ferret out if any conflicts of interest or adverse interests exist and for further appeal of any or all of the

Orders, including those based on the Fraud on the Court that at this time has not been remedied according to the Florida Court Statewide Fraud Policy, state law, judicial canons, attorney conduct codes and more.

4. That an example of conflict in these matter occurs on October 27, 2016 in an Order¹ issued in “CASE NO.:4D16-3162 L.T.

No.:502012CA013933XXXXMB ELIOT IVAN BERNSTEIN v. WILLIAM E. STANSBURY, et al.” whereby Chief Judge Cory J. Ciklin signed as a presiding judge in the matter. However, on information and belief Judge Ciklin is related to Alan J. Ciklin of the law firm Ciklin Lubitz & O’Connell², which is a law firm centrally involved in the frauds in the lower cases where fraud on the court has already been proven to have been committed by Officers of the Court.

5. On October 28, 2016 shortly after I circulated information regarding the Cory Ciklin conflicts with the matters, this Court, Sua Sponte, removed Cory Ciklin in an Amended Order³ whereby no party had sought any such relief and removed him and replaced him with another judge with no explanation to the parties. The problem is that the Court has already been notified of the conflict

¹ EXHIBIT 1 - October 27, 2016 4th DCA Order, Chief Judge Cory Ciklin adjudicates in Conflict of Interest with his brother’s law firm.

<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20161027%20ORDER%20APPEAL%20DISMISSED%204th%20DCA%204D-163162%20CIKLIN%20IS%20ON%20PANEL.pdf>

² “Two years later, he [Cory] joined his brother, Alan Ciklin’s law firm. From 1983 to 1991, he did mostly general practice, but didn’t like it except the trials.” Palm Beach County Bar Association

<http://www.palmbeachbar.org/judicial-profiles/2002/>

³ EXHIBIT 2 - October 28, 2016 4th DCA Order - Cory Ciklin Removed from Order Sua Sponte and replaced on October 27, 2016 Order

<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20161027%20ORDER%20APPEAL%20DISMISSED%204th%20DCA%204D-163162%20CIKLIN%20IS%20ON%20PANEL.pdf>

with the Ciklin firm and Cory Ciklin in prior pleadings and how Cory Ciklin participated in the panel of judges in the first place must now be explored to determine what information was accessed and what influences were made.

6. This calls into question all of these Orders in all of the cases and how many Ciklin was involved in or others in conflict with Appellant and if the Court has already been prejudiced in these matters by these conflicts of interest and more.
7. Another conflict of interest is that I am also pursuing in a number of criminal and civil actions, the law firm Ciklin's partner Jerald Beer, Esq. regarding Intellectual Property crimes directly tied to the probate crimes, as Simon and Shirley Bernstein had a thirty percent interest in the technologies alleged stolen as defined more fully in the lower court pleadings.
8. Information regarding these conflicts has already been presented to this Court and the lower court, which refuses to comply with simple conflicts checks. In the lower court upon transfer of certain of these cases from Judge Colin upon his Sua Sponte recusal from them a day after denying a disqualification alleging Colin was directly using the court to commit further fraud upon Appellant, he then improperly and fraudulently steered the court cases Post Recusal, along with the highly confidential and private court files to Judge Howard Coates.
9. Judge Coates however had prior worked for the law firm Proskauer Rose as a Partner and Proskauer is a counter defendant in certain of the cases that he then

accepted from Colin, giving Proskauer possible access to highly private and confidential court files. Proskauer is also named in civil and criminal complaints filed by Appellant that remain ongoing that also include Chief Judge of the Supreme Court of Florida, Judge Jorge Labarga and where both are the central parties complained of in those matters.

10. Judge Coates after accepting the cases and private confidential court records then Sua Sponte recused in his first hearing.

11. Judge Coates stated in the first hearing he held that he was not involved at all in Appellant's technology companies and document review of the Iviewit companies billing history presented to this Court previously revealed that in fact Judge Coates had not only been a Proskauer Rose partner working out of the same Boca Raton office spaces where Appellant had offices for his company Iviewit in Florida, directly across the hall from him but that Judge Coates also worked on direct Financial and SEC related matters on the Iviewit project and billed for such and where now, years later, the Estates of Simon and Shirley Bernstein had and have substantial interests in the Iviewit technologies that are alleged to be worth billions of dollars.

12. The information regarding exactly who is issuing Orders at the 4th DCA is central to all ongoing state and federal criminal investigations and state and federal civil cases. Failure by any court officials or court appointed officers to

have not properly reported fraud of Officers of the Court, Court Appointed Officers, Court Appointed Fiduciaries and Court Appointed Guardians in these matters to the proper authorities may lead to charges of Aiding and Abetting felony crimes, Misprision of Felony, Conspiracy and more.

13. Due to the already PROVEN FRAUD ON THE COURT BY COURT APPOINTED OFFICERS OF THE COURT and the mass of alleged Fraud committed by Court Officers (Judges Colin, French, Coates and Phillips), Appellant further requests that all Orders be sent to Appellant exemplified.
14. That due to the continued and ongoing fraud in, on and by the courts and continued conflicts of interest in these matters, Appellant again seeks a Stay of all Appellate and lower Court proceedings, which has also been requested and is justified on Serious Medical Condition grounds, while a federal monitor is brought in to oversight the state courts in Florida in these matters and related relief.
15. The Court has even denied further my rights to due process and procedure by ignoring recently a Doctor ordered stay from stress for several weeks while Appellant undergoes treatment to determine the cause of a life threatening illness and further heaped a mass of stress upon Appellant with intent and again the Judges who participated in this decision are again unknown.

16. Due to the serious nature of these conflicts of interests and adverse interests against Appellant, who alleges that Court officials in the Florida courts are directly participating in the frauds against him and committing continuing and ongoing fraud and attempting to cover up the frauds already proved, Appellant further requests the Clerk of this Court no longer rule and make orders in these matters and all pleadings be ruled on by Judges who place their names on the orders.

17. Of course, due to the conflicts and adverse interests already identified in the matters with multiple Officers and Court Appointed Officers of the Florida courts and the fact that many of the alleged perpetrators are members of the Florida court system, Appellant asks the court to remove these matters instantly to a non-conflicted court of law, either state or federal, where all parties are pre-screened for further conflicts.

18. As criminal complaints have been filed alleging multiple possible murders in these matters, Appellant seeks federal intervention immediately and whistleblower protections to protect he and his family and friends lives.

WHEREFORE, Appellant seeks an Order for disclosure of all judges who have participated in any Orders and in any matters involving all of the cases listed herein and to provide exemplified copies of the Orders to Appellant, a Stay of all

4th DCA matters and lower tribunal matters, referral for a federal monitor and such other and further relief as to this Court may seem just and proper.

Dated: October 31th, 2016

/s/ Eliot Ivan Bernstein

Eliot Ivan Bernstein
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CERTIFICATE OF SERVICE

I CERTIFY that a copy of the foregoing has been furnished to parties listed on attached Service List by E-mail Electronic Transmission; Court ECF; this 31st day of October, 2016.

/s/ Eliot Ivan Bernstein

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EXHIBIT 1

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

October 27, 2016

CASE NO.: 4D16-3162

L.T. No.: 502012CA013933XXXXMB

ELIOT IVAN BERNSTEIN

v. WILLIAM E. STANSBURY, et al.

Appellant / Petitioner(s)

Appellee / Respondent(s)

BY ORDER OF THE COURT:

Upon consideration of the parties' responses to this court's September 16, 2016 jurisdictional order, it is ORDERED that this appeal is dismissed. Dismissal is without prejudice to appellant to seek review of this order upon appeal from a final order.

CIKLIN, C.J., TAYLOR and FORST, JJ., concur.

Served:

cc: Brian M. O'Connell
Peter Marshall Feaman

Steven A. Lessne
Eliot Ivan Bernstein

Alan Benjamin Rose
Clerk Palm Beach

dl



LONN WEISSBLUM, Clerk
Fourth District Court of Appeal

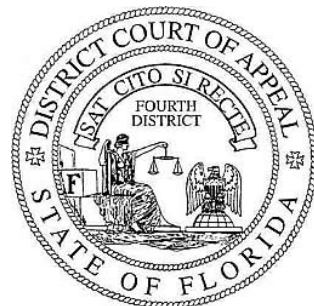


EXHIBIT 2

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

October 28, 2016

CASE NO.: 4D16-3162

L.T. No.: 502012CA013933XXXXMB

ELIOT IVAN BERNSTEIN

v. WILLIAM E. STANSBURY, et al.

Appellant / Petitioner(s)

Appellee / Respondent(s)

BY ORDER OF THE COURT:

ORDERED that this court's October 27, 2016 order is amended as to the panel only:

Upon consideration of the parties' responses to this court's September 16, 2016 jurisdictional order, it is ORDERED that this appeal is dismissed. Dismissal is without prejudice to appellant to seek review of this order upon appeal from a final order.

TAYLOR, LEVINE and FORST, JJ., concur.

Served:

cc: Brian M. O'Connell
Peter Marshall Feaman

Steven A. Lessne
Eliot Ivan Bernstein

Alan Benjamin Rose
Clerk Palm Beach

dl



LONN WEISSBLUM, Clerk
Fourth District Court of Appeal

