

1 And I want to state on the record, Your Honor, take  
2 judicial notice of this: In Mr. O'Connell's  
3 deposition leading up to the hearings that Judge  
4 Scher just had, I asked him about a conflict of  
5 interest with his law firm and a partner of his,  
6 Jerald Beer. And he declined -- in his deposition  
7 he said he didn't know anything about it. And I  
8 said I had sent him the information. He said,  
9 "Well, if you send it to me again, I'll, you know,  
10 obviously resolve it immediately." That's in his  
11 deposition.

12 So I sent him the very next day the letter I  
13 had sent him a year before. Now this is about an  
14 asset in this estate that Mr. Rose has claimed is  
15 worth a trillion dollars. So -- yes.

16 JUDGE COLTON: A trillion dollars?

17 MR. ELIOT BERNSTEIN: A trillion dollars.

18 MR. ROSE: Am I allowed to say --

19 JUDGE COLTON: Not yet.

20 MR. ELIOT BERNSTEIN: Other people have --

21 JUDGE COLTON: Let him finish.

22 MR. ROSE: Okay.

23 MR. ELIOT BERNSTEIN: So Mr. O'Connell, I sent  
24 that over to him the next day, and that's weeks  
25 ago. He's refused to acknowledge if he has

1 conflict. He shouldn't even be here because the  
2 conflict is so egregious, that he just keeps  
3 avoiding it and showing up at court and making  
4 pleadings, and that continues the fraud.

5       Okay. I believe the Court needs to, you know,  
6 review the records of the proceedings to find  
7 sufficient cause based upon this continuing and  
8 ongoing pattern and practice of fraud upon the  
9 court to issue discovery compliance and related  
10 discovery proceedings. There should be an order  
11 issued placing an injunction against Alan Rose, Ted  
12 Bernstein, and Brian O'Connell to separately  
13 catalog, identify, and preserve all discovery,  
14 including the time of receipt of such discovery,  
15 the source and location of such discovery, where it  
16 was derived from, whether the discovery is an  
17 original or a copy, and related protective measures  
18 to preserve the integrity of the proceedings, and  
19 that's because all of the documents that were  
20 ordered by Judge Colin to be turned over when the  
21 other attorneys were removed for fraud, they didn't  
22 turn over. They turned over only alleged copies,  
23 so all the original documents of my father,  
24 business records and everything, are missing at  
25 this point, including the trusts and wills.