

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

IN RE:

Case No. 502012CP004391XXXXNBIH

Honorable Rosemarie Scher

ESTATE OF SIMON L. BERNSTEIN,

Deceased.

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**3rd CORRECTED AND REFILED SUBMISSION OF LIST OF EXHIBITS AND
MOTIONS RELEVANT TO HEARINGS SCHEDULED BY DEC. 13, 2016 JUDGE
SCHER CASE MANAGEMENT ORDER SUBMITTED BY ELIOT I. BERNSTEIN, AS
A BENEFICIARY OF THE ESTATE OF SIMON L. BERNSTEIN AND AN
INTERESTED PERSON WITH STANDING**

**EXHIBIT LIST BINDER IN PDF FORMAT BOOKMARKED AND BATES
NUMBERED FOR MARCH 16, 2017 HEARING AND MARCH 02, 2017
CONTINUATION OF FEBRUARY 16, 2017 HEARING BEFORE HON. JUDGE SCHER**

Part 1 – Exhibits 1 thru 76 BATES 1-190 of 4214 Part1

1. Colin Order Staying Other Counts of Validity Hearing
 - a. Bates Number(s) : 1-3
2. Ted's Amended Complaint Shirley Trust
 - a. Bates Number(s) : 4-93
3. Phillips Trial Order which Continues the Stay on the Other Counts

- a. Bates Number(s) : 94-95
4. Phillips Judgment after Sham Validity Trial that does NOT Say Anything Regarding Standing or Beneficiaries, etc
 - a. Bates Number(s) : 96-105
5. Rose Ted Complaint of Jan. 4th 2016
 - a. Bates Number(s) : 106-181
6. Copy of the Will 2012
 - a. Bates Number(s) : 182-190
7. Copy of 2007 -2008 Tax Returns LIC
 - a. Bates Number(s) : 191-195
8. Copy of Wilmington Statement
 - a. Bates Number(s) : 196-203
9. Copy of All Financial Docs in the All Writs Filing
 - a. Bates Number(s) : 204-420
 - i. Grant Thornton
 - ii. Stanford Valuation
 - iii. Bank One Statement Page
 - iv. JP Morgan Simon Account
 - v. JP Morgan Simon Account % Arbitrage Int'l
 - vi. JP Morgan Trustee Account Spallina Tescher
 - vii. Oppenheimer Email Regarding Stanford Account Transfers
10. Copy of O'Connell Undated Statement Feb 9, 2017 filing
 - a. Bates Number(s) : 421-423
11. Copy of All Writs Act Filing II Federal Litigation, Hon. Judge John Robert Blakey
 - a. Bates Number(s) : 424-640
12. Copy of EXCERPT from Sept 2013 hearing Colin
 - a. Bates Number(s) : 641-646
13. Copy of Sept 15 2015 Case Management Phillips Transcript - Filing # 52565584 E-Filed 02/16/2017 06:54:43 AM
 - a. Bates Number(s) : 647-697
14. Copy of EIB Nov. 21, 2016 Filing in Opposition to Rose Filings

- a. Bates Number(s) : 698-914
- 15. Copy of Shirley Guardian Order regarding Eliot children
 - a. Bates Number(s) : 915-918
- 16. Copy of Eliot Standing Order Shirley
 - a. Bates Number(s) : 919-922
- 17. Colin Feb. 18, 2014 Order on Discovery against Tescher Spallina
 - a. Bates Number(s) : 923-925
- 18. Dr. Ronik Seecheran Letter Regarding Eliot Dental
 - a. Bates Number(s) : 926
- 19. PBSO REPORTS TED AND ROSE STATEMENTS - Filing # 52566594 E-Filed
02/16/2017 08:24:38 AM
 - a. Bates Number(s) : 927-1235
- 20. Nov 28, 2016 Letter to Judge Scher from Alan Rose
 - a. Bates Number(s) : 1236-1242
- 21. Filing # 32030300 E-Filed 09/14/2015 05:18:25 PM Trustee Omnibus Judge Phillips
 - a. Bates Number(s) : 1243-1264
- 22. Opposition to Jan 4 2016 Ted Filing On Eliot Standing
 - a. Bates Number(s) : 1265-1277
- 23. Opposition Jan 13 2016 to Ted Filing On Eliot Guardian
 - a. Bates Number(s) : 1278-1299
- 24. Jan 19, 2016 Eliot Objections to Proposed Order
 - a. Bates Number(s) : 1300-1332
- 25. December 15 2015 Sham Validity Hearing Transcript - Filing # 52565600 E-Filed
02/16/2017 06:58:04 AM
 - a. Bates Number(s) : 1333-1631
- 26. September 01, 2016 Hearing RE TPP - Feaman exposes fraud to Judge Phillips regarding
stolen properties from Simon Bernstein Estate, Phillips ignores, fails to report Attorney
Misconduct and Fraud - Filing # 52565684 E-Filed 02/16/2017 07:23:04 AM
 - a. Bates Number(s) : 1632-1645
- 27. September 13, 2013 Hearing Judge Colin - Filed with Court - Filing # 52565612 E-Filed
02/16/2017 07:00:50 AM

- a. Bates Number(s) : 1646-1652
- 28. 15th Judicial Administrative Order 3.203-9/08 UNIFORM PRETRIAL PROCEDURES
IN CIVIL ACTIONS
 - a. Bates Number(s) : 1653-1661
- 29. Notice of Administration Simon Bernstein Estate
 - a. Bates Number(s) : 1662-1663
- 30. Sep 19, 2014 Ben Brown Letter
 - a. Bates Number(s) : 1664-1665
- 31. SUPPLEMENT 1 – February 09, 2017 Alan Rose Letter to Judge Scher
 - a. Bates Number(s) : 1666-1723
- 32. SUPPLEMENT 2 Hearing Transcript Reported by Lisa Mudrick, RPR, FPR, Notary
Public of the State of Florida (Excerpts) from Feb. 16, 2017 consisting of Opening
Statements of Peter Feaman, Attorney and Alan Rose, Attorney and partial Testimony
and Examination of current Estate of Simon Bernstein PR Brian O’Connell
 - a. FILED AS SEPARATE EXHIBIT SUPPLEMENT 2

ESTATE & TRUST of Simon L. Bernstein Accounting Objections;

- 33. Eliot Bernstein filed May 22, 2014 to Simon Estate
 - a. Bates Number(s) : 1724-1762
- 34. Jill Iantoni & Lisa Friedstein filed May 30, 2014 to Simon Estate
 - a. Bates Number(s) : 1763-1764
- 35. MOLLY SIMON, ALEXANDRA BERNSTEIN, ERIC BERNSTEIN and MICHAEL
BERNSTEIN filed June 01, 2014 to Simon Estate
 - a. Bates Number(s) : 1765-1766
- 36. Creditor William Stansbury filed June 02, 2014 to Simon Estate
 - a. Bates Number(s) : 1767-1769
- 37. PR Brian O’Connell, Esq. filed August 13, 2014 to Simon Estate
 - a. Bates Number(s) : 1770-1776
- 38. Eliot Bernstein filed September 02, 2015 to Simon Bernstein Trust Accounting
 - a. Bates Number(s) : 1777-1973
- 39. Brian O’Connell filed Amended September 30, 2015 to Simon Bernstein Trust
 - a. Bates Number(s) : 1974-1978

40. May 06, 2013 Eliot's Emergency Motion - Halt Freeze All Assets

a. Bates Number(s) : 1979-2454

41. Nov. 21, 2016 Objections Filed in All 3 Cases -

a. Bates Number(s) : 2455-2671

PRIOR MOTIONS TO REMOVE TED BERNSTEIN

SEE EXHIBIT 40 - May 06, 2013 – filed in both Simon and Shirley

“EMERGENCY PETITION TO: FREEZE ESTATE ASSETS, APPOINT NEW PERSONAL REPRESENTATIVES, INVESTIGATE FORGED AND FRAUDULENT DOCUMENTS SUBMITTED TO THIS COURT AND OTHER INTERESTED PARTIES, RESCIND SIGNATURE OF ELIOT BERNSTEIN IN ESTATE OF SHIRLEY BERNSTEIN AND MORE F/B: ELIOT IVAN BERNSTEIN”

42. Filing # 17660459 Electronically Filed 08/28/2014 05:53:59 PM “AMENDED MOTION FOR REMOVAL OF PR AND TRUSTEE OF THE ESTATES AND TRUSTS OF SIMON AND SHIRLEY BERNSTEIN IN ALL FIDUCIAL CAPACITIES ON THE COURT'S OWN INITIATIVE- FLORIDA TITLE XLII 736.0706” - Simon Estate

a. Bates Number(s) : 2672-2747

43. Filing # 17930130 Electronically Filed 09/06/2014 09:30:01 PM “PETITION TO REMOVE TED BERNSTEIN AS ALLEGED SUCCESSOR TRUSTEE OF THE ALLEGED SIMON BERNSTEIN REVOCABLE TRUST” - Simon Trust

a. Bates Number(s) : 2748-3190

44. Filing # 18185199 Electronically Filed 09/12/2014 03:36:53 PM “PETITION TO REMOVE TED BERNSTEIN AS ALLEGED SUCCESSOR TRUSTEE OF THE ALLEGED SHIRLEY BERNSTEIN IRREVOCABLE TRUST” - Shirley Trust Construction Case

a. Bates Number(s) : 3191-3310

45. Filing # 26593876 E-Filed 04/28/2015 03:51:33 AM “AMENDED COMPLAINT TO REMOVE THEODORE STUART BERNSTEIN AS SUCCESSOR TRUSTEE”

a. Bates Number(s) : 3311-3414

Motion for New Trial - Denied Summarily in Violation of Due Process -

46. January 07, 2016 - Order Denying New Trial

a. Bates Number(s) : 3415-3416

47. Filing # 36072783 E-Filed 12/31/2015 10:14:18 PM "MOTION FOR NEW TRIAL"

a. Bates Number(s) : 3417-3448

48. Filing # 35530283 E-Filed 12/15/2015 07:38:57 AM "ELIOT BERNSTEIN'S MOTION FOR STAY & CONTINUANCE OF TRIAL"

a. Bates Number(s) : 3449-3457

Eliot Answer & Counter Complaint - Shirley Trust Validity Case

49. Answer –

a. Bates Number(s) : 3458-3523

50. Counter –

a. Bates Number(s) : 3524-3602

51. Eliot's Suggested Case Management Conference Schedule of Nov. 28 2016 - Not Fully Heard and Not Considered in Order of Dec. 13, 2016 Filing # 49329510 E-Filed 11/28/2016 02:51:29 PM

a. Bates Number(s) : 3603-3614

Feaman and Stansbury Notification to Courts and Fiduciaries of criminal and civil misconduct in courts by Court Officers and Fiduciaries and related filings:

52. November 28, 2016 CLAIMANT, WILLIAM E. STANSBURY'S SUMMARY OF ISSUES

a. Bates Number(s) : 3615-3618

53. November 28, 2016 Stansbury Letter to Judge Scher with copy of Stansbury Summary of issues for Status Conference.pdf

a. Bates Number(s) : 3619-3623

54. November 28, 2016 Stansbury Motion to Disqualify Alan Rose as Legal Counsel for the Estate of Simon Bernstein Due to Conflict of Interest.pdf

a. Bates Number(s) : 3624-3656

55. November 15, 2016 Feaman Stansbury FILED IN SHIRLEY TRUST Simon Estate Demand for Accounting as to Missing Personal Property of Estate.pdf

a. Bates Number(s) : 3657-3703

56. August 26, 2016 - Feaman Letter to Judge Phillips regarding Ted and Alan conflicts and more.
 - a. Bates Number(s) : 3704-3795
57. March 18, 2016 - Stansbury Motion for Protective Order as to Deposition of William Stansbury and Appearance at Evidentiary Hearing / Trial
 - a. Bates Number(s) : 3796-3841
58. March 03, 2016 - Stansbury Statement Regarding Guardian Ad Litem hearing held improperly by Judge John Phillips to gain predatory guardianship on Eliot's two minor children and one adult child.
 - a. Bates Number(s) : 3842-3853
59. February 27, 2016 Feaman Letter to Chief Judge Jeffrey Colbath informing him that Judge Martin Colin Violated Administrative Orders when he POST RECUSAL interfered with the court process to transfer the cases and instead steered them in violation of court rules and procedures.
 - a. Bates Number(s) : 3854-3857
60. December 01, 2015 Petition of Claimant and Creditor William Stansbury to Intervene, notifying the Court of a multitude of reasons for the immediate removal of Ted and his counsel.
 - a. Bates Number(s) : 3858-3863
61. December 16, 2014 Feaman Letter to Brian O'Connell regarding Conflicts of Interest and more of Ted Bernstein and Alan Rose that should cause the removal of both parties, Ted from fiduciary roles and Alan as counsel for the fiduciary.
 - a. Bates Number(s) : 3864-3865
62. September 19, 2014 Feaman letter to O'Connell regarding missing and unaccounted for assets of the estate.
 - a. Bates Number(s) : 3866-3867
63. August 29, 2014 Feaman Letter to Successor Personal Representative Brian O'Connell stating assets were being illegally converted and more.
 - a. Bates Number(s) : 3868-3869
64. August 05, 2014 Feaman Letter to Alan Rose re Using the Grandchildren as Pawns and monies set aside for their schooling.

- a. Bates Number(s) : 3870-3872
- 65. July 29, 2014 Feaman filed “PETITION TO REMOVE TED BERNSTEIN AS SUCCESSOR TRUSTEE OF THE SIMON BERNSTEIN REVOCABLE TRUST”
 - a. Bates Number(s) : 3873-3928
- 66. June 27, 2014 Peter Feaman filing on behalf of William Stansbury, “RESPONSE IN OPPOSITION TO THE APPOINTMENT OF TED BERNSTEIN AS SUCCESSOR PERSONAL REPRESENTATIVE AND MOTION FOR THE APPOINTMENT OF AN INDEPENDENT THIRD PARTY AS BOTH SUCCESSOR PERSONAL REPRESENTATIVE AND TRUSTEE OF THE SIMON BERNSTEIN TRUST AGREEMENT”
 - a. Bates Number(s) : 3929-3976
- 67. June 02, 2014 Stansbury Objections to Final Accounting of Co-Personal Representatives Tescher and Spallina.
 - a. Bates Number(s) : 3977-3979
- 68. May 22, 2014 “JOINDER IN PETITION FILED BY ELIOT IVAN BERNSTEIN FOR REMOVAL OF TRUSTEE AND FOR TRUST ACCOUNTING” Notifying the Court of criminal and fiduciary misconduct in the Estates and Trusts of Simon and Shirley Bernstein involving Ted Bernstein and his counsel.
 - a. Bates Number(s) : 3980-4002
- 69. March 14, 2014 Petition for Admin Ad Litem filed by Feaman
 - a. Bates Number(s) : 4003-4007
- 70. March 14, 2014 Feaman Letter to Curator Benjamin Brown, Esq. regarding fraud in Illinois Insurance Litigation involving Spallina fraudulent application for Life Insurance and Ted Bernstein and Robert Spallina’s fraudulent representation as alleged Trustee of a lost trust that neither possesses that filed a Federal Court action using said non-existent trust.
 - a. Bates Number(s) : 4008-4010
- 71. February 11, 2014 “RESPONSE IN OPPOSITION TO MOTION FOR APPOINTMENT OF TED BERNSTEIN AS CURATOR AND MOTION FOR THE APPOINTMENT OF ELIOT BERNSTEIN AS CURATOR OR SUCCESSOR PERSONAL REPRESENTATIVE OR, IN THE ALTERNATIVE, FOR APPOINTMENT OF AN

INDEPENDENT THIRD PARTY AS SUCCESSOR PERSONAL REPRESENTATIVE OR CURATOR.” Outlines to conduct serious Misconduct in the Shirley Estate and Shirley Trust by Fiduciaries and Counsel, Ted Bernstein, Donald Tescher, Robert Spallina et al.

- a. Bates Number(s) : 4011-4077
72. October 17, 2013 Feaman filed “Motion to Intervene” notifying court of misconduct of fiduciaries
- a. Bates Number(s) : 4078-4106
73. June 20, 2012 Letter from Peter Feaman to Ted Bernstein regarding allegations of fraud, check fraud, mail fraud and more by Ted Bernstein.
- a. Bates Number(s) : 4107-4110
74. Filing # 35151873 E-Filed 12/04/2015 09:59:01 AM - Disqualification of Judge Phillips
- a. Bates Number(s) : 4111-4140
75. Filing # 35176778 E-Filed 12/04/2015 02:44:59 PM - 2nd Disqualification of Judge Phillips
- a. Bates Number(s) : 4141-4198
76. Filing # 48914108 E-Filed 11/15/2016 02:24:32 PM “AMENDED1 RENEWED PETITION TO RE-CLOSE ESTATE AND FOR DISCHARGE OF SUCCESSOR PERSONAL REPRESENTATIVE”
- a. Bates Number(s) : 4199-4214

Dated: March 08, 2017

By: /S/ Eliot Ivan Bernstein

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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 8th day of March, 2017.

By: /S/ Eliot Ivan Bernstein

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**EXHIBITS BINDER DELIVERED TO JUDGE SCHER at February 16, 2017 Hearing
FOR EXHIBITS 1-30**

EXHIBITS 1-76 BATES NUMBERS 1-4214