

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

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

Probate Division
Case No. 502014CP003698XXXXNB

Plaintiff,

v.

ALEXANDRA BERNSTEIN; ERIC BERNSTEIN;
MICHAEL BERNSTEIN; MOLLY SIMON;
PAMELA B. SIMON, Individually and as Trustee
f/b/o Molly Simon under the Simon L. Bernstein Trust
Dtd 9/13/12; ELIOT BERNSTEIN, individually, as
Trustee f/b/o D.B., Ja. B. and Jo. B. under the Simon
L. Bernstein Trust Dtd 9/13/ 12, and on behalf of his
minor children D.B., Ja. B. and Jo. B.; JILL
!ANTONI, Individually, as Trustee f/b/o J.I. under the
Simon L. Bernstein Trust Dtd 9/ 13112, and on behalf
of her Minor child J.I.; MAX FRIEDSTEIN; LISA
FRIEDSTEIN, Individually, as Trustee f/b/o Max
Friedstein and C.F., under the Simon L. Bernstein
Trust Dtd 9113/12, and on behalf of her minor child,
C.F.,

Defendants.

MOTION FOR EXTENSION OF TIME: REHEARING OF MAY 22, 2017 ORDER

“ORDER (i) APPROVING SETTLEMENT; (ii) DISMISSING REMAINING CLAIMS;

AND (iii) RETAINING JURISDICTION TO ENFORCE SETTLEMENT, APPOINT A

TRUSTEE FOR CERTAIN TRUSTS AND DETERMINE COMPENSATION FOR

GUARDIAN AD LITEM”

COMES NOW Eliot Bernstein, Appellant Pro se, who respectfully pleads and prays before this Court as follows:

1. I am Eliot Bernstein acting pro se.
2. I raise multiple grounds in good faith to support the request for the extension of time to move for a Rehearing of this Court's May 22, 2017 Order issued by Judge Rosemarie Scher under Florida Rules of Civil Procedure 1.530.
3. This request for an Extension of time is timely made as today is the 15th day for filing the motion for rehearing of the Order which was entered on which was May 22, 2017.
4. In addition to continually having to address the ongoing Fraud Upon the Court which I have now shown in several parts of these cases and have raised in multiple filings before your Honor. Judge Scher, I have also experienced ongoing, repeated "electrical" troubles in the household for over 6 weeks or so resulting in surges, power outages, flashes of power out and back on often knocking out the computer systems, internet, phones and other appliances causing many delays.
5. I have also been experiencing significant "hacking" at my website where I have case documents stored and further hacking and "delays" and "blocking" of my emails causing significant logistical delays and problems in completing work.
6. These electrical matters increased to such a point where Florida Power and Light (FPL) crews have been out to the home multiple times in the last several weeks

resulting in “temporary” solutions to the Electrical issues, including rewiring the entire house directly to a transformer, which continues through today.

7. This has resulted in power, phones, electricity and internet being out for hours at a time, all while drafts of motions and other responses in these related cases have gone on causing significant delays.
8. I have attached as Exhibit 1 some of the Work Order receipts for these issues.
9. Further cause is shown by the continuing “sharp practices” of attorney Alan Rose who proceeded to submit no less than 3 separate filings on the same improper motion giving rise to the Order sought to be reheard by setting this motion for a UMC when Alan Rose knows the matter be contested, improper for a UMC Hearing and in need of an evidentiary hearing.
10. Even licensed attorney Peter Feaman representing Creditor Stansbury has moved this Court of Hon. Judge Scher that such motions are improper. From Feaman’s filing in Simon’s Estate, see “Filing # 56303373 E-Filed 05/11/2017 12:25:51 PM,”

“4. Moreover, the Trustee's Motion to approve Compromise and Settlement is governed by § 733.708, Fla. Stat., which provides that a Court may enter an order authorizing a compromise only if the Court is "satisfied that the compromise will be for the best interest of the interested parties." Such a determination should not be made on a uniform motion calendar hearing since it requires an evidentiary hearing.”

And further,

“6. Therefore, any hearing on the Successor Trustee's Motion to approve and Compromise and Settlement should be an evidentiary hearing, and such hearing should be scheduled only after full disclosure of the settlement details to all interested parties, including Stansbury.”

11. That further, in closing statements to the Court for recent hearings before this Court, see “Filing # 53539832 E-Filed 03/09/2017 05:07:58 PM”, licensed Attorney at Law, Peter Feaman, Esq. has shown the Court that Alan Rose has materially and knowingly misled the Court and parties to the action in his testimony before the Court as a witness and in pleadings filed on behalf of his client Ted Bernstein. From that pleading,

“In opening statement by Mr. Rose, the Court heard numerous misstatements of fact and unsubstantiated assertions which are contradicted by the evidence and not supported by the record.”

Standing

“Then, MT. Rose stated "everybody that's a beneficiary of this Estate coming together and signing a written agreement ... " [Trans. P. 25, ln. 20-22] Mr. Rose also stated to this Court, "Every single person who is a beneficiary of this Estate wants my firm to handle this for the reasons I'm about to tell you. And I don't think there's any dispute about it." [Trans. p. 27, ln. 19-23] Both of these statements to the Court are false. As testified by Mr. Rose when he was on the stand, he knew that Eliot Bernstein (Mr. Eliot) was a beneficiary of the Estate of Simon Bernstein, yet he continues his false narrative that

all beneficiaries are in agreement with his retention by the Estate of Simon Bernstein. They are not.”

“Also, in his opening statement, Mr. Rose asserts that the former Curator, Ben Brown, "filed papers" where "he states that he wanted to stay the litigation [Stansbury's] but he states that I (Alan Rose) have "been doing a great job representing him ... " [Trans. P. 27, ln. 9-12] Mr. Rose never represented Ben Brown and no such statement was ever made in Mr. Brown's Motion to Stay or in any other comi filing by Mr. Brown.”

“At page 29, line 8, Mr. Rose also misrepresented to the Court, "So they said the beneficiaries with Mr. O'Connell's consent, want Mr. Rose to become the lawyer and we want Mr. Ted Bernstein to become the administrator ad litem." [Trans. p. 29, ln. 8-11] There is no unanimous consent among the beneficiaries for the retention of Mr. Rose and the appointment of Ted Bernstein as AAL.

12. More importantly, as your Honor is aware, this Court has issued an Order determining that I, Eliot Bernstein, am in fact a Beneficiary of Simon’s Estate making the conduct of Attorney Alan Rose and his Client Ted Bernstein a fraud upon the Court lasting over a year which has yet to be corrected by Alan Rose or his client or the State Courts of Florida as of this time forcing additional time, work and items to followup on to correct the various frauds that have denied due process and procedure by Obstructing through Simulated Legal Process basic due process rights.

13. Further good cause is shown in that neither Alan Rose nor the State Courts of Florida have taken action to notify other Courts like the US District Court of Illinois or the 7th Circuit of the finding that I, Eliot Bernstein, am in fact a beneficiary in the Estate of Simon Bernstein with Standing despite attorney Rose's claims that I was not a beneficiary and did not have standing that led to a series of Orders being issued based on these false statements.
14. In fact, as your Honor is aware the District Court of Illinois has issued a Summary Judgment Order relying upon the fraudulent prior determination by Judge Phillips that I have no Standing and am not a Beneficiary in the Estate of Simon Bernstein and thus additional amounts of my time during this 15 day period to file this motion have been consumed trying to complete a submission to the US 7th Circuit Court of Appeals where I have already asked this Court to perform its mandatory obligations to correct the frauds.
15. Thus, the continuing process of unraveling and addressing the repeated frauds by Alan Rose and his client further take necessary time away from properly completing this important motion to rehear.
16. Thus, many meritorious grounds will be asserted and an extension of time is requested in good faith.

WHEREFORE, it is respectfully prayed for an Order granting a reasonable extension of time and for the Court to set the time for Rehearing and for such other relief as may seem just and proper.

Respectfully submitted,

Dated: June 06, 2017

/s/ Eliot Ivan Bernstein

Eliot Ivan Bernstein

2753 NW 34th St.

Boca Raton, FL 33434

561-245-8588

iviewit@iviewit.tv

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 6th day of June, 2017.

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EXHIBIT 1 - WORK ORDERS

Subject:

FPL and COMCAST INCIDENT #'S POWER OUTAGE 5/11/17 to 5/12/17

FPL Ticket #695
Comcast Work Orders
No Internet # CR704408643
No Phone #CR704603231
No Phone #CR704604021

Eliot I. Bernstein
Inventor, really cool shit that changed your world!
Iviewit Holdings, Inc. – DL
2753 N.W. 34th St.
Boca Raton, Florida 33434-3459
(561) 245.8588 (o)
(561) 886.7628 (c)
iviewit@iviewit.tv
<http://www.iviewit.tv>

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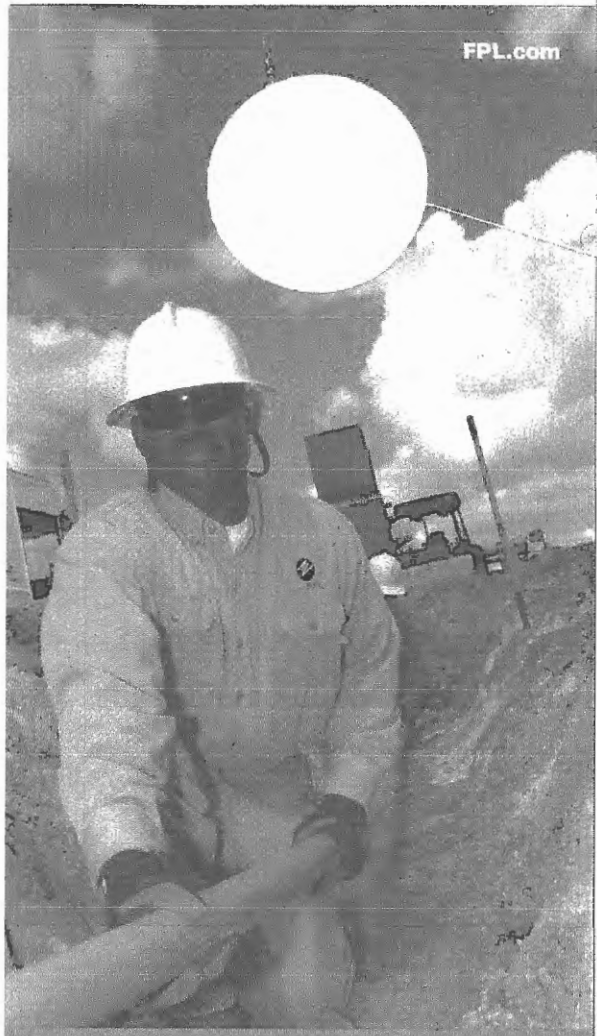
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WORKER
SALES

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Underground repair

Committed to reliable service

FPL is investing to make our infrastructure stronger every day, in good weather and bad.

That's why,

FPL will repair or upgrade the underground power line(s) serving your home or business.

Our contractor, VIKING will repair or upgrade the underground power line(s) serving your home or business.

We may need to dig on your property to make the necessary repairs to the underground power lines. If so, we will restore your property after we complete our repairs.

We pledge to work safely and respectfully in your community.

We will notify you in advance if we need to schedule a power outage to complete our repairs.

Thank you for your patience as we work to improve your service quality.

If you have any questions, please contact:

Contact name BRYAN

Phone No 561-742-7006

Refer to FPL work request No. 7627327

Date 5-12-17

FPL or Contractor VIKING

Fr May 12, 2017 08:33 am

COMCAST OF W PALM BEACH

1-800-COMCAST

OFF: 65X

01638-567818-02 CUSTSTAT: Actv

LI C BERNSTEIN

2713 NW 41H ST

60 CA RATON, FL 33434

ISSUED BOXES: RETURNED BOXES

252WZ698L01847 1107000775

By signing below, I represent that I am at least 18 years old; I am the Comcast account holder or I am the authorized agent of the Comcast account holder named above. If this equipment is for the activation of my XFINITY service(s), I acknowledge receipt of the Comcast Welcome Kit which contains the Comcast subscriber agreement(s), the Comcast subscriber privacy notice(s) and other important information about the Comcast service(s) I agree to be bound by the Comcast subscriber agreement(s) which constitute the agreement between myself and Comcast for the XFINITY service(s). I authorize Comcast to obtain a credit report from a consumer credit agency in connection with the provision of the XFINITY service(s) I am receiving. IF I AM SUBSCRIBING TO XFINITY VOICE OR XFINITY UNLIMITED SELECT (collectively "XV"), I ACKNOWLEDGE MY RECEIPT AND UNDERSTANDING OF THE E911 NOTICE BELOW.

E911 Notice

This notice is required by the rules of the Federal Communication Commission. XV may have the E911 limitations specified below:

In order for my 911 calls to be properly directed to emergency services, Comcast must have my correct service address. If I move XV to a different address without Comcast's approval, 911 calls may be directed to the wrong emergency authority, may transmit the wrong address, and/or XV (including 911) may fail altogether. XV uses electrical power in my home. If there is an electrical power outage, 911 calling may be interrupted. Calls, including calls to 911, may not be completed if there is a problem with network facilities including network congestion, network/equipment/power failure, or another technical problem. Prior to changing my address, or if I have any related questions, I will call 1-800-COMCAST. Comcast will need several business days to update my service address in the E911 system.

Signature _____

To Activate your XFINITY service:
www.comcast.com/activate
CALL 1-855-OK-HOME (1-855-652-3446) to
ACTIVATE