

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. 4D16-3314

L.T. No.: 2014CP003698XXXXNB

ELIOT IVAN BERNSTEIN            v.            TED BERNSTEIN, AS TRUSTEE,  
ETC., ET AL.

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Appellant / Petitioner(s)

Appellee / Respondent(s)

**AMENDED APPELLANT’S RESPONSE TO SHOW CAUSE ORDER OF  
DEC. 28, 2016 AND REQUEST FOR EXTENSION OF TIME**

1. I am the Appellant Eliot Bernstein Pro Se and respectfully submit this motion in response to this Court’s Order of Dec. 28, 2016 and further seek an extension of time to file and serve the initial brief in this case.
2. As the 10th day from the date of the Show Cause Order fell on a weekend and today is the first business day thereafter, such response and extension request is timely.
3. This Court, the 4th District Court of Appeals, routinely grants extensions of time to submit Initial Briefs ranging from 30-45 days and there is no prejudice to the other parties for Appellant to receive such extension of time up to 45 days and minimally requests at least 30 days in good faith.
4. There is substantial merit to an Appeal of this Order deemed a “Final” Order by this Court as this Order of the Court below is part of an ongoing and

continuing series of frauds in the Estates and Trusts of Simon and Shirley Bernstein and this is a case of extra-ordinary and exceptional circumstances of statewide and public importance as it relates to the conduct of Fiduciaries and attorneys in Estate and Trust matters and for the detriment to proper beneficiaries and the rule of law in the State of Florida.

5. The Order of the Court below is both a fraud upon the Court and by the Court amounting to a fraudulent and criminal theft and conversion of substantial assets where no proper compliance with the Statutory requirements under Florida law for proper Accountings by Fiduciaries and attorneys has occurred.
6. Appellant has already exposed direct criminal frauds, including Proven and Admitted Fraud Upon the Court by Court Appointed Officers/Lawyers and Fiduciaries in the related cases in the Lower Tribunal including but not limited to admitted criminal conduct of six counts of forgery and fraudulent notarizations on Estate and Trust documents by one Kimberly Moran, notary public and employee at the now defunct law firm of Tescher & Spallina, PA and further criminal conduct in the creation and dissemination of a Fraudulent Shirley Bernstein Trust that changed beneficiaries fraudulently and has been admitted to by Fiduciary and attorney (acting as counsel on Ted Bernstein's behalf as Fiduciary) Robert Spallina, Esq. although such

admissions by Spallina have not been prosecuted criminally at this time to the best of Appellant's knowledge, despite Spallina's admitting such felony criminal acts as a witness in a December 15, 2015 hearing before the lower court.

7. Appellant has further provided and shown prima facie proof of further direct false conduct and fraudulent pleadings by attorney Alan Rose both in the lower tribunal and before this Court, the 4th DCA, although this Court has yet to fulfill legal obligations under law to address the frauds and misconduct and Appellant again respectfully pleads this Court to comply with such Court obligations and further obligations under the Statewide Court Fraud policy<sup>1</sup>, FL Attorney Conduct Code, Judicial Canon and Law to report and regulate Fraud, Waste and Abuse of Court Resources by Court Officers and Court Appointed Officers under its jurisdiction.
8. While proper and full Discovery has never occurred or been complied with in the related cases despite multiple requests by Appellant, nonetheless the volume of documents and records in the related cases that Appellant must continually review to check and cross-check and verify and re-verify due to

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<sup>1</sup> September 27, 2012 Office of the State Court Administrator - State Court Systems Fraud Policy  
<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20120927%20Florida%20State%20Courts%20System%20Fraud%20on%20the%20Court%20Policy%20Procedure.pdf>

continuing and ongoing frauds including but not limited to documentary frauds exceeds over 10,000 ( ten-thousand ) pages.

9. The Order on Appeal herein is further defective for the lack and absence of any proper due process hearings and/or evidentiary hearings and further being conducted by a now retired Judge of the lower Court who should have mandatorily disqualified and is further the product of actions by fiduciaries and counsels who should have been removed and disqualified for their involvement in Fraud Upon the Court and more.
10. Appellant has further been addressing true “life threatening” medical issues (See Exhibit 1 - Medical Records) during the relevant time that this Appeal became due and was under express Medical instructions by a licensed Florida Doctor to avoid stress during the timeframe of October 2016 through December 2016 and yet has been forced to address repeated “sharp practices” by counsel, fraudulent pleadings, and coordinated abusive motion practice despite the fact that proper adjudication of the Estates and Trusts herein would have provided funds for proper Counsel for Appellant and the minor children herein who have been repeatedly denied counsel in the various cases and where prior counsel retained by Appellant either were “bullied” off the case by misconduct of the parties herein or turned out to have conflicts and be working with some of the parties herein.

11. Appellant has upcoming medical appointments relating to the same medical conditions in January of 2017.
12. Appellant incorporates and attached by reference herein a list of the various motions and pleadings and related Documents and transcripts and records that Appellant has had to address during the relevant timeframes for this Appeal and pre-dating the Order starting on or around June of 2016 up through November of 2016 and does not include those motions and filings for December of 2016 nor those pre-dating June 16, of 2016.
13. Said list is incorporated herein to further demonstrate Appellant's good faith in requesting an extension herein and to show due diligence in prosecuting all of the various cases to date. It is noted that such list contains Hyperlinks so the Court or parties may review the involved motion, pleading or filing etc., all fully incorporated by reference in entirety herein. See, List below:

<a href="#"><u>20160616 APPELLE OPPOSITION TO MOTION REHEARD ENI BANC 4thDCA 4D16 0222 ECF STAMPED COPY.pdf</u></a>
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<a href="#"><u>20160616 Received but no date on letter no name ERISA Pension Systems Arbitrage Intl Retirement Plan.pdf</u></a>
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<a href="#"><u>20160617 Supplemental Record Hearings Shirley Estate Trust Simon Estate Trust with Transcripts.pdf</u></a>
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<a href="#"><u>20160617 Supplemental Record Hearings Shirley Estate Trust Simon Estate Trust.pdf</u></a>
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<a href="#"><u>20160620 Final Esigned 4thDCA Motion To Supplement Record on Appeal</u></a>
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<a href="#"><u>Transcripts ECF Stamped Copy.pdf</u></a>
<a href="#"><u>20160621 4th DCA Reject Filing of Supplemental Record not in separate files.pdf</u></a>
<a href="#"><u>20160621 ORDER 4thDCA 4D16 0222 DENYING MOTION EXTENSION AND REHEARD EN BANC.pdf</u></a>
<a href="#"><u>20160622 15th Judicial Notice of Mediation.pdf</u></a>
<a href="#"><u>20160622 4th DCA 4D15-222 Appellee Ted Second Motion to Dismiss Court Stamped Copy.pdf</u></a>
<a href="#"><u>20160623 ORDER 4th DCA 4d16-0222 Show Cause to Motion to Dismiss by July 01 2016.pdf</u></a>
<a href="#"><u>20160627 FINAL ESIIGNED OPPENHEIMER 4TH DCA EXTENSION INITIAL BRIEF ECF STAMPED COPY.pdf</u></a>
<a href="#"><u>20160627 Gunster Lessne Letter to Eliot and Candice Bernstein.pdf</u></a>
<a href="#"><u>20160630 4th DCA Case 161449 Motion to Dismiss Appeal Oppenheimer Lessne.pdf</u></a>
<a href="#"><u>20160702 FINAL ESIIGNED NOTICE OF APPEAL 4THDCA PHILIPS FINAL JUDGMENT OPPENHEIMER ORDER ECF STAMPED COPY.pdf</u></a>
<a href="#"><u>20160705 APPELLANTSGOODFAITHDRAFTBRIEFRESPONSESHOWCAUSEAPPEALVALIDITY4THDCA.pdf</u></a>
<a href="#"><u>20160705 FINAL ESIIGNEDAPPELLANTSGOODFAITHDRAFTBRIEFRESPONSESHOWCAUSEAPPEALVALIDITY4THDCA ECF STAMPED COPY.pdf</u></a>
<a href="#"><u>20160706 Acknowledge New Appeal 4th DCA Case 162249 Oppenheimer Final Judgment.pdf</u></a>
<a href="#"><u>20160706 FINAL ESIIGNED NOTICE OF APPEAL 4THDCA PHILIPS FINAL JUDGMENT OPPENHEIMER ORDER JUNE 07 2016 ECF 4th DCA Stamped Copy.pdf</u></a>
<a href="#"><u>20160707 ORDER 4th DCA 4D16 0222 Shirley Trust.pdf</u></a>

20160708 ORDER 4th DCA Case 161449 Brief Due July 23 2016.pdf

20160711 Final ESIGNED INITIAL BRIEF APPEAL VALIDITY TRIAL PHILLIPS 4TH DCA.pdf

20160711 MOTION FOR ONE DAY EXTENSION INITIAL BRIEF FILING 4THDCA and Draft Brief ECF STAMPED COPY.pdf

20160712 4th DCA 4D16-0222 FINAL ESIGNED INITIAL BRIEF APPEAL VALIDITY TRIAL PHILLIP ECF STAMPED COPY.pdf

20160712 FINAL ESIGNED Motion for Extension of Time LateFiling and Page Limit Request ECF STAMPED COPY.pdf

20160712 FINAL ESIGNED MOTION TO CORRECT WHEREFORE CLAUSE IN APPELLANTS MOTION FOR ONE DAY LATE FILING EXT OF TIME TO FILE INITIAL BRIEF ECF STAMPED COPY.pdf

20160715 Huhem FOIA documents.pdf

20160720 Final Appendix Brief 4d16-0222 ECF STAMPED COPY.pdf

20160720 PBSO NEW Huhem Pics.pdf

20160722 Petition For Attorney's Fees for PR O'Connell Ciklin for June 1 2016 to June 30 2016.pdf

20160722 Petition For Attorney's Fees for PR O'Connell Ciklin for March 24 2015 to April 24 2015.pdf

20160725 Final ESIGNED Motion for Extension of Time Reply to Order to Show Cause 4thDCA Case4D161476 ECF STAMPED COPY.pdf

20160725 FINAL ESIGNED Motion for Extension of Time Reply to Order to Show Cause 4thDCACase4D161478 ECF STAMPED COPY.pdf

20160725 FINAL ESIGNED Motion to Accept Late Filing Extension Time 4thDCACase4D161449 ECF STAMPED COPY.pdf

20160727 Motion to Schedule Motion Calendar Hearing Feaman Stansbury.pdf

20160727 Notice Of Hearing Motion Calendar for Motion to Schedule Calendar Hearing 8 2 2016.pdf

20160728 Notice Of Cancellation of Hearing Feaman Cancels 8 2 2016 Motion to Schedule Motion Hearing.pdf

20160728 Notice Of Hearing UMC O'Connell Fees and TPP 9 24 2016.pdf

20160728 ORDER 4th DCA Motion for Extension and Motion to Accept Late Filing Granted 4d15 0222.pdf

20160728 Re-Notice Of Hearing Feaman Motion for Discharge.pdf

20160730 4th DCA 4D16 1478 Appellee Response to Motion for Ext of Time.pdf

20160803 Letter O'Connell Ciklin to Judge Phillips enc Not of Spec Set Hearing on 8-30-16 and pending CLO Petitions for Fees - from BMO 8-3-16.pdf

20160803 Notice Of Hearing Special Set 15 min 08 30 2016 Pending Atty Fees.pdf

20160803 ORDER 4th DCA Case 4D16 1478 Ext Granted.pdf

20160803 Trustee Motion to Consolidate Appeals ECF STAMPED COPY with comments.pdf

20160803 Trustee Motion to Consolidate Appeals ECF STAMPED COPY.pdf

20160804 ORDER on Pet for Auth and Ratification for Payment of Moving Storage and Auth to Sell TPP located at Lions Head.pdf

20160805 ORDER 4th DCA Case 4D16 1476 Oppenheimer Ext Initial Brief Granted 30 days.pdf

20160805 TRUSTEE'S MOTION TO APPROVE RETENTION OF COUNSEL AND, TO APPOINT TED AS ADMIN AD LITEM TO DEFEND CLAIM AGAINST ESTATE.pdf

20160809 Rose 2nd Letter Regarding St Andrews Transcripts.pdf

20160809 Rose Letter to Eliot re Settling.pdf

20160810 Amended AMENDED1 RENEWED PETITION TO RE-CLOSE ESTATE AND FOR DISCHARGE OF SUCCESSOR PR.pdf

20160810 Motion to Ratify and Confirm Appt of Ted as Successor Trustee of



<a href="#"><u>Trust which is sole Beneficiary of Estate.pdf</u></a>
<a href="#"><u>20160810 Renewed Petition For Discharge to ReClose Estate and Discharge of PR.pdf</u></a>
<a href="#"><u>20160810 Trustees Motion to Approve Agreement Between Ted and O'Connell as PR regarding Estate Personal Property Sold with Trust Real Estate.pdf</u></a>
<a href="#"><u>20160810 Trustees Motion to Approve Agreement Between Ted and O'Connell as PR regarding Estate TPP Sold with Trust Real Estate.pdf</u></a>
<a href="#"><u>20160811 US Department of Justice Intake Letter Dated July 18, 2016 delivered 8.11.16 envelope opened on arrival.pdf</u></a>
<a href="#"><u>20160815 Appellee Joinder in Motion to Consolidate 4th DCA Oppenheimer 2014CP2815.pdf</u></a>
<a href="#"><u>20160815 Appellee Response to Motion for Extension and Joinder in Motion to Consolidate 4th DCA Oppenheimer 2014CP2815.pdf</u></a>
<a href="#"><u>20160815 FINAL ESGINED OPPOSITION TO APPELLEE TED BERNSTEIN MOTION TO CONSOLIDATE APPEAL Cases 4D16-14494D16-1476 and 4D16-1478 ECF STAMPED COPY.pdf</u></a>
<a href="#"><u>20160816 4th dca Appellee Motion for Enlargement of Time to Serve Answer Brief.pdf</u></a>
<a href="#"><u>20160819 4th DCA 4D16 2249 Index on Record on Appeal Oppenheimer.pdf</u></a>
<a href="#"><u>20160819 Index on Record on Appeal Oppenheimer.pdf</u></a>
<a href="#"><u>20160823 FINAL ESIGNED OPPOSITION TO PR OCONNELL SIMON ESTATE JEWELRY SALE AND TPP AUTH MOTIONS ECF STAMPED COPY.pdf</u></a>
<a href="#"><u>20160823 Notice Of Hearing Trustee Motion to Approve Agreement between Ted Bernstein and O'Connell re PR Estate Regarding Il Lit 9.1.16 8.30am.pdf</u></a>
<a href="#"><u>20160823 Notice Of Hearing Trustee Motion to Approve Agreement between Ted Bernstein and O'Connell re PR Estate Regarding PPT SOLD and TED AS ADMIN AD LITEM IN STANSBURY LIT 9.1.16 8.30am.pdf</u></a>
<a href="#"><u>20160823 Re-Notice Of Hearing O'Connell Fees Cancels 8.30.16 hearing.pdf</u></a>

20160824 IL Insurance 13-cv-03643 Blakey Plaintiff APPENDIX Supplemental Statement of Undisputed Facts in Support of Motion for Summary Judgment 255-1.pdf

20160824 IL Insurance 13-cv-03643 Blakey Plaintiff EXHIBIT 37 SPALLINA AFFIDAVIT Supplemental Statement of Undisputed Facts in Support of Motion for Summary Judgment Doc 255-2.pdf

20160824 IL Insurance 13-cv-03643 Blakey Plaintiff EXHIBIT 38 Final Judgment on Count Two Amended Complaint Doc 255-3.pdf

20160824 IL Insurance 13-cv-03643 Blakey Plaintiff Full Supplemental Statement of Undisputed Facts in Support of Motion for Summary Judgment.pdf

20160824 IL Insurance 13-cv-03643 Blakey Plaintiff Notice of Filing Doc 256-1.pdf

20160824 IL Insurance Blakey Plaintiff EXHIBIT 38 Corrected Supplemental Statement of Undisputed Facts in Support of Motion for Summary Judgment DOC 256.pdf

20160824 Simon Law Firm Letter Found in House by CMB 8.23.16 Unopened with stamp date messed up and covered.pdf

20160825 ORDER 4th DCA 4D16-0222 Appellee Enlargement of Time Granted to file Answer Brief.pdf

20160825 ORDER 4th DCA 4D16-1449 - 4D16-1476 - 4D16-1478 Motion to Consolidate Granted to 4D16-1449 Brief Due 9.6.16.pdf

20160826 Feaman Letter to Judge Phillips re Simon Estate and Motion for Retention of Counsel and to Appoint Ted Adminsitrator Ad Litem.pdf

20160826 FINAL ESIGNED ILLINOIS DECLARATION OF ELIOT BERNSTEIN OPPOSITION TO SUMMARY JBY INTERVENOR.pdf

20160826 FINAL ESIGNED MEMO OF LAW TO SUPPORT OPPOSITION TO TED S SUMMARY JUDGMENT DISMISSING COUNTERCLAIMS BLAKEY 13-cv-03643 ECF STAMPED COPY DOCKET 261.pdf

20160826 FINAL ESIGNED Response to Plaintiffs Movants Statement of Undisputed Material Facts Blakey II Ins 13cv3643 ECF STAMPED COPY DOC 260.pdf

20160826 FINAL ESIGNED Response to Plaintiffs Movants Statement of Undisputed Material Facts Blakey II Ins 13cv3643 ECF STAMPED COPY.pdf

20160826 FINAL ESIGNED ResponsetoIntervenorStatementofUndisputedMaterialFacts BLAKEY IL INS 13cv3643 ECF STAMPED COPY WITH EXHIBITS.pdf

20160827 FINAL ESIGNED ILLINOIS MEMORANDUM OF LAW OPPOSITION TO INTERVENOR ESTATE SUMMARY JUDGMENT ECF STAMPED COPY.pdf

20160827 Tescher and Spallina Production Documents for Blakey IL Fed Court Filing from 4th DCA copy.pdf

20160901 Phillips Hearing Transcript re TPP.pdf

20160923 Feaman Stansbury Response In Opp to Motion to Ratify and Confirm Appt of Ted Bernstein as Successor Trustee.pdf

20161020 Palm Beach Sheriff Internal Affairs Receipt USPS.pdf

20161027 ORDER APPEAL DISMISSED 4th DCA 4D-163162 CIKLIN IS ON PANEL.pdf

20161028 AMENDED ORDER APPEAL DISMISSED 4th DCA 4D-163162 CIKLIN IS NOT ON PANEL.pdf

20161031 Appellee Ted Response 4th DCA Motion for Disclosure from Court as to Judges Names for Each and Every Order in Each Case 4d15-0222.pdf

20161031 FINAL ESIGNED 4th DCA Motion for Disclosure from Court as to Judges Names for Each and Every Order in Each Case 4d15-3849 ECF STAMPED COPY.pdf

20161101 4th DCA Index and Record on Appeal Stansbury Case 4D163314\_153\_11012016\_02235159\_e.pdf

20161101 ORDER Granting in Part Denying in Part Disclosure of Judges and more Cases 4th DCA 160222 3824 64 1449 1476 1478 2249 3162 3314.pdf

20161102 ORDER 4th DCA 4D162249 Order for Extenion Granted Brief Due in 30 Days.pdf

20161103 ORDER INTIAL BRIEF DUE CASES \$D161449 1476 1478 Opp and

Shirley Trust Cases Guardianship.pdf

20161104 15th Judicial Case 502012ca013933 Stansbury v MOTION TO ALTER OR AMEND STYLE OF THE CASE.pdf

20161104 Notice of Hearing 15th Judicial Nov 07 2016 8.45am Case 502012ca013933 Stansbury re MOTION TO ALTER OR AMEND STYLE OF THE CASE.pdf

20161107 Dr Jamal Halim Stress Letter Continued to Dec 15 2016BERNSTEIN ELIOT NOTE.pdf

20161107 ORDER 15th Judicial Stansbury Case Order on Defendants Estate of Simon Motion to Alter Amend Case Style 13933 Order.pdf

20161109 Notice Hearing 11 22 16 Simon Estate Case 4391 - Trustee Motion (i) APPROVE COMPROMISE AND SETTLEMENT, Appoint Trustee for Trusts Created for Josh Jake Danny & Comp for Guardian.pdf

20161109 Simon Estate Case 4391 - Trustee Motion (i) APPROVE COMPROMISE AND SETTLEMENT, Appoint Trustee for Trusts Created for Josh Jake Danny & Comp for Guardian.pdf

20161111 Request Rose to Reschedule Hearing due to MD.pdf

20161114 FINAL ESIGNED 4TH DCA OPPENHEIMER - SHIRLEY TRUST CONSOLIDATED APPEALS EXTENSION EXHIBIT 1.pdf

20161114 FINAL ESIGNED 4TH DCA OPPENHEIMER - SHIRLEY TRUST CONSOLIDATED APPEALS EXTENSION MOTION AFTER DRAFT BRIEF ECF STAMPED COPY.pdf

20161114 Oppenheimer Letter To Eliot with BFR water bill.pdf

20161115 Amended Renewed Petition to ReClose Shirley Estate and Discharge of PR.pdf

20161115 Feaman Stansbury FILED IN SHIRLEY TRUST Simon Estate Demand for Accounting as to Missing Personal Property of Estate.pdf

20161115 Feaman Stansbury Simon Estate Demand for Accounting as to Missing Personal Property of Estate.pdf

20161115 NOTICE OF HEARING Amended Renewed Petition to ReClose

<a href="#"><u>Shirley Estate and Discharge of PR.pdf</u></a>
<a href="#"><u>20161115 Notice Of Hearing Feaman Objection to Scheduling and Motion for Special Set 11 22 2016.pdf</u></a>
<a href="#"><u>20161115 Notice Of Hearing SHIRLEY TRUST Feaman Objection to Scheduling and Motion for Special Set 11 22 2016.pdf</u></a>
<a href="#"><u>20161115 Objection Feaman Stansbury to Scheduling of Hearings on Motion Calendar and Motion for Special Set Hearings.pdf</u></a>
<a href="#"><u>20161115 Objection SHIRLEY TRUST Feaman Stansbury to Scheduling of Hearings on Motion Calendar and Motion for Special Set Hearings.pdf</u></a>
<a href="#"><u>20161117 4th DCA ORDER DENY EXTENSION FOR MD REASON - Case 4D16-1449 4D16-1476 4D16-1478.pdf</u></a>
<a href="#"><u>20161117 Notice Of Unavailability Feaman Simon Estate Case.pdf</u></a>
<a href="#"><u>20161117 Notice Of Unavailability Feaman Stansbury Lawsuit.pdf</u></a>
<a href="#"><u>20161120 Notice Of Hearing Status Conference Judge Rosemarie Scher Shirley Estate Case.pdf</u></a>
<a href="#"><u>20161120 Notice Of Hearing Status Conference Judge Rosemarie Scher Shirley Trust Case.pdf</u></a>
<a href="#"><u>20161120 Notice Of Hearing Status Conference Judge Rosemarie Scher Simon Estate Case.pdf</u></a>
<a href="#"><u>20161121 FINAL ESIGNED Motion in Opposition to Amended Renewed Petition to Reclose Estate and Discharge of PR Shirley Estate Case 653 ECF STAMPED COPY.pdf</u></a>
<a href="#"><u>20161121 FINAL ESIGNED Motion in Opposition to Trustee Motion 1 i ii and 2 Shirley Trust Case 3698 ECF STAMPED COPY.pdf</u></a>
<a href="#"><u>20161121 FINAL ESIGNED Motion in Opposition to Trustee Motion 1 i ii and 2 Simon Estate Case 4391 ECF STAMPED COPY.pdf</u></a>
<a href="#"><u>20161121 Notice Of Taking Deposition William Stansbury Simon Bernstein Estate Case.pdf</u></a>
<a href="#"><u>20161122 CourtCallConfirmation for NOV 29 2016 STATUS CONFERENCE</u></a>

7984026\_20161122095148\_CONFX.pdf

20161122 HEARING JUDGE ROSMARIE SCHER SIMON SHIRLEY  
ESTATE SHIRLEY TRUST .MP3

20161123 Ted Rose List of Pending Matters to be Heard or Set for Hearing.pdf

20161123 Version 3 - Ted Rose List of Pending Matters to be Heard or Set for  
Hearing.pdf

20161128 Claimant Stansbury Summary of Issues Simon Estate Status  
Conference.pdf

20161128 Final Esigned Status Conference Agenda Simon and Shirley  
Estate....pdf

20161128 Final Esigned Status Conference Agenda Simon and Shirley Estates  
and Trusts.pdf

20161128 Rejected Filings 15th Judicial.pdf

20161128 Stansbury Letter to Judge Scher with copy of Stansbury Summary of  
issues for Status Conference.pdf

20161128 Stansbury Motion to Disqualify Alan Rose as Legal Counsel for the  
Estate of Simon Bernstein Due to Conflict of Interest.pdf

20161128 Trustee Omnibus Response in Opp to Stansbury Motion to Vacate in  
Part and Motion to Appoint Ted As Administrator Ad Litem.pdf

20161129 HEARING Judge Scher Status Conf.MP3

2016114 USDC IL Blakey Simon Insurance Case 13cv03643 Clerk Regarding  
Attorney Rep.pdf

2016114 USDC IL Blakey Simon Insurance Case 13cv03643 Clerk Regarding  
Attorney Thomas Underwood Rep.pdf

2016115 Motion to Vacate Feaman Stansbury Estate of Simon Pages 9-79.pdf

2016115 Motion to Vacate Feaman Stansbury Estate of Simon.pdf

2016116 4th DCA Case 4D16-1449 Appellee Response to Appellant Fourth  
Successive Motion for Extension and Stay.pdf

WHEREFORE, it is respectfully prayed for an Order granting an Extension of time to submit the Initial brief herein of 45 days from today's date but no less than at least 30 days from today's date and for such other and further relief as to this Court may seem just and proper.

Respectfully submitted,

Dated January 9, 2017

**/s/ Eliot Ivan Bernstein**

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the within has been served upon all parties on the attached Service List by E-Mail Electronic Transmission, Court ECF on this 9th day of January, 2017.

**/s/ Eliot Ivan Bernstein**

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**SERVICE LIST**

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<p>Counter Defendant Mark R. Manceri, Esq., and</p>	<p>Counter Defendant Donald Tescher, Esq.,</p>



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<p>Theodore Stuart Bernstein 880 Berkeley Boca Raton, FL 33487 tbernstein@lifeinsuranceconcepts.com</p>	<p>Counter Defendant TESCHER &amp; 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 &amp; 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 &amp; 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 &amp; 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 &amp; CO.  270 Park Ave. New York, NY 10017-2070  Jamie.dimon@jpmchase.com</p>	<p>Neil Wolfson  President &amp; Chief Executive Officer  Wilmington Trust Company  1100 North Market Street  Wilmington, DE 19890-0001  nwolfson@wilmingtontrust.com</p>
<p>William McCabe  Oppenheimer &amp; 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@floridatatax.com</p>	<p>Ralph S. Janvey  Krage &amp; Janvey, L.L.P.  Federal Court Appointed Receiver  Stanford Financial Group  2100 Ross Ave, Dallas, TX 75201  rjanvey@kjllp.com</p>
<p>Kimberly Moran  Teschler &amp; 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  (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          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 &amp; 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 &amp; 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&amp;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 &amp; MEDIATIONS SERVICES, LLC          Diana Lewis          2765 Tecumseh Drive          West Palm Beach, FL 33409          (561) 758-3017 Telephone          Email: dzlewis@aol.com</p>	

(Fla. Bar No. 351350)	
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**EXHIBIT 1 - MEDICAL RECORDS - VASOVAGAL**

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 # MDI16012603027791054

DEA # \_\_\_\_\_

LIC. # ME85753

NAME Eliot Bernstein DOB \_\_\_\_\_

ADDRESS \_\_\_\_\_ DATE \_\_\_\_\_

TAMPER-RESISTANT SECURITY FEATURES LISTED ON BACK OF SCRIPT

Rx

11/7/16

Patient should avoid  
all types of screens till  
his ENT Evaluation  
on Dec 15, 16

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.



002934

6ANE0302779

## MEDISCRIPTS – TAMPER-RESISTANT SECURITY FEATURES

### STANDARD FEATURES:

- ✓ SAFETY-BLUE ERASE-RESISTANT BACKGROUND
- ✓ "ILLEGAL" PANTOGRAPH
- ✓ REFILL INDICATOR
- ✓ SERIALIZATION
- ✓ ARTIFICIAL WATERMARK ON BACK
- ✓ MICROPRINTING

### ADDITIONAL FEATURES (where applicable):

- ✓ QUANTITY CHECK-OFF BOXES (optional in some states)
- ✓ UNIQUE TRACKING IDENTIFICATION NUMBER (FL)
- ✓ THERMOCHROMIC APPROVED STATE SEAL (WA)

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.

002750

6ANE0302779



Patient: Bernstein, Eliot  
MD ED: Cohen, Terry M.D.

DI Printed: 9/6/2016 1248  
RN Eval: Karen F R.N.  
RN Dispo: \_\_\_\_\_

**AFTERCARE INSTRUCTIONS**

We are pleased to have been able to provide you with emergency care. Please review these instructions when you return home in order to better understand your diagnosis and the necessary further treatment and precautions related to your condition. Your diagnoses and prescribed medications today are:

----- This page is not a prescription. -----

Dx 1: Fx L rib, closed  
Rx 1: Percocet Tablets 325mg,5mg (acetaminophen,oxycodone)  
1 tablet by mouth every 6 hrs as needed for pain

Orders performed during ED visit

Order
XR RIBS UNILATERAL LEFT

Procedures performed during ED visit

Procedure

**Follow Up Info**

Follow-up 1: Dr. Esener  
\_\_\_\_\_

F/U MD Ph: \_\_\_\_\_  
F/U MD Fax: \_\_\_\_\_

Specialty: \_\_\_\_\_

Follow-up 1 Date: As needed

Msg F/U MD: \_\_\_\_\_

**EKGs and X-Rays:** If you had an EKG or X-Ray today, it will be formally reviewed by a specialist tomorrow. If there is any change from today's Emergency Department reading, you will be notified.

**IMPORTANT NOTICE TO ALL PATIENTS:** The examination and treatment you have received in our Emergency Department have been rendered on an emergency basis only and will not substitute for definitive and ongoing evaluation and medical care. If you have an assigned physician, or physician of record, it is essential that you make arrangements for follow-up care with that physician as instructed. If you do not currently have a physician locally, please contact our Health Navigator at 561-955-4714 and they will assist you with scheduling an appointment. Report any new or remaining problems to your physician at your scheduled appointment, because it is impossible to recognize and treat all elements of injury or disease in a single Emergency Department visit. *Significant changes or worsening in your condition may require more immediate attention. The Emergency Department is always open and available if this becomes necessary.*

**General Information on BROKEN RIBS**

The ribs are long, thin bones that curve around each side of the chest. There are twelve ribs on each side. Any firm blow to the chest can break a rib(s). Most of the time this results from sports injuries, falls or motor vehicle accidents. Medically speaking, the words "broken", "cracked" and "fractured" all mean the same thing.

What are the symptoms?

Ordinarily there is a sharp pain in the chest, usually in the area of the broken rib(s). The pain is often worse with bending,

Patient: Bernstein, Eliot

Pt Acct: 1625001096

Med Rcd: 000446213

DI Printed: 9/6/2016 1248

lifting, deep breathing or any strenuous activity.

What can be done?

Simple rib fractures usually heal on their own within TWO TO SIX WEEKS. Splinting and other therapies used in the past have proven not to be helpful and are generally not recommended.

What are the risks?

Rib fractures usually heal completely and produce no serious medical problems. There are, however, some risks:

1. Because of the pain, many people with broken ribs avoid breathing deeply. Persistent, shallow breathing increases the risk of developing pneumonia.
2. A severe blow to the chest sometimes damages the lungs, heart, liver or spleen. This damage can be serious and is occasionally even life-threatening.

#### INSTRUCTIONS

- 1) Acetaminophen (Tylenol) or ibuprofen (Advil) will help ease the pain. **WARNING:** Do not take these drugs if you are allergic to them. Do not take these drugs if you are already taking a prescription pain medication that contains acetaminophen or ibuprofen.
- 2) Every two or three hours, while you are awake, take several deep breaths and cough. This will help keep your lungs well expanded. You can challenge yourself to take deep breaths by trying to blow up a balloon, or blow to knock down an empty paper cup. You should continue this routine until the pain is gone (usually two to six weeks).
- 3) Except for deep breathing, avoid any strenuous activity that makes your pain worse.
- 4) **SEEK IMMEDIATE MEDICAL ATTENTION** if you develop difficulty breathing, pain in the belly, vomiting, severe chest pain, persistent dizziness, cough up blood, pass out or if your condition worsens in any other way.



Emergency Department  
800 Meadows Road  
Boca Raton, FL 33486  
(561) 955-4425

Meds Review Printed: 9/6/2016 1248  
Patient: Bernstein, Eliot  
DOB: 9/30/1963  
Age: 52yr  
Pt Acct: 1625001096  
Med Rcrd: 000446213

1625001096

Medication Reconciliation

**MEDICATION RECONCILIATION (Discharge)**

MD ED: Cohen, Terry M.D.

PA: \_\_\_\_\_

Local P Esener

Triage: Fettner, Karen R.N.

RN Eval: Karen F R.N.

PMD Ph: \_\_\_\_\_

Allergies		
Allergic Substance	Reaction	Severity
NKDA		

Home Meds (Discharge Reconciliation)		
Arrival Medication	Instructions	Modified Medication
Lisinopril <unknown dose>	NO CHANGE - keep taking & ask your physician	

The table above shows the home medication(s) you are currently taking; information which was provided to the Emergency Department.

Read the last column (MD Review) for further medication instructions.

The list below shows any prescription(s) provided to you upon discharge from the Emergency Department.

**Prescription / Rx**

Rx 1: Percocet Tablets 325mg,5mg (acetaminophen,oxycodone)

1 tablet by mouth every 6 hrs as needed for pain

\*2060149564\*



Health Information Management Department  
634 Glades Road  
Boca Raton, FL 33431  
Phone Number: 561-955-4072

BERNSTEIN, CANDICE  
2753 NW 34TH STREET  
BOCA RATON, FL 33434

**RELEASE OF INFORMATION INVOICE**

For Producing Copies of Medical Records for:

Patient Name:	MRN:	Invoice Date:	Invoice Number:
BERNSTEIN, ELIOT	000446213	Monday, January 09, 2017	185226

Number of Pages: 8

Billing Tier:	PATIENT	Billing Tier Pages:	8	Subtotal:	\$8.00
---------------	---------	---------------------	---	-----------	--------

Payment (\$8.00) Cash

Adjust/Payment Total: (\$8.00)

Balance Due: \$0.00

-----PLEASE RETURN LOWER PORTION WITH PAYMENT-----

Boca Raton Regional Hospital  
Health Information Department  
634 Glades Road  
Boca Raton, FL 33431  
Phone Number: 561-955-4072

Requester: BERNSTEIN, CANDICE

Balance Due: \$0.00

Patient Name:	MRN:	Invoice Date:	Invoice Number:
BERNSTEIN, ELIOT	000446213	Monday, January 09, 2017	185226

BOCA RATON REGIONAL HOSPITAL  
 Eliot Bernstein DOB:09/30/1963  
 Patient:Bernstein, Eliot  
 Mailing Address:2753 Nw 34Th Street  
 City:Boca Raton  
 State:FL Zip:33434  
 Home Ph:(561)245-8588

EMERGENCY REPORT  
 ACCT:1625001096 MRN:000446213

Arrival:9/6/2016 1132  
 Registration Time:9/6/2016 1134  
 Disposition:Home  
 Condition at DispStable  
 Time Left ED:9/6/2016 1254

Mode of Arrival:Personal Transport  
 Dispo Summary Printed:9/6/2016 1248  
 Mode of Departure:Ambulatory  
 Accompanied By:wife  
 Diagnostic Eval9/6/2016 1141  
 Admit Decision:

Chief Cmplnt:Possible Broken Rib Per Pt  
 Triage ImpressiPain, Local  
 Acuity:4 Pt weight:93 kg (205 lbs)  
 Precautions:  
 Ebola Exposure?No  
 Travel Outside No

=====  
 Allergies  
 =====

Allergic Substance	Reaction	Severity
NKDA		

=====  
 Home Medications (MDM)  
 =====

Arrival Medication	Last Dose
Lisinopril <unknown dose>	

=====  
 Past Medical History (Problem List)  
 =====

Condition	Confirmed By
Kidney stone	Fettner, Karen R.N.
Diverticulitis	Fettner, Karen R.N.
HTN - Hypertension	Fettner, Karen R.N.
Multiple trauma	Fettner, Karen R.N.
Vasovagal syncope	Fettner, Karen R.N.
Cerebral hemorrhage after vasovagal syncope	Fettner, Karen R.N.

=====  
 Past Surgical History (Procedures)  
 =====

Procedure	Confirmed By
Lithotripsy	Fettner, Karen R.N.
Cystoscopy	Fettner, Karen R.N.
Reconstructive surgery face and neck, sp trauma	Fettner, Karen R.N.
Dental implants	Fettner, Karen R.N.
Tracheotomy	Fettner, Karen R.N.

## Meds Given-ED(If Blank-See Orders/Notes)

Medication	Dose	Route/SitRate	Start/GiEnd	Entered By
No Entries				

## Orders ED Record (MDM)

Order	Providers	Sched D/In	Prog	Comp	D/T
XR RIBS UNILATERAL LEFT	316-Cohen, Terry M.D.; same	9/6/201 6 1204	9/6/201 6 1218	9/6/201 6 1242	

## Clinical Alerts

Description	Origin	Result	Alert Text	Reason to CoDate	TUser Name
No Entries					

## Vital Signs (MDM)

Sys Dia	PulResp	SAT O2	DelTemp	(Route	Pain	Scale	Taken at	User Name	
136	82	77	16	97% RA	97.7	oral	10/10	9/6/2016	Fettner, Karen R.N.
				F		Standard	1153		

## Input Output

Fluid Type	Intake	Output	I/O Time
No Entries			

## calls

Name	Requested By	Call 1	Returned
No Entries			

MD ED:Cohen, Terry M.D.  
PA:  
Triage Full:Fettner, Karen R.N.  
RN Eval Full:Fettner, Karen R.N.  
RN Dispo:Fettner, Karen R.N.

MD ED ID:316  
PA ID:  
Triage ID:32560  
RN Eval ID32560  
RN Dispo I

## EMS/PMD

LocalEsener

PMD Ph:

## RN Notes

Fettner, Karen R.N. Created: 9/6/2016 1154 Last Entry: 1200

>>>> HPI:  
Pain - Onset 16hrs prior to arrival. Occurred in left middle chest.  
(?)injury. Associated Symptoms:, pain left chest to touch or breathing.  
>>>> PMH List (See PMH Table) PSH List (See PSH Table)  
>>>> TRIAGE DATA:  
Travel outside US (<= Click to view/enter)  
Ebola Exposure (<= Click to view/enter)  
Last Tetanus: less than 10yrs.  
Pneumonia Vaccine: Potential candidate (> 5 years).  
Influenza Vaccine: Potential candidate.  
LMP: Not applicable.  
Safety of Living Environment: Safe  
>>>> SH: (+)smokes, patient advised on smoking cessation, drinks socially,  
no drugs  
>>>> PREHOSPITAL CARE: Took one of his wife's Vicodin last pm.  
>>>> TRIAGE INTERVENTION: ED physician notified.

-----  
Fettner, Karen R.N. Created: 9/6/2016 1154 Last Entry: 1205  
-----

Nurse Note: 9/6/2016 1137  
ASSESSMENT CARE CENTER - Adult  
Patient's wife at bedside.  
Cohen, Terry M.D. at the bedside 9/6/2016 1201  
>>>> PHYSICAL EXAM: Pt reports while taking a drink and coughing about 16  
hrs prior to arrival he passed out. Pt reports his 17 yo son was w/ him,  
caught him and lowered him to the ground. Pt reports his 17 yo son then  
"pounded" on the left side of his chest and he "woke right up."  
GENERAL APPEARANCE: alert, cooperative.  
PAIN: pain scale: 10/10 Standard.  
location: left middle chest  
quality: sharp.  
aggravating factors: activity.  
alleviating factors: rest.  
MENTAL STATUS: speech clear, oriented x 3, normal affect, responds  
appropriately to questions.  
SKIN: warm, dry, good color, (-)cyanosis, no rash, no ulcers.  
Nutritional Screening: normal nutrition  
>>>> COMMUNICATION DEFICIT: None Identified.  
Learning Aids Needed: (+)none, ( )Signer, ( )Interpreter.  
Educational Needs: patient and wife needs information on (+)current  
illness, ( )medications, ( )equipment, ( )home care, ( )activity, ( )diet,  
( )community resources.  
>>>> SH: Support system: lives w family or significant other  
Suspected Violence: none  
Referrals Reporting: none  
Patient verbalizes suicidal or homicidal ideations: no suicidal  
homicidal ideations  
>>>> JHFRAT FALL RISK Assessment  
If patient has any of the following KNOWN conditions, select it and  
apply Fall Risk interventions as indicated. If any of these KNOWN fall  
risks are selected, do NOT continue with the Fall Risk Score Calculation.  
If there are NO KNOWN fall risks, choose the option for NO KNOWN fall  
risks and proceed with the Fall Risk calculation.  
Fall Risk Status NO KNOWN Fall Risk  
Age: \_\_\_\_\_ 0=Less than 60 years  
Fall History: \_\_\_\_\_ 0=No fall 6 months prior to admit  
Elimination bowel urine: \_\_\_\_\_ 0=No incontinence

Medications: \_\_\_\_\_ 0=No high fall risk drugs  
Equipment: \_\_\_\_\_ 0=None present

Pg 4

Mobility: \_\_\_\_\_ 0=No mobility issues  
Cognition: \_\_\_\_\_ 4=Lack of understanding of one's physical  
and cognitive limitations

JHFRAT Total Score:, Low Risk(less than 6) Green.

>>>> Fall Prevention Interventions:

(+)bed in lowest position (L-M-H), (+)bedside rails up times 2,  
(+)educated patient how to use call bell call bell within reach,  
(+)educated patient and or family about preventing falls.

-----  
Fettner, Karen R.N. Created: 9/6/2016 1221 Last Entry: 1221  
-----

Nurse Note:

RADIOLOGY Transport - Patient transported without RN accompanying to XRay  
Plain films via walking escorted by radiology technologist.

-----  
Fettner, Karen R.N. Created: 9/6/2016 1253 Last Entry: 1254  
-----

Nurse Note:

DSP DISCHARGE with Prescription(s) - Plan of care discussed with patient  
and wife. Patient discharged with printed instructions. Prescriptions  
given to patient. Reviewed prescribed medications with patient;  
including potential interactions with other substances. (-)Adverse Drug  
Reactions (ADR) during this ED visit: if ADR see details in RN Notes.  
Patient encouraged to follow-up with PMD or clinic. Patient verbalized  
understanding and ability to comply. Medical Driving Restrictions: none.  
Patient is stable and condition is now unchanged. Extended stay less  
than 4hours.

Time of Departure - 9/6/2016 1254 to home

=====Other Notes=====

=====MD/PA Notes=====

-----  
Sarwary, Sophia (Scribe) Created: 9/6/2016 1158 Last Entry: 1158  
-----

MD Note:

ATTENDING NOTE (Scribe) - I, Sarwary, Sophia (Scribe), am scribing for,  
and in the presence of, Cohen, Terry M.D..

-----  
Sarwary, Sophia (Scribe) Created: 9/6/2016 1158 Last Entry: 1208  
Cohen, Terry M.D. First Entry: 9/6/2016 1251 Last Entry: 1253  
-----

PHYSICIAN H P (Medical)

(+)Nursing Notes Reviewed Travel outside US (<= Click to view/enter) Ebola  
Exposure (<= Click to view/enter)

Physician/PA Evaluation Time: 9/6/2016 1141

>>>> HPI:

Patient with h/o vaso vagal syncopal episodes with coughing spells c/o L  
sided rib pain. Last night, patient had a syncopal episode during a  
coughing spell and was caught by his son who laid him on the floor. Son  
immediately started to perform CPR, heard a loud pop and patient woke up  
almost immediately. Patient denies head trauma, dizziness, headache,  
visual change, speech change, nausea, vomiting, chest pain, SOB,  
diaphoresis, fever or chills. Has been worked up extensively for these  
syncopal episodes which are associated with coughing spells and they have



been dx'd as vasovagal. This episode was typical.  
Sx began after CPR.

Pg 5

breathing out, breathing in, laying, movement worsens Sx.  
standing still improves Sx.  
Previous Episodes: prior hx of similar problem.  
Additional HPI Information: none  
>>>> ROS: no fever, (-)chills, (-)LOC, (-)headache, (-)visual changes,  
(-)sore throat, no cough, (-)SOB, (-)chest wall pain,  
(-)chest pain, (-)nausea, (-)vomiting, (-)myalgias, (-)rash, (-)dysuria,  
in addition to the systems reviewed, all other systems reviewed are  
negative.  
PREHOSPITAL CARE:  
>>>> PMH List (PMH Table Reviewed) PSH List (PSH Table Reviewed)  
(+)Medical Records Reviewed  
>>>> FH: (-)DM, (-)HTN, (-)CAD.  
>>>> SH: no tobacco, no alcohol, no drugs.  
>>>> PHYSICAL EXAM:  
VITAL SIGNS: reviewed as documented.  
GENERAL APPEARANCE: well nourished, alert, cooperative, no acute distress,  
no discomfort.  
MENTAL STATUS: speech clear, oriented X 3, normal affect, responds  
appropriately to questions.  
NEURO: CNS normal as tested, motor intact, sensory intact.  
FACE: no tenderness on the face.  
EYES: PERRL, EOMI, conjunctiva clear.  
NOSE: no nasal discharge.  
MOUTH: (-)decreased moisture.  
THROAT: no tonsillar inflammation, no airway obstruction.  
NECK: supple, no neck tenderness, (-)thyromegaly.  
BACK: no CVAT, no back tenderness.  
CHEST WALL: exquisite point tenderness L anterolateral lower ribs which  
exactly reproduces his pain  
HEART: normal rate, normal rhythm, normal S1, normal S2, no murmur, no  
rub.  
LUNGS: no wheezing, no rales, no rhonchi, (-)accessory muscle use, good  
air exchange bilateral.  
ABDOMEN: (-)ascites, normal BS, soft, no abd tenderness, (-)guarding,  
(-)rebound, no organomegaly, no abd masses.  
EXTREMITIES: good pulses in all extremities, no extremity tenderness, no  
edema.  
SKIN: warm, dry, good color, no rash.  
>>>> DIFFERENTIAL Dx: Including but not limited to; chest wall contusion,  
rib fracture, intercostal strain

-----  
Sarwary, Sophia (Scribe) Created: 9/6/2016 1245 Last Entry: 1246  
Cohen, Terry M.D. First Entry: 9/6/2016 1250 Last Entry: 1251  
-----

MD Note:

I have counseled the patient regarding their ( )labs, (+)radiological  
exams, ( )EKG, (+)diagnosis. Although no fx seen on x-ray, he clinically  
has one. Will treat accordingly.  
DISCUSSION - Discussed diagnosis and condition of patient with patient.  
DISCHARGE with Prescription(s) - Plan of care discussed and questions  
answered. The patient was discharged with verbal and printed  
instructions. Prescription(s) were given and prescribed medications were  
reviewed, including potential interactions with other substances. The  
importance of outpatient follow up was emphasized and should be followed  
as noted in the discharge instructions. The understanding of the  
instructions and ability to comply was verbalized. The condition at

discharge is stable. Instructions to return to the emergency department for worsening symptoms.

Pg 6

-----  
Sarwary, Sophia (Scribe) Created: 9/6/2016 1246 Last Entry: 1246  
-----

MD Note:  
//////////////////////////////// Author: wellsoft Interface ////////////////////////////////// 9/6/2016  
12:42pm //////////////////////////////////  
Patient: BERNSTEIN, ELIOT ; Date/Time: 9/6/2016 1217 ; 1016697767  
----- HXR RIBS LT UNILAT -----  
EXAM START: 9/6/2016 1216  
EXAM STOP: 9/6/2016 1218  
Left RIBS, 3 views  
Clinical history- Trauma  
Findings- Multiple views of the left ribs were obtained. There is no evidence of fracture or bone destruction.  
IMPRESSION-  
Negative left ribs.  
-Authenticated and electronically signed by- Jonathan Shapir, M.D.  
Electronically signed- 9/6/2016 12-40 PM

Read By- JONATHAN SHAPIR M.D.  
Released Date Time- 09/06/16 1241  
READ BY: JONATHAN SHAPIR M.D.  
RELEASED BY: JONATHAN SHAPIR M.D.

-----  
Cohen, Terry M.D. Created: 9/6/2016 1247 Last Entry: 1247  
-----

Results Reviewed by ED Physician:  
XR RIBS UNILATERAL LEFT

-----  
Cohen, Terry M.D. Created: 9/6/2016 1248 Last Entry: 1248  
-----

MD Note:  
ATTENDING NOTE (Scribe attestation) - I, Cohen, Terry M.D., personally performed the services described in this documentation, as scribed by Sarwary, Sophia (Scribe) in my presence, and it is both accurate and complete.

-----  
Cohen, Terry M.D. Created: 9/11/2016 0920 Last Entry: 0921  
-----

MD Note:  
Addendum: The ROS should include the following (+): cough, chest wall pain

=====Results=====

===== Dx/Instr =====  
Dx 1:Fx L rib, closed  
Follow-up 1:Dr. Esener  
Follow-up 1 Date:As needed

===== Patient BelongiNone

Belongings locaSent\_home

===== Prescription / Rx =====  
RX 1:Percocet Tablets 325mg,5mg (acetaminophen,oxycodone)  
Dose/Conc:

Freq/Rte:1 tablet by mouth every 6 hrs as needed for pain  
Disp:#24 (twenty four) ta Refill:zero

Pg 7

====work/School Excuse====  
==== Signatures =====  
MD Sgntr:Cohen, Terry M.D. 9/6/2016 1248  
RN Sgntr:Fettner, Karen R.N. 9/6/2016 1254  
Triage Sgntr:Fettner, Karen R.N. 9/6/2016 1206  
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DELRAY MEDICAL CENTER  
5352 Linton Boulevard  
Delray Beach, FL 33484

Name: BERNSTEIN, ELIOT TR  
MRN: 000188764  
ACCT: 012940564

RICHARD H KIM, MD  
ADM: 06/04/2013

Consultation

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DATE OF CONSULTATION: 06/04/2013

CHIEF COMPLAINT: Syncope.

HISTORY OF PRESENT ILLNESS: The patient is a 49-year-old gentleman who was at dinner at a friend's house. His wife apparently told a joke. He began laughing and then coughing. He then thinks he passed out. He apparently had urinary incontinence. He fell and hit his head on a marble floor. He sustained a subarachnoid hemorrhage. He also complains of chest discomfort now. Cardiology consultation is requested.

ALLERGIES: IODINE which has apparently caused anaphylaxis in the past.

PAST MEDICAL HISTORY: Borderline hypertension. No history of diabetes, myocardial infarction, CVA. He does have hyperlipidemia. He is now vegetarian.

FAMILY HISTORY: Mother and father both have had myocardial infarction at a premature age.

PAST SURGICAL HISTORY: Facial reconstruction, lower extremity surgery secondary to trauma in his late teens.

SOCIAL HISTORY: Still smokes 3 cigarettes a day, used to smoke 40, social alcohol.

REVIEW OF SYSTEMS:

CONSTITUTIONAL: No fevers, chills or sweats.

VISION: No double vision, blurry vision or cataracts.

HEENT: No hearing loss or tinnitus.

LUNGS: No wheezing, cough or hemoptysis.

GASTROINTESTINAL: No nausea or vomiting.

GENITOURINARY: No hematuria or dysuria.

CENTRAL NERVOUS SYSTEM: No strokes or seizures.

ENDOCRINE: No diabetes or thyroid.

HEMATOLOGIC: No anemia or leukemia.

CARDIOVASCULAR: No chest pain or pressure, but he does complain his chest pain as described above.

PHYSICAL EXAMINATION:

GENERAL: Pleasant, well-developed, well-nourished gentleman, in no acute distress.

VITAL SIGNS: 98.4, 69, 144/75.

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Work Type: Consultation  
T001

Work Type Code: CON  
Page: 1

DATE 07/18/2013

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441335 m/r: Parli, Geribon

DELRAY MEDICAL CENTER  
5352 Linton Boulevard  
Delray Beach, FL 33484

Name: BERNSTEIN, ELIOT TR  
MRN: 000188764  
ACCT: 012940564

RICHARD H KIM, MD  
ADM: 06/04/2013

Consultation

---

HEENT: Anicteric sclerae. Mucous membranes are moist.  
NECK: Supple, no jugular venous distention, no carotid bruits.  
CARDIAC: Regular rate and rhythm.  
LUNGS: Lung fields are clear to auscultation.  
ABDOMEN: Soft, nontender.  
EXTREMITIES: No clubbing, cyanosis or edema. His left chest wall is clearly extremely tender to palpation.

ASSESSMENT:

1. Atypical musculoskeletal chest discomfort.
2. Syncope.
3. Subarachnoid hemorrhage.
4. Family history of \_\_\_\_\_ heart disease.
4. Tobacco abuse.
5. Hypertension
5. Borderline hyperlipidemia.

PLAN: Check echo color Doppler study when he can tolerate pain on his left chest. This is clearly not cardiac pain, but musculoskeletal. Syncope is probably vagal posttussive. Monitor on tele. We will be happy to follow this patient with you.

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Richard H. Kim, MD

TR:RHK/HN  
DD:06/04/2013 13:12 EDT  
DT:06/04/2013 20:03 EDT  
Dictation ID: 9462482/Confirmation #: 3900064  
R:

Authenticated by RICHARD H KIM MD [1397] on 06/07/2013 at 13:03:19

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Work Type: Consultation  
T001

Work Type Code: CON  
Page: 2

DATE 07/18/2013

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RADIOLOGY REPORT  
5352 LINTON BOULEVARD  
AREA CODE (561) 495-3170

DELRAY BEACH, FL

DELRAY MEDICAL CENTER

PT NAME: BERNSTEIN, ELIOT I

DOB: 09/30/1963

LOCATION: ER -

ACCT. # 012940564

DR. ROYCRAFT, EDWARD L

MR # 000188764

ORDER # 714438281

06/04/2013

CT HEAD OR BRAIN W/O CONT

Abbrv: CTHD1

INDICATION: Trauma

A CT scan of the brain was performed from the base of the skull through the vertex without intravenous contrast.

No prior images are available for comparison.

The ventricles and CSF spaces appear normal. This addendum is made of a cavum the cecum, normal anatomic variant. There is no mass or mass effect present. Small amount of subarachnoid blood is seen within sulci within the a right temporal lobe in right sylvian fissure. Brain parenchyma is normal in attenuation. There is no evidence of acute infarct or intracranial hemorrhage. The mastoid air cells, paranasal sinuses and orbits appear normal.

IMPRESSION:

1. Small amount of subarachnoid blood within sulci right temporal lobe and right sylvian fissure likely posttraumatic
2. No midline shift or mass effect.
3. No evidence of infarct or hydrocephalus.

Edward Roycraft, MD was notified of critical results at 12:27 a.m. on June 4, 2013

\*\*\* Final \*\*\*

Dictated By: THAME, CRAIG (06/04/2013 00:26)

Signed By: THAME, CRAIG (06/04/2013 00:28)

DATE 07/18/2013

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CRIMINAL JUSTICE TRAINING CENTER

DELRAY MEDICAL CENTER

RADIOLOGY REPORT  
5352 LINTON BOULEVARD  
AREA CODE (561) 495-3170

DELRAY BEACH, FL

PT NAME: BERNSTEIN, ELIOT TR I

DOB: 09/30/1963

LOCATION: TI 0282-A

ACCT. # 012940564

DR. ROYCRAFT, EDWARD L

MR # 000188764

ORDER # 714438281

06/04/2013

CT HEAD OR BRAIN W/O CONT

Abbrv: CTHD1

ADDENDUM:

Trauma over read:

Quality assurance review of the head and cervical spine CT examinations was performed and is in agreement with the initial interpretation of mild right-sided subarachnoid hemorrhage. The cervical spine is intact, as reported.

Final assessment: No discrepancy.

\*\*\* Addendum \*\*\*

Dictated By: MARTELLO, RICHARD (06/04/2013 10:55)

Signed By: MARTELLO, RICHARD (06/04/2013 10:57)

INDICATION: Trauma

A CT scan of the brain was performed from the base of the skull through the vertex without intravenous contrast.

No prior images are available for comparison.

The ventricles and CSF spaces appear normal. This addendum is made of a cavum the cecum, normal anatomic variant. There is no mass or mass effect present. Small amount of subarachnoid blood is seen within sulci within the a right temporal lobe in right sylvian fissure. Brain parenchyma is normal in attenuation. There is no evidence of acute infarct or intracranial hemorrhage. The mastoid air cells, paranasal sinuses and orbits appear normal.

IMPRESSION:

1. Small amount of subarachnoid blood within sulci right temporal lobe and right sylvian fissure likely posttraumatic
2. No midline shift or mass effect.
3. No evidence of infarct or hydrocephalus.

Edward Roycraft, MD was notified of critical results at 12:27 a.m. on June 4, 2013

\*\*\* Final \*\*\*

Dictated By: THAME, CRAIG (06/04/2013 00:26)

DATE 07/18/2013

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DELRAY MEDICAL CENTER

RADIOLOGY REPORT  
5352 LINTON BOULEVARD  
AREA CODE (561) 495-3170

DELRAY BEACH, FL

PT NAME: BERNSTEIN, ELIOT TR I

DOB: 09/30/1963

LOCATION: TI 0282-A

ACCT. # 012940564

DR. ROYCRAFT, EDWARD L

MR # 000188764

ORDER # 714438281

06/04/2013

CT HEAD OR BRAIN W/O CONT

Abbrv: CTHD1

Signed By: THAME, CRAIG (06/04/2013 00:28)

DATE 07/18/2013

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DELRAY MEDICAL CENTER

RADIOLOGY REPORT  
5352 LINTON BOULEVARD  
AREA CODE (561) 495-3170

DELRAY BEACH, FL

PT NAME: BERNSTEIN, ELIOT TR I

DOB: 09/30/1963

LOCATION: TI 0282-A

ACCT. # 012940564

DR. PACKER, EVAN

MR # 000188764

ORDER # 714507263

06/04/2013

MRA HEAD W/O CONTRAST

Abbrv: MRAHD1

MRA brain without gadolinium

HISTORY: Subarachnoid hemorrhage

FINDINGS: Study performed utilizing 3-D MIPS. The circle of Willis appears normal with no occlusion or stenosis. No aneurysm or AVM identified. Specifically in the region of the right MCA trifurcation there is no aneurysm identified. No AVM. In the posterior circulation there is robust intracranial vertebral sterile flow with a normal basilar artery. The right posterior vertebral artery is supplied by the large posterior communicating artery from the right ICA.

IMPRESSION: Normal study

\*\*\* Final \*\*\*

Dictated By: ROBERTSON, STEPHEN (06/04/2013 16:24)

Signed By: ROBERTSON, STEPHEN (06/04/2013 16:26)

DATE 07/18/2013

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DELRAY MEDICAL CENTER

RADIOLOGY REPORT  
5352 LINTON BOULEVARD  
AREA CODE (561) 495-3170

DELRAY BEACH, FL

PT NAME: BERNSTEIN, ELIOT TR I

DOB: 09/30/1963

LOCATION: TI 0282-A

ACCT. # 012940564

DR. STAFF, PHYSICIAN NOT ON

MR # 000188764

ORDER # 714820363

06/05/2013

CT HEAD OR BRAIN W/O CONT

Abbrv: CTHD1

BERNSTEIN, ELIOT TR I

INDICATION: Evaluate brain.

CT scan of the brain was performed from the base of the skull through the vertex without intravenous contrast.

Comparison is made to prior exam dated June 4, 2013 crit

Previously identified subarachnoid blood within sulci of the right temporal lobe and right sylvian fissure has significantly decreased. No new area of hemorrhage is present. There is no midline shift the there is no mass effect present. No parenchymal hematoma is seen. Incidental note is made of a cavum septum pellucida. Brain parenchyma normal in attenuation. Mastoid air cells, paranasal sinuses and orbits are normal.

IMPRESSION:

1. Decrease in volume of subarachnoid blood within the sulci of the right temporal lobe and right sylvian fissure.
2. No midline shift or mass effect.

\*\*\* Final \*\*\*

Dictated By: THAME, CRAIG (06/05/2013 05:39)

Signed By: THAME, CRAIG (06/05/2013 05:43)

DATE 07/18/2013

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7/10/13  
16:11:53

DELRAY MEDICAL CENTER  
5352 LINTON BLVD. DELRAY BEACH FL 33484  
ADMISSION RECORD-F01

PATIENT NO: 012940564 ADMIT DT/TIME: 6/04/13 02:10 M/R NO: 000188764  
NS/RM/BED/ACM: TI 282 A 17 RESISTANT ORG:  
DISCH DT/TIME: 6/05/13 13:30 BY: ARAS  
PATIENT NAME: BERNSTEIN, ELIOT TR T TITLE:  
MAILING ADDR: 2753 NW 34TH ST SOCIAL SECURITY: 361622566  
CITY/STATE: BOCA RATON FL 33434 3459 PHONE: (561) 245-8588  
PHYSICAL ADR: 2753 NW 34TH ST NPP: 2.0 DATE: 12/08/03  
CITY/STATE: BOCA RATON FL 33434 3459 PHONE: (561) 245-8588  
OCCUPATION: UNKNOWN LANGUAGE: EN FC: 80  
POB: ADMT PHYS: 1173- RODRIGUEZ EUGENIO HSV: 37  
DOB: 9/30/1963 ADMT PHYS PHONE: (561) 330-4695 RLG: PAR:  
AGE: 49 Y RACE: WHI ATTEND PHYS: 1173- RODRIGUEZ EUGENIO MS: S  
SEX: M REF PHY: 1173-RODRIGUEZ EUGENIO PHN: 561 330-4695 SMK: N  
PCP PHY: - PHN: VAL: PT: 1  
ETHNICITY:NON FLAG: FATHER'S DOB: MOTHER'S DOB:

EMER CONTACT: CANDICE BERNSTEIN REL: SPOUSE  
ADDRESS: 72753 NW 34TH ST PHONE: (561) 245-8588  
CITY/STATE: BOCA RATON FL 33434 1111  
NEAREST REL: REL:  
ADDRESS: PHONE: ( )  
CITY/STATE: RESEARCH ID:

GUARANTOR: BERNSTEIN, ELIOT I REL: SELF  
ADDRESS 1: 2753 NW 34TH ST PHONE: (561) 245-8588  
ADDRESS 2: SOCIAL SECURITY: 361622566  
CTY/STE/ZIP: BOCA RATON FL 33434 3459 OCC: AF:  
PAYOR NAME 1: BCBS-FL INS. PLAN ID: 07033 SRV/TYPE: ALLIP  
PLAN NAME: BC FL PPO/ADVANTAGE 65/PPC/BLE CHO IPA:  
BILL C/O NAME: BC FL PPC AUTH #: 10251606  
BILL ADDRESS: P.O. BOX 1798 CERT-SSN-HIC-ID#: QCB6046973501  
CTY/STE/CNTRY: JACKSONVILLE FL 32231 0014 BILL PHONE: (800) 275-2583  
BILLING NAME: GP #: 509415  
INSURED: BERNSTEIN, ELIOT I SEX/REL: M SELF  
EMPLOYER: MSP: TRACKING#:  
ADDRESS: EMP PHONE: ( ) 000-0000  
CITY/STATE: 00000 0000 ESC: 1  
PAYOR NAME 2: INS. PLAN ID:  
PLAN NAME:  
BILL C/O NAME: CERT-SSN-HIC-ID#:  
BILL ADDRESS: AUTH #:  
CTY/STE/CNTRY: BILL PHONE: ( ) 000-0000  
BILLING NAME: GP #:  
INSURED: SEX/REL:  
EMPLOYER: TRACKING#:  
ADDRESS: EMP PHONE: ( ) 000-0000  
CITY/STATE: ESC:

SPAN CODE: PRIOR VISIT: 6/09/13  
FROM/TO DATE: PRIOR HOSPITAL:  
CONDITION CD CONDITION CD OCCURRENCE CD/DATE OCCURRENCE CD/DATE  
P7 05 6/03/13  
11 6/03/13

CHIEF COMPLAINT DESCRIPTION: ADMIT DIAGNOSIS CODE: 780.2  
SAH  
COMMENTS: ER ADMIT TO TICU  
1ST ORIGINAL-CHART COPY 2-PHYSICIAN COPY 3-MEDICAL RECS. COPY 4-UTIL. REV.

DATE 07/18/2013

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