

**IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT OF
FLORIDA, IN AND FOR PALM BEACH
COUNTY, FLORIDA**

IN RE:

Case No.

502011CP000653XXXXNBIH

ESTATE OF SHIRLEY BERNSTEIN,

Deceased.

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**IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT OF
FLORIDA, IN AND FOR PALM BEACH
COUNTY, FLORIDA**

IN RE:

Case No.

502011CP000653XXXXNBIH

ESTATE OF SIMON BERNSTEIN,

Deceased.

_____ /

**IN THE CIRCUIT COURT OF THE
15th JUDICIAL CIRCUIT, IN AND FOR
PALM BEACH COUNTY**

**TED BERNSTEIN, as Trustee
of the Shirley Bernstein Trust Agreement
dated May 20, 2008, as amended,**

JUDGE: ROSEMARIE SCHER

Plaintiff,

CASE NO.:

502014CP003698XXXXNB

DIVISION: IH

v.

ALEXANDRA BERNSTEIN et al.,

Defendants.

Nov 29, 2016 Hearing Status Conference
LISTING OF OPEN ISSUES AND PENDING FILINGS

Before Any Hearings in Any Cases of Simon and Shirley Bernstein Estates and Trusts

1. **30 Day Extension - Stay: Motions to Vacate Orders of Judge Phillips and Judge Colin issued in Fraud**; All Present Motions by Ted Bernstein and Alan Rose should be Stayed until Motions to Vacate in Fraud are filed; Orders at Minimum to be Vacated include but are not limited to the "Validity Trial" "Final Judgment"; Orders on "Standing"; Orders on "Guardianship" and other. Alan Rose and Ted Bernstein have made numerous False and Fraudulent filings and Representations, for example, now before this Court, where Diana Lewis was Never Appointed in the Shirley Estate or Simon Estate case, nor the Simon Trust case and where No Order exists appointing Diana Lewis for such cases she has acted in; Frauds are complex and will take detailed time to complete while also having to complete Appeals to 4th DCA and action is ongoing in the Federal Court Illinois Insurance Case; thus extension of time needed. Fraud will be shown Directly as it relates to "Standing" issues, and "Construction" / Determination of Beneficiaries. "Standing" presently removed at a Non-Evidentiary UMC Hearing filed upon False and Fraudulent representations by Alan Rose; Orders must be vacated.

Motions by Eliot Bernstein addressing Fraud and related items which have not been heard, not fully heard or need to be re-heard include May 2013 "Emergency Motion" Injunction and others in each of the Estate and Trust Cases. Eliot Bernstein has a neurologist medical doctor order to not undergo stress through December 15, 2016 due to possible life threatening injuries that could result and during evaluations by Cardiologist and ENT regarding course of treatment.

2. **Document Production - Discovery Compliance** : Neither PR O'Connell nor Ted Bernstein as "Trustee" have Complied with Feb. 2014 Order of Judge Colin for Tescher and Spallina to Produce ALL Documents; No Originals have been Produced in Any Case; Failure to Obtain Compliance is basis to Remove Fiduciaries; Falsely represented at "Validity Trial" by Attorney Alan Rose for Ted Bernstein that No Production Order Exists, ALL ORIGINALS must be produced or located of all TS records as otherwise it is Contempt of Court and they should be hauled in for further Show Cause to Court.
3. **Depositions of Alan Rose, Brian O'Connell, Joy Foglietta, Ted Bernstein and Steven Lessnee at Minimum on Chain of Custody of Operative Documents and "Originals" -**
4. **Full Accountings Produced** : No Estates or Trusts should be Closed and No hearings regarding dispositions in any cases regarding any assets Heard until all accountings are in and all objections heard.
5. **Stay - Restrain ANY Distribution of Any Asset Pending Further Hearings:** Simon Bernstein Home Sale must be reviewed entirely based on the evidence of further fraud on the court and beneficiaries. Fraudulent Lions Head Land Trust Transfer of Lions Head Lane Home Vacated; information must be reported to proper authorities, involving Pino, Tescher, Spallina, Rose, Ted. Discovery, depositions, halt further asset transfers
6. **Trust Cases should be heard according to Civil Procedures; Rules for Complex Case Management should be employed**
7. **Motions for Removal of Fiduciaries to then be Heard (Outstanding Motions already filed by Eliot Bernstein, PR O'Connell, etc: Eliot Bernstein to Supplement existing unheard Motions.**
8. **Fraud Hearings - Spallina admissions in Dec 15, 2016 Hearing, Huhem home sale, Tangible Personal Property, etc.**

Shirley Estate

1. Shirley's Entire Inventory of assets is missing and there were millions upon millions in Personal Properties that are unaccounted for. Inventories and Accounting have been challenged by multiple parties.
 - a. Shirley's accounting is challenged and came 5 years late and starts five years late.
2. Eliot is a beneficiary with standing, Alan Rose misleading court no construction hearings in any cases.
3. Diana Lewis is not appointed Guardian in Shirley estate case but yet was given information and gave consent in this case to attempt to reclose Shirley's Estate on behalf of Eliot children, this is reportable and sanctionable.
4. Case to proceed after Fraud hearings, Discovery and Depositions above

Shirley Trust

1. Alan Rose and Ted Bernstein must produce the alleged Simon Bernstein Trusts Dated 9/13/12 with Eliot as Trustee of 3 Children's Trusts dated same or else jurisdiction is stricken and all orders void and hearings were sham in further fraud and cover up;
2. Eliot clearly has "Standing" in the Shirley Trust case;
3. Case to proceed after Fraud hearings, Discovery and Depositions above

Simon Estate

1. Eliot clearly has "Standing" in the Shirley Trust case;
2. Case to proceed after Fraud Hearings, Discovery and Depositions above;

Simon Trust

1. Eliot clearly has Standing.
2. Case to proceed after Fraud hearings, Discovery and Depositions above;

Dated: November 28th, 2016

By: /S/ Eliot Ivan Bernstein
Pro Se
2753 NW 34th Street

Boca Raton, FL 33434
561.245.8588
iviewit@iviewit.tv

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished to counsel of record and the proper parties on the attached Service List via the Court's e-portal system or Email Service on this 28th day of November, 2016.

By: /S/ Eliot Ivan Bernstein
Pro Se
2753 NW 34th Street
Boca Raton, FL 33434
561.245.8588
iviewit@iviewit.tv

SERVICE LIST

| | | |
|---|---|---|
| <p>Pamela Beth Simon 950 N. Michigan Avenue Apartment 2603 Chicago, IL 60611 psimon@stpcorp.com</p> | <p>Alan B. Rose, Esq. Page, Mrachek, Fitzgerald & Rose, P.A. 505 South Flagler Drive, Suite 600 West Palm Beach, Florida 33401 (561) 355-6991 arose@pm-law.com and arose@mrachek-law.com mhandler@mrachek-law.com</p> | <p>John J. Pankauski, Esq. Pankauski Law Firm PLLC 120 South Olive Avenue 7th Floor West Palm Beach, FL 33401 (561) 514-0900 courtfilings@pankauskilawfirm .com john@pankauskilawfirm.com</p> |
| <p>Robert L. Spallina, Esq., Tescher & Spallina, P.A. Boca Village Corporate Center I</p> | <p>Lisa Friedstein 2142 Churchill Lane Highland Park, IL 60035 Lisa@friedsteins.com</p> | <p>Irwin J. Block, Esq. The Law Office of Irwin J. Block PL 700 South Federal Highway</p> |

| | | |
|--|---|---|
| <p>4855 Technology Way Suite 720 Boca Raton, FL 33431 rspallina@tescherspallina.com kmoran@tescherspallina.com ddustin@tescherspallina.com</p> | <p>lisa.friedstein@gmail.com lisa@friedsteins.com</p> | <p>Suite 200 Boca Raton, Florida 33432 ijb@ijblegal.com martin@kolawyers.com</p> |
| <p>Mark R. Manceri, Esq., and Mark R. Manceri, P.A., 2929 East Commercial Boulevard Suite 702 Fort Lauderdale, FL 33308 mrmlaw@comcast.net mrmlaw1@gmail.com</p> | <p>Donald Tescher, Esq., Tescher & Spallina, P.A. Boca Village Corporate Center I 4855 Technology Way Suite 720 Boca Raton, FL 33431 dtescher@tescherspallina.com dtescher@tescherspallina.com ddustin@tescherspallina.com kmoran@tescherspallina.com</p> | <p>Jill Iantoni 2101 Magnolia Lane Highland Park, IL 60035 jilliantoni@gmail.com</p> |
| <p>Peter Feaman, Esquire Peter M. Feaman, P.A. 3615 Boynton Beach Blvd. Boynton Beach, FL 33436 pfeaman@feamanlaw.com service@feamanlaw.com mkoskey@feamanlaw.com</p> | <p>Kimberly Moran kmoran@tescherspallina.com</p> | <p>Julia Iantoni, a Minor c/o Guy and Jill Iantoni, Her Parents and Natural Guardians 210 I Magnolia Lane Highland Park, IL 60035 jilliantoni@gmail.com</p> |
| <p>Carley & Max Friedstein, Minors c/o Jeffrey and Lisa Friedstein Parents and Natural Guardians 2142 Churchill Lane Highland Park, IL 6003 Lisa@friedsteins.com</p> | <p>Lindsay Baxley aka Lindsay Giles lindsay@lifeinsuranceconcepts.com</p> | <p>Brian M. O'Connell, Esq. Joielle A. Foglietta, Esq. Ciklin Lubitz Martens & O'Connell 515 N. Flagler Dr., 20th Floor West Palm Beach, FL 33401 561-832-5900-Telephone 561-833-4209 - Facsimile Email: boconnell@ciklinlubitz.com; ifoglietta@ciklinlubitz.com; service@ciklinlubitz.com;</p> |

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|---------------------------|--|----------------------------|
| lisa.friedstein@gmail.com | | slobdell@ciklinliibitz.com |
|---------------------------|--|----------------------------|

SERVICE LIST

| | |
|---|--|
| <p>John P. Morrissey, Esq. 330 Clematis Street, Suite 213 West Palm Beach, FL 33401 (561) 833-0766-Telephone (561) 833-0867 -Facsimile Email: John P. Morrissey (iohn@jmoiTisseylaw.com)</p> | <p>Lisa Friedstein 2142 Churchill Lane Highland Park, IL 60035 lisa@friedsteins.com</p> |
| <p>Peter M. Feaman, Esq. Peter M. Feaman, P.A. 3695 West Boynton Beach Blvd., Suite 9 Boynton Beach, FL 33436 (561) 734-5552 -Telephone (561) 734-5554 -Facsimile Email: service@feamanlaw.com: mkoskey@feamanlaw.com</p> | <p>Jill Iantoni 2101 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 estella@shendellpollock.com britt@shendellpollock.com grs@shendellpollock.com</p> | <p>Counter Defendant Robert Spallina, Esq. Donald Tescher, Esq. Tescher & Spallina 925 South Federal Hwy., Suite 500 Boca Raton, Florida 33432</p> |
| <p>Brian M. O'Connell, Esq. Joielle A. Foglietta, Esq. Ciklin Lubitz Martens & O'Connell 515 N. Flagler Dr., 20th Floor West Palm Beach, FL 33401 561-832-5900-Telephone 561-833-4209 - Facsimile Email: boconnell@ciklinlubitz.com; ifoglietta@ciklinlubitz.com; service@ciklinlubitz.com; slobdell@ciklinliibitz.com</p> | <p>Counter Defendant John J. Pankauski, Esq. Pankauski Law Firm PLLC 120 South Olive Avenue 7th Floor West Palm Beach, FL 33401 courtfilings@pankauskilawfirm.com john@pankauskilawfirm.com</p> |
| <p>Counter Defendant</p> | <p>Counter Defendant</p> |

| | |
|---|--|
| <p>Mark R. Manceri, Esq., and Mark R. Manceri, P.A., 2929 East Commercial Boulevard Suite 702 Fort Lauderdale, FL 33308 mrmlaw@comcast.net</p> | <p>Donald Tescher, Esq., Tescher & Spallina, P.A. Wells Fargo Plaza 925 South Federal Hwy Suite 500 Boca Raton, Florida 33432 dtescher@tescherspallina.com</p> |
| <p>Theodore Stuart Bernstein 880 Berkeley Boca Raton, FL 33487 tbernstein@lifeinsuranceconcepts.com</p> | <p>Counter Defendant TESCHER & SPALLINA, P.A.. Wells Fargo Plaza 925 South Federal Hwy Suite 500 Boca Raton, Florida 33432 dtescher@tescherspallina.com</p> |
| <p>Theodore Stuart Bernstein Life Insurance Concepts, Inc. 950 Peninsula Corporate Circle Suite 3010 Boca Raton, FL 33487 tbernstein@lifeinsuranceconcepts.com</p> | <p>Counter Defendant Alan B. Rose, Esq. PAGE, MRACHEK, FITZGERALD, ROSE, KONOPKA, THOMAS & WEISS, P.A. 505 South Flagler Drive, Suite 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, KONOPKA, THOMAS & WEISS, P.A. 505 South Flagler Drive, Suite 600 West Palm Beach, Florida 33401 561-355-6991 lmrachek@mrachek-law.com</p> |
| <p>Jill Iantoni 2101 Magnolia Lane Highland Park, IL 60035 jilliantoni@gmail.com</p> | <p>Counter Defendant Pankauski 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 Suite 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. 270 Park Ave. New York, NY 10017-2070 Jamie.dimon@jpmchase.com</p> | <p>Neil Wolfson President & Chief Executive Officer Wilmington Trust Company 1100 North Market Street Wilmington, DE 19890-0001 nwolfson@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 Gutter Chaves Josepher Rubin Forman Fleisher Miller PA Boca Corporate Center 2101 NW Corporate Blvd., Suite 107 Boca Raton, FL 33431-7343 crubin@floridatax.com</p> | <p>Ralph S. Janvey Krage & Janvey, L.L.P. Federal Court Appointed Receiver Stanford Financial Group 2100 Ross Ave, Dallas, TX 75201 rjanvey@kjllp.com</p> |
| <p>Kimberly Moran Tescher & Spallina, P.A. Wells Fargo Plaza 925 South Federal Hwy Suite 500 Boca Raton, Florida 33432 kmoran@tescherspallina.com</p> | <p>Lindsay Baxley aka Lindsay Giles Life Insurance Concepts 950 Peninsula Corporate Circle Suite 3010 Boca Raton, FL 33487 lindsay@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 6480 Rockside Woods Blvd. South Suite 330 Cleveland, OH 44131 ATTN: General Counsel generalcounsel@cbiz.com</p> |

| | |
|---|---|
| | (216)447-9000 |
| <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 A 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 boconnell@ciklinlubitz.com</p> | <p>Counter Defendant Steven Lessne, Esq. Gray Robinson, PA 225 NE Mizner Blvd #500 Boca Raton, FL 33432 steven.lessne@gray-robinson.com</p> |
| <p>Byrd F. "Biff" Marshall, Jr. President & Managing Director Gray Robinson, PA 225 NE Mizner Blvd #500 Boca Raton, FL 33432 biff.marshall@gray-robinson.com</p> | <p>Steven A. Lessne, Esq. Gunster, Yoakley & Stewart, P.A. 777 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 925 South Federal Hwy Suite 500 Boca Raton, Florida 33432 dtescher@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</p> | |

| | |
|--|--|
| <p>2765 Tecumseh Drive West Palm Beach, FL 33409 (561) 758-3017 Telephone Email: dzlewis@aol.com (Fla. Bar No. 351350)</p> | |
|--|--|

SERVICE LIST

| | | |
|--|---|---|
| <p>Pamela Beth Simon 950 N. Michigan Avenue Apartment 2603 Chicago, IL 60611 psimon@stpcorp.com</p> | <p>Alan B. Rose, Esq. Page, Mrachek, Fitzgerald & Rose, P.A. 505 South Flagler Drive, Suite 600 West Palm Beach, Florida 33401 (561) 355-6991 arose@pm-law.com and arose@mrachek-law.com mchandler@mrachek-law.com</p> | <p>John J. Pankauski, Esq. Pankauski Law Firm PLLC 120 South Olive Avenue 7th Floor West Palm Beach, FL 33401 (561) 514-0900 courtfilings@pankauskilawfirm.com john@pankauskilawfirm.com</p> |
| <p>Robert L. Spallina, Esq., Tescher & Spallina, P.A. Boca Village Corporate Center I 4855 Technology Way Suite 720 Boca Raton, FL 33431 rspallina@tescherspallina.com kmoran@tescherspallina.com ddustin@tescherspallina.com</p> | <p>Lisa Friedstein 2142 Churchill Lane Highland Park, IL 60035 Lisa@friedsteins.com lisa.friedstein@gmail.com lisa@friedsteins.com</p> | <p>Irwin J. Block, Esq. The Law Office of Irwin J. Block PL 700 South Federal Highway Suite 200 Boca Raton, Florida 33432 ijb@ijblegal.com martin@kolawyers.com</p> |
| <p>Mark R. Manceri, Esq., and</p> | <p>Donald Tescher, Esq., Tescher & Spallina, P.A.</p> | <p>Jill Iantoni 2101 Magnolia Lane</p> |

| | | |
|---|--|---|
| <p>Mark R. Manceri, P.A., 2929 East Commercial Boulevard Suite 702 Fort Lauderdale, FL 33308 mrmlaw@comcast.net mrmlaw1@gmail.com</p> | <p>Boca Village Corporate Center I 4855 Technology Way Suite 720 Boca Raton, FL 33431 dtescher@tescherspallina.com dtescher@tescherspallina.com ddustin@tescherspallina.com kmoran@tescherspallina.com</p> | <p>Highland Park, IL 60035 jilliantoni@gmail.com</p> |
| <p>Peter Feaman, Esquire Peter M. Feaman, P.A. 3615 Boynton Beach Blvd. Boynton Beach, FL 33436 pfeaman@feamanlaw.com service@feamanlaw.com mkoskey@feamanlaw.com</p> | <p>Kimberly Moran kmoran@tescherspallina.com</p> | <p>Julia Iantoni, a Minor c/o Guy and Jill Iantoni, Her Parents and Natural Guardians 210 I Magnolia Lane Highland Park, IL 60035 jilliantoni@gmail.com</p> |
| <p>Carley & Max Friedstein, Minors c/o Jeffrey and Lisa Friedstein Parents and Natural Guardians 2142 Churchill Lane Highland Park, IL 6003 Lisa@friedsteins.com lisa.friedstein@gmail.com</p> | <p>Lindsay Baxley aka Lindsay Giles lindsay@lifeinsuranceconcepts.com</p> | |