

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.: 502014CP003698XXXXSB

Plaintiff,

v.

ALEXANDRA BERNSTEIN; et al.

Defendants.

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**MOVANT'S, TED S. BERNSTEIN, AS SUCCESSOR TRUSTEE OF  
THE SHIRLEY BERNSTEIN TRUST, MOTION TO HOLD  
ELIOT BERNSTEIN IN CONTEMPT OF COURT OR ISSUE ORDER TO  
SHOW CAUSE AGAINST ELIOT BERNSTEIN, AND FOR SANCTIONS**

Movant, Ted S. Bernstein, Successor Trustee of the Shirley Bernstein Trust, moves for an order finding Eliot Bernstein in contempt of court for intentionally violating the Court's *Order on Successor Trustee's Motion to Appoint a Guardian ad Litem; for a Gag Order to Protect the Guardian and Others; and to Strike Eliot Bernstein's Filings* dated March 1, 2016 (the "Order" [DE 161]) and for appropriate sanctions, and states:

1. The Court appointed a Guardian ad Litem solely to protect the interests of Eliot Bernstein's children because there was a conflict of interest between Eliot and the children, and because Eliot "has proven to be an inadequate representative of the best interests of his children."

Order at 3.

2. The Order continues at paragraph 10:

To protect the integrity and independence of the guardian, Eliot Bernstein and all persons acting in concert with him: (a) shall not contact, email or otherwise communicate with the Guardian Ad Litem except at the request of the Guardian Ad Litem; (b) shall not in any

way threaten or harass the guardian. This Court alone shall supervise the Guardian. Any violation of this order may subject the violator to severe sanctions for contempt of court. The Court will use the full measure of its coercive powers to ensure compliance with this Order.

3. Eliot Bernstein violated the Order on July 11, 2017 at 10:25 a.m., 10:27 a.m., 10:36 a.m. and again at 1:18 p.m. and 1:20 p.m. by sending emails directly to Diana Lewis, the guardian ad litem, in direct in violation of the Order. Copies of his emails are attached as Exhibits 1 (with exhibits) and 2 (without exhibits).

4. In addition, even a cursory review of the letters purportedly written by Eliot's children shows, in all likelihood, these letters could not have been written by Eliot's children without the assistance of Eliot or others acting in concert with or at the direction of Eliot. The children would not use the same legalese consistent with filings by Eliot, and would not possibly have the requisite knowledge of these proceedings and court system to draft such a letter on their own. The letters continue Eliot's misguided crusade against the legal system. Eliot and anyone acting in concert with him (including disbarred attorneys) who drafted or assisted drafting these letters violated the Order.

5. The Trustee reasonably fears Eliot is using his children to further his own interests, and further his attack on the court system. As Judge Phillips found in the Order:

5. ... Based upon the evidence presented and the Court's observations at the trial in December 2015 and at the evidentiary hearing on February 25, 2016, and based upon the Court's review of various motions filed by Eliot Bernstein since the trial, it is apparent Eliot Bernstein is not an adequate representative of the best interests of his children. ***In fact, his actions are adverse and destructive to the children's interests.***

6. Eliot Bernstein states that his agenda includes ridding the court system of corruption among judges, lawyers and fiduciaries, regardless of the cost to the beneficiaries. He appears to have no interest in the swift and efficient administration of the Shirley Bernstein Trust. He has taken actions to hinder and delay the administration of the Trust, and caused waste of Trust assets to respond to his assertions.

Order, ¶¶ 5, 6 [emphasized words added in Judge Phillip's handwriting].

6. In response to the letters purportedly from Eliot's children, Ted S. Bernstein (not only as Trustee but also as a caring uncle) wrote a letter to Eliot's children, and had it hand-delivered to ensure their receipt. (Exhibit 3) To date, neither of the children have reached out to the Guardian or to their uncle as Trustee.

7. In addition, Eliot and others acting in concert with him, particularly Crystal Cox, also are harassing the guardian (as well as the fiduciaries and this Court.)<sup>1</sup>

8. Eliot Bernstein should have to appear before the Court and show cause why he should not be held in contempt for (i) emailing the guardian in direct violation of the Order; and (ii) for writing or causing to be written an inappropriate, threatening and harassing letter to the guardian.

9. The Florida Supreme Court has addressed the issue of imposition of sanctions in *Mercer v. Raine*, 443 So. 2d 944, 946 (Fla.1983), stating:

A deliberate and contumacious disregard of the court's authority will justify application of this severest of sanctions, *Swindle v. Reid*, 242 So. 2d 751 (Fla. 4th DCA 1970), as will bad faith, willful disregard or gross indifference to an order of the court, or conduct which evinces deliberate callousness, *Herold v. Computer Components International, Inc.*, 252 So. 2d 576 (Fla. 4th DCA 1971).

10. In *Cem-A-Care of Florida, Inc. v. Automated Planning Systems, Inc.*, 442 So. 2d

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<sup>1</sup> Although the Court is likely unaware of it, and as of now there has been no vicious attack on this Court, there is a web-page created – <http://judgerosemariescher.blogspot.com>. Similar webpage attacks have been ongoing for the prior judges (<http://judgemartincolin.blogspot.com>; <http://judgejohnphillips.blogspot.com/>) and the fiduciaries and counsel, focusing primarily on Ted Bernstein (<http://tedbernsteinreport.blogspot.com/>). The most recent attack is directed to the Hon. Cory Ciklin, in retaliation for the recent Order of the Fourth District dismissing Eliot's latest appeal and ruling: "ORDERED that appellant has initiated numerous meritless and improper pro se proceedings in this court and has abused the court system." Samples of the blog pages are attached as Exhibit 4, but this is merely a sample of a plethora of the nonsense spewed onto the internet.

1048, 1049 (Fla. 4th DCA 1983), the Fourth DCA held:

[w]hen a trial judge expressly finds that a party willfully and flagrantly abused the system and violated court orders, then the severity of the sanction is within the very broad discretionary area noted in *Canakaris*. Although subject to review and reversal for abuse, that discretion is expansive and subject to being influenced by the parties' past actions and inactions in the litigation.

11. In *St. Mary's Hospital, Inc. v. Brinson*, 685 So. 2d 33, 35 (Fla. 4th DCA 1996), *reh'g and reh'g en banc denied*, (Jan. 22, 1997), the court stated:

When a party fails to comply with an order, the trial court has a broad spectrum of sanctions to impose, although the sanction chosen must be commensurate with the offense. *Kelley v. Schmidt*, 613 So. 2d 918 (Fla. 5th DCA 1993); *Insua v. World Wide Air, Inc.*, 582 So. 2d 102 (Fla. 2d DCA 1991). Although striking a party's pleadings is the most severe sanction, it is appropriate where the offending conduct is flagrant, willful, or persistent. *Kelley*, 613 So. 2d at 919.

12. The Fourth DCA in *Paranzino v. Barnett Bank of South Fla.*, 690 So. 2d 725 (Fla. 4th DCA 1997) affirmed a trial court order striking appellant's pleadings and dismissing the case with prejudice when the trial court found that the actions of appellant and her attorney "willfully and deliberately disregarded" a court order. Here, Eliot was clearly warned by the Order; knowingly and intentionally violated the Court's order; and did so in a manner to undermine the Court's authority.

13. Movant seeks an order finding Eliot Bernstein in contempt and awarding appropriate sanctions, which should include the following:

a. striking all of his *pro se* court filings and precluding him from further participation in this case;

b. ordering Eliot and those in concert with him immediately to cease and desist all further contact with or harassment of Diana Lewis, as Guardian ad Litem;

c. ordering Eliot and those in concert with him immediately to remove all postings on the internet which reference Diana Lewis, as Guardian ad Litem;

d. as a further sanction, ordering Eliot immediately to remove every single posting on the Ted Bernstein report and <http://tedbernsteinblogspot.com>, every posting anywhere concerning these trusts, estate, fiduciaries and/or beneficiaries, and forbidding any and all future posting relating to this case;

e. and an award of costs and attorneys' fees against Eliot Bernstein.

WHEREFORE, Successor Trustee, Ted S. Bernstein, respectfully requests that this Court find Eliot in contempt of Court or issue an appropriate order to show cause; require Eliot to take all such remedial steps as warranted; enter appropriate sanctions in favor of the Trust; and grant such other relief is just.

### **CERTIFICATE OF SERVICE**

I CERTIFY that a copy of the foregoing has been furnished to parties listed on attached Service List by:  Facsimile **and**  U.S. Mail;  U.S. Mail;  Email Electronic Transmission;  FedEx;  Hand Delivery this 4th day of August, 2017.

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Attorneys for Ted S. Bernstein

By: /s/ Alan B. Rose  
Alan B. Rose (Fla. Bar No. 961825)

**SERVICE LIST Case No.: 502014CP003698XXXXNBIJ**

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**From:** Eliot Ivan Bernstein

**Sent:** Tuesday, July 11, 2017 10:25:52 AM (UTC-05:00) Eastern Time (US & Canada)

**To:** Diana Lewis @ ADR & MEDIATIONS SERVICES, LLC - Fla. Bar No. 351350

**Cc:** joon.kim@usdoj.gov; 'FBI Philadelphia'; tom.wheeler@usdoj.gov; 'William Stansbury'; Alan Rose; 'Anderson, Charlene'; Alan Rose; 'Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell '; 'Charles D. Rubin ~ Managing Partner @ Gutter Chaves Josepher Rubin Forman Fleisher Miller PA'; ddustin@tescherspallina.com; 'Diana Lewis @ ADR & MEDIATIONS SERVICES, LLC - Fla. Bar No. 351350'; 'Don Tescher'; 'JILL BERNSTEIN IANTONI'; 'John J. Pankauski'; john@pankauskilawfirm.com; 'Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A.'; Louis Mrachek; 'Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts'; 'Lisa Friedstein'; 'Lisa Sue Friedstein'; 'Mark R. Manceri, Esquire @ Mark R. Manceri, P.A.'; mrmlaw1@gmail.com; 'Pamela Beth Simon'; 'Peter Feaman'; 'Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.'; 'Robert Spallina'; 'Andrew Dietz @ Rock-It Cargo USA, Inc.'; Barbara Stone; Barbara Stone Gmail; 'CANDICE BERNSTEIN'; Candice Schwager; Candice Schwager ~ Attorney at Law @ Schwager Law Firm; 'Caroline Prochotska Rogers Esq.'; 'Eliot I. Bernstein'; Frank Brady aka Kevin McKeown @ Expose Corrupt Courts; iviewit@gmail.com; JoAnne M. Denison Esq.; Kevin R. Hall; 'Michele M. Mulrooney ~ Partner @ Venable LLP'

**Subject:** SIGNED LETTER DEMAND TO DIANA LEWIS TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM - FROM JOSHUA BERNSTEIN

Diana Lewis, please see the attached SIGNED CEASE AND DESIST letter from my ADULT son Joshua Bernstein to you. If you have any questions please feel free to contact me.

Eliot I. Bernstein

Inventor, really cool shit that changed your world!

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**Sent:** Tuesday, July 11, 2017 10:36:34 AM (UTC-05:00) Eastern Time (US & Canada)

**To:** Diana Lewis @ ADR & MEDIATIONS SERVICES, LLC - Fla. Bar No. 351350

**Cc:** joon.kim@usdoj.gov; 'FBI Philadelphia'; tom.wheeler@usdoj.gov; 'William Stansbury'; 'Crystal L. Cox, in Love and Light'; Sam Sugar MD; 'Natalie Andre'; 'Skender Hoti'; Richard Black; Alan Rose; Marie Chandler; 'Anderson, Charlene'; Alan Rose; attorneys@matbrolaw.com; 'Benjamin P. Brown'; bhenry@matbrolaw.com; 'Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell '; ddustin@tescherspallina.com; 'Don Tescher'; 'Gary R. Shendell'; 'John J. Pankauski'; 'John P. Morrissey Esq. @ John P. Morrissey, P.A. '; john@pankauskilawfirm.com; 'Kenneth S. Pollock'; 'Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A.'; Louis Mrachek; 'Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts'; 'Mark R. Manceri, Esquire @ Mark R. Manceri, P.A.'; 'Mimi K. McAndrews'; mrmlaw1@gmail.com; 'Pamela Beth Simon'; 'Peter Feaman'; 'Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.'; pmatwiczky@matbrolaw.com; 'Robert Spallina'; service@feamanlaw.com; 'Andrew Dietz @ Rock-It Cargo USA, Inc.'; Barbara Stone; Barbara Stone Gmail; 'CANDICE BERNSTEIN'; Candice Schwager; Candice Schwager ~ Attorney at Law @ Schwager Law Firm; 'Caroline Prochotska Rogers Esq.'; 'Eliot I. Bernstein'; Frank Brady aka Kevin McKeown @ Expose Corrupt Courts; iviewit@gmail.com; JoAnne M. Denison Esq.; Kevin R. Hall; 'Michele M. Mulrooney ~ Partner @ Venable LLP'

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***From the Desk of :***

***Joshua Ennio Zander Bernstein***

2753 NW 34th Street, Boca Raton, FL 33434

July 11, 2017

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(Fla. Bar No. 351350)

**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM OF JOSHUA BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

Attention Diana Lewis, Esq.,

My name is Joshua Ennio Zander Bernstein and it has come to my attention that you are an attorney and former Judge in Palm Beach County and Officer of the Court, allegedly acting as Guardian Ad Litem for me since since April 07, 2016 allegedly as a “minor child” of Eliot Ivan Bernstein and Candice Michelle Bernstein.

I make this voluntary request for you to now Cease and Desist all actions allegedly as my Guardian Ad Litem, turn over all records, discovery and information obtained in the course of your actions as my alleged Guardian and correct any and all frauds in all Courts or elsewhere impacted by this illegal Guardianship, including but not limited to, the Estate and Trust cases of my deceased grandparents, Simon and Shirley Bernstein.

**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM OF JOSHUA BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

As I show in this letter, at all times relevant in these Estate and Trust cases both Ted Bernstein who is my uncle, his lawyer Alan Rose, lawyer Steven Lessne and yourself have all had actual knowledge that I was over the age of 18 before this Guardianship via a Guardian Ad Litem for minors was ever established and thus was never a "Minor". Therefore, since I was over the age of 18 years at the time of the "Guardianship" this could only occur after a "competency hearing" which of course has never occurred and you, Ted Bernstein, Alan Rose, Brian O'Connell and Steven Lessne have at all times had actual knowledge of these facts and the illegality of the Guardianship which appears to have been used as a predatory weapon against my family to interfere in proper rights of Inheritance and to cover up frauds in the cases.

Further, all of you actually know and have known that no "competency hearing" was ever held against me nor have I ever been provided ANY Due Process Notice or been served to appear in any proceeding or have an Opportunity to be heard at any of the relevant proceedings to date.

What is even more egregious about your conduct as a former Judge and done as an "Officer of the Court" is that you not only have continued in your actions as alleged Guardian in this illegal Guardianship despite being specifically advised that I was over the age of 18 years prior to the Guardianship itself, but have even gone as far as to give alleged "Consents" on my behalf to various actions by Ted Bernstein and Alan Rose and entered into "Settlements" on my behalf again giving "Consent" all without my knowledge, without my Consent and without any Notice of Opportunity to be heard provided to myself. In fact, as you actually know, you and I have never even spoken to one another.

**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM OF JOSHUA BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

---

I have come to learn that under Federal law under Title 18 USC Sec.242 it is a Federal Criminal Offense for Civil Rights Violations for 2 or more persons to conspire to Violate my US Constitutional rights, which have been violated by your actions in this case together in common with Attorney Alan Rose and Steven Lessne, Fiduciary Ted Bernstein and with the compliance and acquiescence of attorney Brian O'Connell as current Personal Representative of my grandfather Simon's Estate.

Please take notice that I have copied the US Dept of Justice Civil Rights Division head Tom Wheeler and offices of the FBI and US Attorney on this request.

I have further learned the following from the US Dept. of Justice Website:

“Section 242 of Title 18 makes it a crime for a person acting under color of any law to willfully deprive a person of a right or privilege protected by the Constitution or laws of the United States.

For the purpose of Section 242, acts under "color of law" **include acts not only done by federal, state, or local officials within the their lawful authority, but also acts done beyond the bounds of that official's lawful authority, if the acts are done while the official is purporting to or pretending to act in the performance of his/her official duties. Persons acting under color of law within the meaning of this statute include police officers, prisons guards and other law enforcement officials, as well as judges, care providers in public health facilities, and others who are acting as public officials. It is not necessary that the crime be motivated by animus toward the race, color, religion, sex, handicap, familial status or national origin of the victim.**

**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM OF JOSHUA BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

The offense is punishable by a range of imprisonment up to a life term, or the death penalty, depending upon the circumstances of the crime, and the resulting injury, if any.” See,

<https://www.justice.gov/crt/deprivation-rights-under-color-law>.

Ted Bernstein, who is my uncle by blood. and his attorney Alan Rose have at all times known my Birthdate particularly in relation to exorbitant and fraudulent legal Fees billed after the passing of my grandfather Simon Bernstein and the refusal to release my car Registration to me, which had been a birthday gift to me from my Grandfather only days before he passed that Ted and others tried to claim was an asset of the Estate of my grandfather. My birthdate was specifically raised in those proceedings and the Guardian Ad Litem proceedings and thus, these parties at all times knew that I was not a “minor” at the time the predatory Guardian Ad Litem was approved.

You apparently accepted Guardian Ad Litem over me as a “minor”, however, I have been Sui Juris since my 18th birthday on August 27, 2015 having been born on August 27, 1997.

Having been over the age of 18 years and thus not a “minor” under Florida law as of August 27, 2015, the Petitions filed on January 04, 2016 in the Shirley Trust case and January 07, 2017 in the Oppenheimer case and the Orders appointing you as Guardian Ad Litem on March 01, 2016 in the Shirley Trust case and March 03, 2016 in the Oppenheimer case, and your Acceptance of the appointments in both cases on April 07, 2016 all were done illegally and with knowledge that I was Sui Juris at the time and therefore every action taken on my behalf through the Guardian Ad Litem must now be corrected to reflect your lack of proper and legal jurisdiction over me.

I have never spoken with you, met with you, granted you any authority over me and in any way enabled or allowed your acting in any capacity and in any matter on my behalf as an adult. This is a Cease and Desist demand to stop all further illegal acts on my behalf.



**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM OF JOSHUA BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

On March 01, 2016, while I was Sui Juris, in CASE NO.: 502014CP003698XXXX (NB)

“Shirley Bernstein Trust” styled,

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

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. [emphasis added]**; JILL  
IANTONI, Individually, as Trustee f/b/o  
J.I. under the Simon L. Bernstein Trust  
Dtd 9/13/12, 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 9/13/12,  
and on behalf of her minor child, C.F.,

Defendants.

in the Florida Probate Court an Order (SEE EXHIBIT 1 – GAL ORDER) was issued for  
Guardian Ad Litem based on pleadings filed that represented that **the GAL was for minor  
children** of Eliot and Candice. The Order states in part,

**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM OF JOSHUA BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

“2. Eliot Bernstein's three children are among the class of Trust beneficiaries. Eliot seeks to use his role as parent and natural guardian of three trust beneficiaries to give him standing to continue his involvement in this case. The primary issue now raised is whether Eliot Bernstein should be permitted to continuing representing the interests of his **minor children**, as their parent and natural guardian, in this Trust Proceeding.” **[emphasis added]**

“4. ...Eliot's individual interests are in conflict with the interests of his children. Under Florida law, a court should appoint a guardian ad litem when a parent's interest conflicts with the interest of her or her **minor child**. *Mistretta v. Mistretta*, 566 So. 2d 836, 83 7-38 (Fla. 1st DCA 1990) (best interests of a **minor** are not fully protected when adverse to the interests of the parent); *Florida Natl. Bank & Trust Co. at Miami v. Blake*, 155 So. 2d 798 (Fla. 3d DCA 1963) (court should have appointed a guardian ad litem for **minor child** when it was apparent that the interests of the **minor** conflicted with the interests of the mother and father); *Gilbertson v. Boggs*, 743 So. 2d 123 (Fla. 4th DCA 1999) (guardian ad litem should have been appointed when the parents' interests were adverse to the **minor child**s).” **[emphasis added]**

“5. ...Second, Fla. Stat. 731.303 (4) provides: "If the court determines that representation of the interest would otherwise be inadequate, the court may, at any time, appoint a guardian ad litem to represent the interests of ... **a minor** ... ” **[emphasis added]**

On April 04, 2016, while I was Sui Juris, you were appointed as the Guardian Ad Litem to represent the interests of Eliot Bernstein’s **MINOR** children. See (SEE EXHIBIT 2 –SHIRLEY TRUST GAL Order)

On March 03, 2016, while I was Sui Juris, in CASE NO.: 502014CP002815XXXXNB (IH) titled,

“OPPENHEIMER TRUST COMPANY OF DELAWARE,  
in its capacity as Resigned Trustee of the Simon  
Bernstein Irrevocable Trusts created for the benefit  
of Joshua, Jake and Daniel Bernstein,

**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM OF JOSHUA BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

Petitioner,  
vs.

ELIOT AND CANDICE BERNSTEIN,  
in their capacity as parents and natural  
guardians of JOSHUA, JAKE AND  
DANIEL BERNSTEIN, minors, [emphasis added]

Respondents.

/'"

in the Florida Probate Court an Order (SEE EXHIBIT 3 – GAL ORDER OPPENHEIMER) was issued. That Order states in part the following;

“...(the "Motion") filed by Petitioner, Oppenheimer Trust Company Of Delaware ("Oppenheimer"), in its capacity as the resigned trustee of three Irrevocable Trusts settled by Simon Bernstein on September 7, 2006 for the benefit of his grandchildren, **minors, Joshua, Jake and Daniel Bernstein** (the "Grandchildren Trusts").” [emphasis added]

“1. The sole beneficiaries of the Grandchildren Trusts, and the only real parties in interest in this litigation (other than Oppenheimer), **are Joshua, Jake and Daniel Bernstein (the "Minor Beneficiaries")**. Neither Eliot nor Candice Bernstein (the "Bernsteins") were sued in their individual capacities by Oppenheimer, nor have they moved for, or been granted, permission to intervene in their individual capacities. They have been afforded standing in these proceedings, to date, solely as the parents and natural guardians of the Minor Beneficiaries. [emphasis added]

“2. The Bernsteins have been shown to have multiple conflicts of interest with the **Minor Beneficiaries**. All of the above, and certainly in combination, render the Bernsteins inappropriate and inadequate representatives for the **Minor Beneficiaries** in this litigation. [emphasis added]

On April 07, 2016, while I was Sui Juris, you filed a “NOTICE OF ACCEPTANCE OF APPOINTMENT AS GUARDIAN AD LITEM FOR Jo.B., Ja.B. AND D.B. IN THE ABOVE STYLED CASE” in the Shirley Trust Construction case (Filing # 40000163 E-Filed 04/07/2016 04:06:21 PM) (SEE EXHIBIT 4 – NOTICE) which states in part;

**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM OF JOSHUA BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

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“NOTICE OF ACCEPTANCE OF APPOINTMENT AS GUARDIAN AD LITEM FOR Jo.B., Ja.B. AND D.B. IN THE ABOVE STYLED CASE COMES NOW Diana Lewis and notifies the court of her **acceptance of appointment as Guardian ad litem for Eliot Bernstein's minor children, Jo.B., Ja.B. and D.B.** pursuant to this court's order dated April 4, 2016, and the terms and conditions set forth therein.” **[emphasis added]**

Similarly, on April 07, 2016, while I was Sui Juris, you filed a “NOTICE OF ACCEPTANCE OF APPOINTMENT AS GUARDIAN AD LITEM FOR JOSHUA, JAKE AND DANIEL BERNSTEIN IN THE ABOVE STYLED CASE” in the Oppenheimer Case (Filing # 39999717 E-Filed 04/07/2016 04:03:08 PM), which states in part;

COMES NOW Diana Lewis and notifies the court of her acceptance of appointment as Guardian ad litem for JOSHUA, JAKE and DANIEL BERNSTEIN **(the "Minor Beneficiaries")** pursuant to this court's order dated April 4, 2016. **[emphasis added]**

I am unaware of any Guardian Ad Litem Orders entered in the Simon and Shirley Probate Cases ( Case # 502012CP004391XXXXSB – Simon Bernstein Estate and Case # 502011CP000653XXXXSB – Shirley Bernstein Estate) giving you any guardianship powers over me to make any representations or take any actions on my behalf in those cases.

The March 01, 2016 Oppenheimer Order states,

“4. For the above reasons, the guardian ad /item appointed in Case No.: 502014CP003698XXXXNB shall be deemed appointed simultaneously as the guardian ad /item for the Minor Beneficiaries in this case, **with sole and exclusive authority to represent the Minor Beneficiaries' interests in this case .Jo.B., Ja.B. AND D.B. IN THE ABOVE STYLED CASE**” **[emphasis added]**

The Shirley Bernstein Trust Order Appointing Guardianship is similarly limited to legal authority of the guardianship in that case only and only for MINOR CHILDREN.



**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM OF JOSHUA BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

As you can see from my birthday listed above I turned 18 on August 27, 2015 and AT NO TIME IN THESE PROCEEDINGS WAS I A MINOR AND I WAS SUI JURIS WHEN ORDERS WERE ISSUED AND PLEADINGS WERE MADE BY ATTORNEYS AT LAW ALAN B. ROSE and STEVEN LESSNE to gain a predatory guardianship on me while I was an Adult by falsely pleading to the Court that I was a Minor and I have been advised that this guardianship is in violation of Florida Criminal and Civil Statutes and perhaps Federal law.

The 2016 Florida Statutes - Title XLIII - DOMESTIC RELATIONS - Chapter 744 - GUARDIANSHIP

744.521 Termination of guardianship.—**When a ward becomes sui juris** or is restored to capacity, when the guardian has been unable to locate the ward through diligent search, or, for a guardian of the property, when the property subject to the guardianship has been exhausted, the guardian shall file a final report and receive his or her discharge. A guardian of the person is discharged without further proceeding upon filing a certified copy of the ward's death certificate. The court may require proof of the removal of incapacity.

History.—s. 1, ch. 74-106; ss. 21, 26, ch. 75-222; s. 4, ch. 86-120; s. 89, ch. 89-96; s. 63, ch. 90-271; s. 1110, ch. 97-102.

Note.—Created from former s. 746.12.

"Minor Ward Reaches 18 Unless the minor is incapacitated, at the age of 18 he or she is no longer a minor and is deemed to be legally old enough to manage his or her own finances or property. The guardianship is terminated and the assets are distributed to the minor."

[https://umshare.miami.edu/web/wda/ethics/gurardianship\\_rev1-07.pdf](https://umshare.miami.edu/web/wda/ethics/gurardianship_rev1-07.pdf)

No adult Guardianship proceedings under The 2016 Florida Statutes - Title XLIII - DOMESTIC RELATIONS GUARDIANSHIP Chapter 744 took place for me as legally required as I was an adult at the time guardianship was sought for and gained over me and no capacity hearing was held at any time. As you can see from the Pleadings and Orders submitted in the case and outlined herein the Guardian Ad Litem was ILLEGALLY gained over me while an adult and I

**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM OF JOSHUA BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

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was misrepresented to the Court as a minor by Officers of the Court, Alan B. Rose, Esq. and Steven Lessne, Esq. and Fiduciary of the Estates and Trusts of my grandparents Simon and Shirley Bernstein, my uncle Ted Bernstein. I have been made aware that my uncle Ted and all other parties knew at the time my legal age and that I was Sui Juris.

Therefore, due to your lack of legal authority over me despite any Court Orders gained through simulated legal process, immediately;

1. **CEASE AND DESIST** from any further representations of myself, Joshua Bernstein, in any proceedings, settlements or other matters involving me.
2. **NOTIFY** the Florida Court that **ALL OF YOUR PRIOR REPRESENTATIONS AND ACTS ON BEHALF OF JOSHUA BERNSTEIN** are and always have been improper and illegal and cease and desist this **KNOWINGLY, GROSS, WILLFUL, WANTON** and **RECKLESS** criminal violation of your fiduciary duties as a Guardian Ad Litem .
3. **WITHDRAW** any and all Consent you have given in any matters relating to Joshua Bernstein.
4. **FILE** immediately within or without the final report the fact that I, Joshua Bernstein, was placed as an adult illegally in a guardianship for minors and that no legal adult guardianship proceedings were held giving you legal authority from the onset of your legal representations on my behalf, receive discharge and turn over all records and properties regarding the guardianships as required.
5. **MAKE NO** further appearances in Court on my behalf or state in any pleadings consent on my behalf or take any any action whatsoever on my behalf claiming that you are acting as Guardian Ad Litem for me.

**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM OF JOSHUA BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

6. **NOTIFY ALAN ROSE AND STEVEN LESSNE** to similarly take all actions to remove and strike all pleadings, orders, settlements, etc. in any court cases made on my behalf as a minor and cease and desist any further acts on my behalf.
7. **NOTIFY ALL COURTS** affected by your actions that you have never had proper guardianship for me as an adult.
8. **NOTIFY ALL COURTS** that you have made improper representations in pleadings and hearings in the Simon and Shirley Bernstein Estate cases and the Oppenheimer cases where you have never been granted a legal guardianship over me. The Courts to be notified and cases related to your actions that have been affected by the misconduct shall include but not be limited to,
  - a. The Florida Probate Court – HONORABLE Judge Rosemarie Scher, cases:
    - i. Case # 502012CP004391XXXXSB – Simon Bernstein Estate
    - ii. Case # 502015CP001162XXXXNB – Simon Bernstein Trust to Remove Ted Bernstein
      1. OLD CASE # Was Civil but Colin transferred to Probate ?  
502014CA014637XXXXMB
    - iii. Case # 502011CP000653XXXXSB – Shirley Bernstein Estate
    - iv. Case # 502014CP003698XXXXNB – Shirley Trust Construction
    - v. Case # 502014CP002815XXXXSB – Oppenheimer v. Bernstein Minor Children
    - vi. Case # 502015CP002717XXXX Colin Closed and transferred to Coates Eliot Bernstein v. Simon Estate Case for Claims
    - vii. Case # 502014CA014637XXXXMB BERNSTEIN, ELIOT I VS BERNSTEIN, THEODORE S
    - viii. Case # 50-2010-CP-003128-XXXX-SB – Joshua Bernstein alleged 2010 Trust Case Colin
    - ix. Case # 50-2010-CP-003125-XXXX-SB -- Jacob Jake Bernstein alleged 2010 Trust Case Colin
    - x. Case # 50-2010-CP-003123-XXXX-SB– Daniel Danny Bernstein alleged 2010 Trust Case Colin

**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM OF JOSHUA BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

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- b. The Florida 15th Judicial Civil Circuit Court and HONORABLE JUDGE Cymonie Rowe, case:
- i. Case # 502012CA013933XXXXMB William E. Stansbury v. Ted S. Bernstein et al. -
- c. The Florida 4<sup>th</sup> District Court of Appeals – Note – Do not submit any information to Chief Judge Corey Ciklin who is conflicted in these matters already as being a former law partner of Personal Representative of the Estate of Simon Bernstein, Brian O’Connell’s law firm, Ciklin Lubitz Martens & O’Connell, where Judge Ciklin already has Sua Sponte removed himself from proceedings he was involved with in these matters and removed his name from several prior issued Orders at that court.
- i. Case 15-3849 ELIOT BERNSTEIN ESTATE OF SIMON BERNSTEIN
  - ii. Case 16-1449 ELIOT IVAN BERNSTEIN OPPENHEIMER TRUST CO. OF DELAWARE, ET AL.
  - iii. Case 16-1476 ELIOT IVAN BERNSTEIN OPPENHEIMER TRUST CO. OF DELAWARE, ET AL.
  - iv. Case 16-2249 ELIOT IVAN BERNSTEIN OPPENHEIMER TRUST CO. OF DELAWARE, ET AL.
  - v. Case 16-0222 ELIOT IVAN BERNSTEIN TED BERNSTEIN, AS TRUSTEE, ET AL.
  - vi. Case 16-1478 ELIOT IVAN BERNSTEIN TED BERNSTEIN, AS TRUSTEE, ETC., ET AL.
  - vii. Case 16-3314 ELIOT IVAN BERNSTEIN TED BERNSTEIN, AS TRUSTEE, ETC., ET AL.
  - viii. Case 16-0064 ELIOT IVAN BERNSTEIN TED BERNSTEIN, AS TRUSTEE. ET AL.
  - ix. Case 16-3162 ELIOT IVAN BERNSTEIN WILLIAM E. STANSBURY, et al.
  - x. Case 16-4120 ELIOT IVAN BERNSTEIN WILLIAM E. STANSBURY, et al.



**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM OF JOSHUA BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

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- d. The Florida Supreme Court – Note – Do not submit any information to Chief Judge Jorge Labarga as he is conflicted with the Eliot Bernstein family in these matters.
    - i. SC16-29
  - e. The United States District Court Northern District of Illinois Case 1:13-cv-03643 Simon Bernstein Irrevocable Insurance Trust Dtd 6/21/95 v. Heritage Union Life Insurance Company – HONORABLE Judge John Robert Blakey and Chief Judge Ruben Castillo.
    - i. Case # 13-cv-03643 - Federal Lawsuit in the US District Court of Eastern Illinois
  - f. United States Court of Appeals for the Seventh Circuit - Chief Judge Diane P. Wood in relation to the Lower Court Case 1:13-cv-03643 Simon Bernstein Irrevocable Insurance Trust Dtd 6/21/95 v. Heritage Union Life Insurance Company.
    - i. Case No. 17-1461 APPEAL UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT
9. **TURN OVER** all of your professional and individual insurance policies and bonding information to me as claims against you individually and professionally and your firm, will be forthcoming for the massive damages caused to me from your breaches of fiduciary duties and other misconduct. Your firm appears as follows and I believe it was set up specifically for liability purposes for these matters with my family, immediately prior to your acceptance of Guardian Ad Litem for me:

ADR & MEDIATIONS SERVICES, LLC  
Diana Lewis  
2765 Tecumseh Drive

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July 11, 2017



**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM OF JOSHUA BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

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West Palm Beach, FL 33409  
(561) 758-3017 Telephone  
Email: [dzlewis@aol.com](mailto:dzlewis@aol.com)  
By: /s/ Diana Lewis  
(Fla. Bar No. 351350)

10. **TURN OVER** all records, documents, emails, faxes, information of any kind regarding me obtained by and during these illegal actions to my attention at my permanent address of, 2753 NW 34<sup>th</sup> Street, Boca Raton, FL 33434.

I have been notified that on repeated occasions over the past year my father and mother Eliot and Candice Bernstein have notified you directly of my Sui Juris status and you have refused to take any actions to end the improper Guardian Ad Litem and continue to make representations, agreements and settlements on my behalf and hopefully this notice will cause you to **IMMEDIATELY CEASE AND DESIST THIS ILLEGAL CONDUCT.**

I have also been made aware that my father and mother, Eliot and Candice Bernstein have notified state and federal authorities of your misconduct on my behalf, including but not limited to acts such as,

1. Dissolving various Trusts in my name set up by my grandparents,
2. Dissolving Bernstein Family Realty, LLC, set up by my grandparents of which I am a 33% owner,
3. Making appearances in various court and legal proceedings illegally on my behalf,
4. Consenting to various legal agreements illegally on my behalf,
5. Consenting to various settlements illegally on my behalf.

I have learned that in Case # 502014CP003698XXXXNB – Shirley Bernstein Trust in the Fifteenth Judicial Probate Court you are acting under an alleged Trust created in my name that I

**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM OF JOSHUA BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

was sued as a defendant under with my father, Eliot Bernstein, as Trustee and where I have never received formal notice of any such trust, nor do I believe my parents or any other party, including the courts have received, although I am a beneficiary allegedly under this trust. The Trust I am sued under is titled,

**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.**

Please provide a copy of the “**Simon L. Bernstein Trust Dtd 9/13/12**” and any subtrusts held thereunder in my name supposedly created on 9/13/12 the date of my grandfather’s death. If you are in possession of any such trust or subtrust OR ANY OTHER TRUST in my name, please instantly turn over all records regarding this legal entity I have been sued under and that you are acting illegally as a Guardian Ad Litem over my person in such legal action under such trust.

I have done preliminary research into your name online since learning of this predatory Guardian Ad Litem placed knowingly upon me as an adult and have learned that you are a FORMER Judge and no longer a Florida Registered Judge who has lost her judgeship to Jennifer Ticktin since on or about 2014<sup>1 2 3</sup> where I learned from the attached articles, “But Ticktin, a 35-year-old

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<sup>1</sup> “Ugly PBC judicial campaign pits Diana Lewis and Jessica Ticktin” By Jane Musgrave - Palm Beach Post Staff Writer

Updated: 12:41 p.m. Friday, August 08, 2014 | Posted: 7:00 a.m. Friday, August 08, 2014

<http://www.mypalmbeachpost.com/news/local-govt--politics/ugly-pbc-judicial-campaign-pits-diana-lewis-and-jessica-ticktin/NczV3oHgQuXksyXpl11Jdl>

<sup>2</sup> “Race for Palm Beach County Circuit Judge Group 14 seat is personal” July 19, 2014 | By Brittany Shammass, Sun Sentinel

[http://articles.sun-sentinel.com/2014-07-19/news/fl-election-palm-circuit-judges-14-20140719\\_1\\_lewis-incumbent-judge-ticktin-law-group](http://articles.sun-sentinel.com/2014-07-19/news/fl-election-palm-circuit-judges-14-20140719_1_lewis-incumbent-judge-ticktin-law-group)

**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM OF JOSHUA BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

partner at Ticktin Law Group and a Boca Raton resident, says she targeted Lewis for a reason. She cited a 2013 Palm Beach County Bar poll in which Lewis ranked last among 34 circuit court judges in categories including knowledge and application of the law, impartiality and judicial demeanor. "I think that right now we have an issue with the incumbent judge," Ticktin said. "Last time she was given a second chance, and I don't think that she did well with that second chance. I think it's time for change." In noting your bar association number above I believe that as both a former judge and current registered attorney at law I need not educate you on your obligations to notify all tribunals, criminal and civil and all parties with any liabilities resulting from your and others you worked in conspire with actions, as required by both State and Federal - Civil, Criminal and Ethical Rules and Statutes.

That these Knowingly, Gross, Willful, Wanton and Reckless Acts, which appear as Financial Exploitation of an Adult through an ILLEGAL GUARDIAN AD LITEM FOR A MINOR and further appear part of a larger conspiracy against the rights of my father, my mother and my brothers are simultaneously being forwarded to state and federal criminal authorities to investigate and prosecute any prior and future criminal acts, so please **govern yourself accordingly** in any future actions you may take in any matters relating to my family and myself.


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<sup>3</sup> "Palm Beach Judge Diana Lewis Loses Judicial Seat to Challenger Raising Issues with Demeanor" Florida You Judge Wednesday, August 27th, 2014 at 5:26 pm by admin by Haydee Oropesa  
<http://www.floridayoujudge.com/palm-beach-judge-diana-lewis-loses-judicial-seat-to-challenger-raising-issues-with-demeanor/>

**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM OF JOSHUA BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**


I authorize this Statement and Cease and Desist Request to be filed in any and all state and federal proceedings as relevant and necessary.

Sincerely,

X:   
Joshua Ennio Zander Bernstein  
2753 NW 34th Street  
Boca Raton, FL 33434

Dated: 7/11/17

Witness:

X:   
Name: Jacob Bernstein  
2753 NW 34th Street  
Boca Raton, FL 33434

Dated: 7/11/17

**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD  
LITEM OF JOSHUA BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

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EXHIBIT 1



**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 IANTONI, Individually, as Trustee f/b/o J.I.  
under the Simon L. Bernstein Trust Dtd 9/13/12, 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 9/13/12, and on behalf  
of her minor child, C.F.,

Defendants.

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**ORDER ON SUCCESSOR TRUSTEE'S MOTION TO  
APPOINT A GUARDIAN AD LITEM; FOR A GAG ORDER TO PROTECT THE  
GUARDIAN AND OTHERS; AND TO STRIKE ELIOT BERNSTEIN'S FILINGS**

THIS CAUSE came before the Court for evidentiary hearing on February 25, 2016, on  
Successor Trustee's Motion for Appointment of a Guardian Ad Litem to Represent the Interests of  
Eliot Bernstein's Children etc. (the "Motion"). The Court, having considered the record, heard  
argument of counsel and being otherwise fully advised in the premises, hereby

ORDERS AND ADJUDGES:

1. This Court determined after a trial held on December 15, 2015 that the beneficiaries of The Shirley Bernstein Trust Agreement dated 5/20/2008 (the "Trust") are Simon Bernstein's "then living grandchildren." Under that ruling, Simon's children – including Eliot Bernstein – are not beneficiaries of the Trust. This Court entered a written order dated February 1, 2016, determining Eliot Bernstein lacks standing to participate in this proceeding and striking his individual filings.

2. Eliot Bernstein's three children are among the class of Trust beneficiaries. Eliot seeks to use his role as parent and natural guardian of three trust beneficiaries to give him standing to continue his involvement in this case. The primary issue now raised is whether Eliot Bernstein should be permitted to continuing representing the interests of his minor children, as their parent and natural guardian, in this Trust Proceeding.

3. ~~Despite his status as natural guardian, Eliot will not be permitted to do so, and~~ The Court will appoint a Guardian ad Litem, because there is a conflict of interest between the parent and the children, and because Eliot Bernstein has proven to be an inadequate representative of the best interests of his children. JRP

4. First, as to the conflict, Eliot's position throughout the case and at trial was that he was a beneficiary of the Trust. He continued<sup>d</sup> advancing that position after trial by prosecuting an appeal of the December 16, 2015 Final Judgment. Eliot's individual interests are in conflict with the interests of his children. Under Florida law, a court should appoint a guardian ad litem when a parent's interest conflicts with the interest of her or her minor child. *Mistretta v. Mistretta*, 566 So. 2d 836, 837-38 (Fla. 1st DCA 1990)(best interests of a minor are *not* fully protected when adverse to the interests of the parent); *Florida Nat. Bank & Trust Co. at Miami v. Blake*, 155 So. 2d 798 (Fla. 3d DCA 1963) (court should have appointed a guardian ad litem for minor child when it was



apparent that the interests of the minor conflicted with the interests of the mother and father); *Gilbertson v. Boggs*, 743 So. 2d 123 (Fla. 4th DCA 1999) (guardian ad litem should have been appointed <sup>when</sup> ~~then~~ the parents' interests were adverse to the minor child).

5. Second, Fla. Stat. 731.303(4) provides: "If the court determines that representation of the interest would otherwise be inadequate, the court may, at any time, appoint a guardian ad litem to represent the interests of ... a minor ..." <sup>1</sup> Based upon the evidence presented and the Court's observations at the trial in December 2015 and at the evidentiary hearing on February 25, 2016, and

based upon the Court's review of various motions filed by Eliot Bernstein since the trial, it is <sup>in fact, his actions are adverse + destructive to the children's interest</sup> apparent Eliot Bernstein is not an adequate representative of the best interests of his children. <sub>^</sub>

6. Eliot Bernstein states that his agenda includes ridding the court system of corruption among judges, lawyers and fiduciaries, regardless of the cost <sup>to</sup> the beneficiaries. He appears to have no interest in the swift and efficient administration of the Shirley Bernstein Trust. He has taken actions to hinder and delay the administration of the Trust, and caused waste of Trust assets to respond to his assertions.

7. To the extent not already covered by this Court's Order dated February 1, 2016, Eliot Bernstein is barred from any further participation in this action, whether individually or as purported parent and natural guardian. Any and all pending motions, claims, or other filings by Eliot Bernstein,

---

<sup>1</sup> In addition, under section 744.3025, the court *may* appoint a guardian ad litem to represent a minor's interest before approving a settlement of the minor's portion of any cause of action in which the gross settlement of the claim exceeds \$15,000 if the court believes a guardian ad litem is necessary to protect the minor's interest, and "shall appoint a guardian ad litem to represent the minor's interest before approving a settlement of the minor's claim in a case in which the gross settlement involving a minor equals or exceeds \$50,000." Here, it is likely that there will be a settlement at some point in which each of minors receives a substantial distribution, and it is likely Eliot will oppose any such settlement.

on behalf of his children, <sup>are</sup> ~~is~~ hereby stricken from the record, without prejudice to the rights of the Guardian Ad Litem to take whatever actions are deemed appropriate.

8. The parties shall attempt to mutually agree on a guardian ad litem. The Court will appoint whomever the parties agree upon within the next three business days. Eliot Bernstein may

participate in such discussions. To the extent the parties, including Eliot Bernstein, are unable to agree on a guardian ad litem, <sup>each of the parties shall submit a list of three</sup> upon notice from the Trustee's counsel the Court shall randomly

*names of potential Guardian Ad Litem's, each of whom has agreed to accept the appointment if selected. These lists shall be filed with the Clerk with courtesy copy to the undersigned, no later than 10 days from this date.*

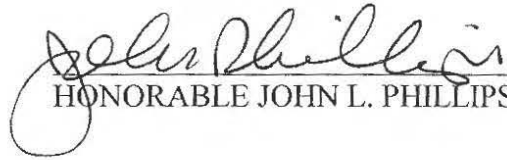
9. The Guardian Ad Litem will have full power and autonomy to represent the interests of the children of Eliot Bernstein, subject to the jurisdiction and review of this Court. The Guardian Ad Litem will be entitled to petition the Court for an award of attorneys' fees to be paid out of the gross proceeds of any recovery, distributions or inheritance to be received by Ja.B., Jo.B, and/or D.B.

10. To protect the integrity and independence of the guardian, Eliot Bernstein and all persons acting in concert with him: (a) shall <sup>not</sup> ~~make no effort to~~ contact, email or otherwise communicate with the Guardian Ad Litem except at the request of the Guardian Ad Litem; (b) shall ~~make no statement of any kind about the guardian, nor post information about the guardian on the internet in any fashion; and (c) shall not in any way threaten or harass the guardian. This Court alone shall supervise the guardian, and all information concerning this guardianship shall be treated as private and confidential.~~ Any violation of this order may subject the violator to severe sanctions for contempt of court. The Court will use the full measure of its coercive powers to ensure compliance with this Order.

*proposed*  
\* Parties shall furnish a <sup>proposed</sup> order appointing GAT with the lists. The Court will act without further hearing on the appointment, if possible.

11. The Court reserves jurisdiction to enforce all terms of this Order, and to oversee the service of the guardian ad litem appointed.

DONE and ORDERED in Chambers, North County Courthouse on 3-1-16, 2016.

  
HONORABLE JOHN L. PHILLIPS

cc: Attached service list

**SERVICE LIST Case No.: 502014CP003698XXXXNBIJ**

Eliot Bernstein, individually  
and Eliot and Candice Bernstein,  
as Parents and Natural Guardians of  
D.B., Ja. B. and Jo. B, Minors  
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Counsel for Molly Simon, Alexandra Bernstein,  
Eric Bernstein, Michael Bernstein

Lisa Friedstein, individually and as trustee for  
her children, and as natural guardian for M.F.  
and C.F., Minors; and Max Friedstein  
[lisa.friedstein@gmail.com](mailto:lisa.friedstein@gmail.com)

Jill Iantoni, individually and as trustee for her  
children, and as natural guardian for J.I. a minor  
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JOHN L. PHILLIPS  
CIRCUIT JUDGE  
NORTH COUNTY COURTHOUSE  
3188 PGA BOULEVARD  
PALM BEACH GARDENS, FL 33410



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Eliot Bernstein and Candice Bernstein  
2753 NW 34<sup>th</sup> Street  
Boca Raton, FL 33434



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**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD  
LITEM OF JOSHUA BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

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**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD  
LITEM OF JOSHUA BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

---

EXHIBIT 2

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.: 502014CP003698XXXXNBIH

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 IANTONI, Individually, as Trustee f/b/o J.I.  
under the Simon L. Bernstein Trust Dtd 9/13/12, 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 9/13/12, and on behalf  
of her minor child, C.F.,

Defendants.

ORDER APPOINTING DIANA LEWIS AS GUARDIAN AD LITEM FOR  
ELIOT BERNSTEIN'S CHILDREN, JO.B.; JA. B.; and D.B.

THIS CAUSE came before the Court at an evidentiary hearing held on February 25, 2016,  
on Successor Trustee's Motion for Appointment of a Guardian Ad Litem to Represent the Interests  
of Eliot Bernstein's Children etc. (the "Motion"). Having considered the Motion and the arguments  
of the parties, taken judicial notice of the matters requested in the Motion, and being otherwise duly  
advised in the premises, the Court entered an Order in this matter, and a companion order in Case  
No. 502014CP002815XXXXNB, granting motions to appoint a guardian ad litem for Eliot's

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children, Jo.B., Ja.B. and D.B., and setting forth a protocol for selecting a guardian ad litem. Having received the parties' notices contemplated under the companion order, the Court hereby appoints a guardian ad litem as follows:

1. Diana Lewis is hereby appointed as the guardian ad litem for Jo.B., Ja.B. and D.B. in this case, with sole and exclusive authority to represent their interests in this case. The guardian ad litem shall be entitled to petition the Court for reasonable compensation for his/her services, to be paid out of the gross proceeds of any recovery, distributions or inheritance to be received by the Jo.B., Ja.B. and D.B. from the Shirley Bernstein Trust u/a/d May 20, 2008, as amended, the Simon Bernstein Trust, and/or the Estates of Simon or Shirley Bernstein.

2. The guardian ad litem shall file an acceptance of appointment with this Court, with a copy to the parties listed at the end of this Order, within 5 business of the date of this Order; otherwise, the parties shall notify the Court by letter that the appointment has not been accepted, in which case the Court will either appoint an alternate guardian ad litem without further hearing or hold an additional hearing to select an alternate guardian ad litem.

3. The guardian ad litem shall have sufficient time after his/her acceptance of this appointment to within which to prepare necessary court filings and prepare for mediation as ordered by the Court at a hearing held on March 7, in the related case of Estate of Simon Bernstein.

4. Trustee and the guardian ad litem shall confer in good faith regarding a resolution of this matter and/or a time frame within which to try any unresolved issues.

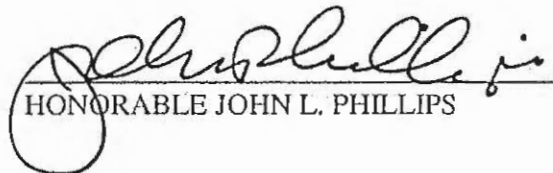
5. Pursuant to the Order dated March 1, 2016, the Guardian Ad Litem will have full power and autonomy to represent the interests of the children of Eliot Bernstein, subject to the jurisdiction and review of this Court. The Guardian Ad Litem will be entitled to petition the Court

for an award of attorneys' fees to be paid out of the gross proceeds of any recovery, distributions or inheritance to be received by Ja.B., Jo.B, and/or D.B.

6. To protect the integrity and independence of the guardian, Eliot Bernstein and all persons acting in concert with him: (a) shall not contact, email or otherwise communicate with the Guardian Ad Litem except at the request of the Guardian Ad Litem; and (b) shall not in any way threaten or harass the guardian. This Court alone shall supervise the guardian. Any violation of this order may subject the violator to severe sanctions for contempt of court. The Court will use the full measure of its coercive powers to ensure compliance with this Order.

7. The guardian ad litem shall notify this Court and Trustee of any actions taken by Eliot and/or Candice Bernstein which interfere with the guardian ad litem's duties hereunder.

DONE and ORDERED in Chambers, North County Courthouse on 4-4, 2016.

  
HONORABLE JOHN L. PHILLIPS

cc: Attached service list

**SERVICE LIST Case No.: 502014CP003698XXXXNBIH**

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as Parents of  
D.B., Ja. B. and Jo. B, Minors  
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Eric Bernstein, Michael Bernstein.

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Jill Iantoni, individually and as trustee for her  
children, and as natural guardian for J.I. a minor  
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STATE OF FLORIDA • PALM BEACH COUNTY

I hereby certify that the  
foregoing is a true copy  
of the record in my office.

THIS 18 DAY OF May 2016

SHARON R. BOCK  
CLERK & COMPTROLLER

By *Victoria Ranger*  
DEPUTY CLERK

**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD  
LITEM OF JOSHUA BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

---

EXHIBIT 3

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

PROBATE DIVISION

CASE NO.: 502014CP002815XXXXNB (IH)

OPPENHEIMER TRUST COMPANY  
OF DELAWARE, in its capacity as  
Resigned Trustee of the Simon Bernstein  
Irrevocable Trusts created for the benefit  
of Joshua, Jake and Daniel Bernstein,

Petitioner,

vs.

ELIOT AND CANDICE BERNSTEIN,  
in their capacity as parents and natural  
guardians of JOSHUA, JAKE AND  
DANIEL BERNSTEIN, minors,

Respondents.

---

**ORDER APPOINTING GUARDIAN AD LITEM FOR MINORS,  
JOSHUA, JAKE AND DANIEL BERNSTEIN**

THIS CAUSE came before the Court at an evidentiary hearing held on February 25, 2016 upon the *Omnibus Motion (I) To Appoint A Guardian Ad Litem For The Minor Beneficiaries Of The "Grandchildren Trusts;" (II) To Hold Eliot And Candice Bernstein In Contempt Of Court For Their Continued Violation Of A Court Order And Repeated Statements Assaulting The Dignity Of The Court; And (III) To Establish A Schedule And Protocol For Accounting And Turnover Proceedings* (the "Motion") filed by Petitioner, Oppenheimer Trust Company Of Delaware ("Oppenheimer"), in its capacity as the resigned trustee of three Irrevocable Trusts settled by Simon Bernstein on September 7, 2006 for the benefit of his grandchildren, minors, Joshua, Jake and Daniel Bernstein (the "Grandchildren Trusts"). Having considered the Motion

and the arguments of the parties, taken judicial notice of the matters requested in the Motion, and being otherwise duly advised in the premises, the Court rules as follows:

1. The sole beneficiaries of the Grandchildren Trusts, and the only real parties in interest in this litigation (other than Oppenheimer), are Joshua, Jake and Daniel Bernstein (the “Minor Beneficiaries”). Neither Eliot nor Candice Bernstein (the “Bernsteins”) were sued in their individual capacities by Oppenheimer, nor have they moved for, or been granted, permission to intervene in their individual capacities. They have been afforded standing in these proceedings, to date, solely as the parents and natural guardians of the Minor Beneficiaries.

2. The Bernsteins have been shown to have multiple conflicts of interest with the Minor Beneficiaries. For example, in their pleadings, they repeatedly allege that the trusts created for the Minor Beneficiaries’ benefit are fraudulent and that they, and not their children, are the true beneficiaries. *Counter-Complaint*, ¶¶ 44-50, 52-60, 65, 109-110, 186 and 253; *Objection to Oppenheimer Accountings*, pp. 1 and 20. In addition, the Bernsteins insist that their overarching goal in this litigation “is to bring about a change in the legal system in efforts to root out systemic corruption at the highest levels by a rogue group of criminals disguised as attorneys at law, judges, politicians and more.” *Counter-Complaint*, ¶ 212. No reasonable inference can be drawn that the Minor Beneficiaries have a similar interest or agenda, or that pursuing such an agenda at the risk of dissipating their own inheritance is in their best interest.

3. Eliot Bernstein also has a history of vexatious litigation and public disrespect for and disobedience to the judicial system and its officers, as detailed in Oppenheimer’s Motion. Eliot Bernstein was adjudicated a vexatious litigant by the United States District Court for the Southn Distreict of New York and enjoined from filing further specified claims in any court without its prior permission. Yet, Eliot Bernstein asserted those enjoined claims in his Counter-

Complaint in apparent violation of the injunction. The Bernsteins are in continued violation of a May 4, 2015 Order entered by Judge Martin Colin, which required compliance over nine months ago, and in recent filings with Florida appellate courts, the Bernsteins insist that all orders entered in this case “are void as a matter of law, and are of no legal force and effect.” *Petition for All Writs (dated January 29, 2016)*, ¶ 101. Further, the Bernsteins have repeatedly alleged that multiple judges have committed fraud in their official capacities in these proceedings and that all Florida judges have conflicts of interest which prohibit them from presiding over these proceedings. *Id.*, ¶ 106-107. All of the above, and certainly in combination, render the Bernsteins inappropriate and inadequate representatives for the Minor Beneficiaries in this litigation.

4. For the above reasons, the guardian *ad litem* appointed in Case No.: 502014CP003698XXXXNB shall be deemed appointed simultaneously as the guardian *ad litem* for the Minor Beneficiaries in this case, with sole and exclusive authority to represent the Minor Beneficiaries’ interests in this case. The guardian *ad litem* shall be entitled to petition for reasonable compensation for his/her services, to be paid out of the gross proceeds of any recovery, distributions or inheritance to be received by the Minor Beneficiaries from the Shirley Bernstein Trust u/a/d May 20, 2008, as amended, the Simon Bernstein Trust, and/or the Estates of Simon or Shirley Bernstein.


5. The Answer and Counter-Complaint filed by Eliot and Candice Bernstein (which they purport to file (i) “Individually, PRO SE;” (ii) “as the Natural Guardians of [the Minor Beneficiaries];” (iii) “as Guardians of the members of Bernstein Family Realty, LLC;” and (iii) “as beneficiaries of [sixteen (16) Trusts, two (2) Estates, and multiple] Corporate Entities set up by Simon and Shirley Bernstein”), and the “Objection to Final Accounting; Petition for Formal, Detailed Audited and Forensic Accounting and Document Production” (the “Objection”) filed by

Eliot and Candice Bernstein, "individually and on behalf of [their] minor children, who are alleged qualified beneficiaries of Settlor's Estate and Trusts," are hereby stricken.

6. The guardian *ad litem* shall have 45 days from his/her appointment within which to file a response to Oppenheimer's Petition and objections, if any, to Oppenheimer's accountings.

7. Oppenheimer and the guardian *ad litem* shall confer in good faith regarding a resolution of this matter and/or a timeframe within which to try any unresolved issues.

8. Neither Eliot nor Candice Bernstein shall take any action which interferes with the guardian *ad litem*'s duties.

 9. <sup>The pending Motion for Contempt as to</sup> Eliot and Candice Bernstein ~~are also held to be in contempt of court~~ for their <sup>in MOST.</sup> willful violation of Judge Martin Colin's May 4, 2015 Order. ~~The Court withholds coercive sanctions based upon the appointment of a guardian *ad litem* and striking of the Bernsteins' pleadings, which renders the Bernsteins' compliance moot.~~

DONE AND ORDERED in Chambers, Palm Beach County, Florida on  
3-1-, 2016.

  
Hon. John L. Phillips, Circuit Judge

Copies furnished to:

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Boca Raton, FL 33431

Eliot and Candice Bernstein  
2753 N.W. 34<sup>th</sup> Street  
Boca Raton, FL 33434



**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD  
LITEM OF JOSHUA BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

---

EXHIBIT 4

**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.: 502014CP003698XXXXNBIH

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  
IANTONI, Individually, as Trustee f/b/o J.I. under the  
Simon L. Bernstein Trust Dtd 9/13/12, 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 9/13/12, and on behalf of her minor child,  
C.F.,

Defendants.

\_\_\_\_\_ /

**NOTICE OF FILING AND OF SERVING NOTICE OF ACCEPTANCE**

Plaintiff, Ted S. Bernstein (the "Trustee"), as Successor Trustee of the Shirley Bernstein Trust Agreement dated May 20, 2008, as amended, hereby gives notice of filing the attached, *Notice of Acceptance of Appointment as Guardian Ad Litem for Jo.B., Ja.B., and D.B.* as requested by appointed Guardian Ad Litem, Diana Lewis.

**CERTIFICATE OF SERVICE**

I CERTIFY that a copy of the foregoing has been furnished to parties listed on attached Service List by:  Facsimile and U.S. Mail;  U.S. Mail;  Email Electronic Transmission;  FedEx;  Hand Delivery this 7<sup>th</sup> day of April, 2016.

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*Attorneys for Ted S. Bernstein*

By:  /s/ Alan B. Rose  
Alan B. Rose (Fla. Bar No. 961825)

**SERVICE LIST Case No.: 502014CP003698XXXXNBIH**

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as Parents of D.B., Ja. B. and Jo. B, Minors  
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Counsel for Molly Simon, Alexandra Bernstein,  
Eric Bernstein, Michael Bernstein

Lisa Friedstein, individually and as trustee for her  
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[lisa.friedstein@gmail.com](mailto:lisa.friedstein@gmail.com)

Jill Iantoni, individually and as trustee for her  
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[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com);  
[service@ciklinlubitz.com](mailto:service@ciklinlubitz.com);  
[slobdell@ciklinlubitz.com](mailto:slobdell@ciklinlubitz.com)

**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.

Plaintiff,

v.

Probate Division  
Case No.:2014CP003698 (IH)

ALEXANDRA BERNSTEIN; ERIC BERNSTEIN;  
MICHAEL BERNSTEIN; MOLLY SIMO;  
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 IANTONI,  
individually, as Trustee f/b/o of J.I.  
under the Simon L. Bernstein Trust Dtd.  
9/13/12, and on behalf of her Minor child  
J.I.; MAX FRIEDSTEIN; LISA FRIEDSTEIN,  
individually, as Trustee f/b/o Max  
Friedman and C.F., under the Simon L.  
Bernstein Trust Dtd 9/13/12, and on  
bealf of her minor child, C.F.,

Defendants.

---

**NOTICE OF ACCEPTANCE OF APPOINTMENT AS GUARDIAN AD LITEM FOR  
Jo.B., Ja.B. AND D.B. IN THE ABOVE STYLED CASE**

COMES NOW Diana Lewis and notifies the court of her  
**acceptance** of appointment as Guardian *ad litem* for Eliot  
Bernstein's minor children, Jo.B., Ja.B. and D.B. pursuant to  
this court's order dated April 4, 2016, and the terms and  
conditions set forth therein.

Page Two  
Case no.: 2014CP003698 (IH)

**CERTIFICATE OF SERVICE**

I CERTIFY that a true and correct copy of the foregoing has been furnished to the parties by E-mail Electronic Transmission on the attached Service List for Case No.: 2014CP003698 (IH) this 7<sup>th</sup> day of April, 2016.

ADR & MEDIATIONS SERVICES, LLC  
Diana Lewis  
2765 Tecumseh Drive  
West Palm Beach, FL 33409  
(561) 758-3017 Telephone  
Email: [dzlewis@aol.com](mailto:dzlewis@aol.com)

By: /s/ Diana Lewis  
Diana Lewis (Fla. Bar No. 351350)  
(Mediator No.:32461 R)

**SERVICE LIST Case No.: 502014CP003698XXXXNBIH**

Eliot Bernstein and Candice Bernstein,  
as Parents of  
D.B., Ja. B. and Jo. B, Minors  
2753 NW 34th Street  
Boca Raton, FL 33434  
(561) 245-8588 - Telephone  
(561) 886-7628 - Cell  
(561) 245-8644 - Facsimile  
Email: [Eliot I. Bernstein \(iviewit@iviewit.tv\)](mailto:Eliot.I.Bernstein@iviewit.tv)

John P. Morrissey, Esq.  
330 Clematis Street, Suite 213  
West Palm Beach, FL 33401  
(561) 833-0866 - Telephone  
(561) 833-0867 - Facsimile  
Email: John P. Morrissey  
([john@jmorrisseylaw.com](mailto:john@jmorrisseylaw.com))  
Counsel for Molly Simon, Alexandra Bernstein,  
Eric Bernstein, Michael Bernstein

Lisa Friedstein, individually and as trustee for  
her children, and as natural guardian for M.F.  
and C.F., Minors; and Max Friedstein  
[lisa.friedstein@gmail.com](mailto:lisa.friedstein@gmail.com)

Jill Iantoni, individually and as trustee for her  
children, and as natural guardian for J.I. a minor  
[jilliantoni@gmail.com](mailto:jilliantoni@gmail.com)

Alan Rose, Esq.  
Mrachek Fitzgerald Rose  
Konopka Thomas & Weiss, P.A.  
505 S Flagler Drive, Suite 600  
West Palm Beach, FL 33401  
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Email: [psimon@stpcorp.com](mailto:psimon@stpcorp.com)

Brian M. O'Connell, Esq.  
Joielle A. Foglietta, Esq.  
Ciklin Lubitz Martens & O'Connell  
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[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com);  
[service@ciklinlubitz.com](mailto:service@ciklinlubitz.com);  
[slobdell@ciklinlubitz.com](mailto:slobdell@ciklinlubitz.com)

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

OPPENHEIMER TRUST COMPANY OF  
DELAWARE, in its Capacity As Resigned  
Trustee of the Simon Bernstein Irrevocable Trusts  
Created for the Benefit of of Jo. B., Ja. B., and D.B.,  
Minors

Probate Division  
Case No.: 502014CP002815XXXXSB(IY)

Petitioner,

v.

ELIOT AND CANDICE BERNSTEIN, in their  
Capacity as Parents and Natural Guardians of Jo. B.,  
Ja. B., and D.B., Minors  
Respondents.

\_\_\_\_\_ /

**NOTICE OF FILING AND OF SERVING NOTICE OF ACCEPTANCE**

Ted S. Bernstein (the "Trustee"), as Successor Trustee of the Shirley Bernstein Trust Agreement dated May 20, 2008, as amended, hereby gives notice of filing the attached, *Notice of Acceptance of Appointment as Guardian Ad Litem for Jo.B., Ja.B., and D.B.* as requested by appointed Guardian Ad Litem, Diana Lewis.





## SERVICE LIST

Eliot Bernstein  
Candice Bernstein,  
as Parents and Natural Guardians of  
D.B., Ja. B. and Jo. B, Minors  
2753 NW 34th Street  
Boca Raton, FL 33434  
(561) 245-8588 - Telephone  
(561) 886-7628 - Cell  
(561) 245-8644 - Facsimile  
Email: Eliot I. Bernstein ([iviewit@iviewit.tv](mailto:iviewit@iviewit.tv))

Steven A. Lessne, Esq.  
GrayRobinson, P.A.  
225 N.E. Mizner Blvd., Suite 500  
Boca Raton, FL 33432  
(561) 368-3808  
Email: [steven.lessne@gray-robinson.com](mailto:steven.lessne@gray-robinson.com)  
*Counsel for Petitioner*

Alan Rose, Esq.  
Mrachek Fitzgerald Rose  
Konopka Thomas & Weiss, P.A.  
505 S Flagler Drive, Suite 600  
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(561) 655-5537 - Facsimile  
Email: [arose@mrachek-law.com](mailto:arose@mrachek-law.com)

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

OPPENHEIMER TRUST COMPANY OF DELAWARE,  
in its capacity as Resigned Trustee of  
the Simon Bernstein Irrevocable Trusts  
created for the benefit of Joshua, Jake  
and Daniel Bernstein,

Petitioner,

vs.

Probate Division  
Case No.: 2014CP002815 (IH)

ELIOT AND CANDICE BERNSTEIN,  
in their capacity as parents and  
natural guardians of JOSHUA, JAKE  
AND DANIEL BERNSTEIN, minors,

Respondents.

---

**NOTICE OF ACCEPTANCE OF APPOINTMENT AS GUARDIAN AD LITEM FOR  
JOSHUA, JAKE AND DANIEL BERNSTEIN IN THE ABOVE STYLED CASE**

COMES NOW Diana Lewis and notifies the court of her  
**acceptance** of appointment as Guardian *ad litem* for JOSHUA, JAKE  
and DANIEL BERNSTEIN (the "Minor Beneficiaries") pursuant to  
this court's order dated April 4, 2016.

**CERTIFICATE OF SERVICE**

I CERTIFY that a true and correct copy of the foregoing has  
been furnished to the parties by E-mail Electronic Transmission  
on the attached Service List for Case No.: 2014CP002815 (IH)  
this 7<sup>th</sup> day of April, 2016.

ADR & MEDIATIONS SERVICES, LLC  
Diana Lewis  
2765 Tecumseh Drive  
West Palm Beach, FL 33409  
(561) 758-3017 Telephone  
Email: [dzlewis@aol.com](mailto:dzlewis@aol.com)  
By: /s/ Diana Lewis  
(Fla. Bar No. 351350)

Page Two

**SERVICE LIST Case No.: 2014CP002815**

Steven A. Lessne  
Gunster, Yoakley & Stuart, P.A.  
4855 Technology Way, Suite 630  
Boca Raton, FL 33431

Eliot and Candice Bernstein  
2753 N.W. 34<sup>th</sup> Street  
Boca Raton, FL 33434

---

**From:** Eliot Ivan Bernstein

**Sent:** Tuesday, July 11, 2017 1:18:42 PM (UTC-05:00) Eastern Time (US & Canada)

**To:** Diana Lewis @ ADR & MEDIATIONS SERVICES, LLC - Fla. Bar No. 351350

**Cc:** joon.kim@usdoj.gov; 'FBI Philadelphia'; tom.wheeler@usdoj.gov; 'William Stansbury'; 'Crystal L. Cox, in Love and Light'; Sam Sugar MD; 'Natalie Andre'; 'Skender Hoti'; Richard Black; John Pacenti ~ Reporter @ Palm Beach Post; Michelle Pickels; Alan Rose; 'Anderson, Charlene'; Alan Rose; 'Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell'; 'Charles D. Rubin ~ Managing Partner @ Gutter Chaves Josepher Rubin Forman Fleisher Miller PA'; ddustin@tescherspallina.com; 'Don Tescher'; 'JILL BERNSTEIN IANTONI'; 'John J. Pankauski'; john@pankauskilawfirm.com; 'Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A.'; Louis Mrachek; 'Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts'; 'Lisa Friedstein'; 'Mark R. Manceri, Esquere @ Mark R. Manceri, P.A.'; mrmlaw1@gmail.com; 'Pamela Beth Simon'; 'Peter Feaman'; 'Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.'; 'Robert Spallina'; 'Andrew Dietz @ Rock-It Cargo USA, Inc.'; Barbara Stone; Barbara Stone Gmail; 'CANDICE BERNSTEIN'; Candice Schwager; Candice Schwager ~ Attorney at Law @ Schwager Law Firm; 'Caroline Prochotska Rogers Esq.'; 'Eliot I. Bernstein'; Frank Brady aka Kevin McKeown @ Expose Corrupt Courts; iviewit@gmail.com; JoAnne M. Denison Esq.; Kevin R. Hall; 'Michele M. Mulrooney ~ Partner @ Venable LLP'

**Subject:** SIGNED LETTER DEMAND TO DIANA LEWIS TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM - FROM JACOB NOAH ARCHIE BERNSTEIN

Diana Lewis, please see the attached SIGNED CEASE AND DESIST letter from my ADULT son JACOB NOAH ARCHIE Bernstein to you. This is the second Cease and Desist sent to you today by my adult children. If you have any questions please feel free to contact me.

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](mailto:iviewit@iviewit.tv)

<http://www.iviewit.tv>

---

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**From:** Eliot Ivan Bernstein

**Sent:** Tuesday, July 11, 2017 1:20:55 PM (UTC-05:00) Eastern Time (US & Canada)

**To:** Diana Lewis @ ADR & MEDIATIONS SERVICES, LLC - Fla. Bar No. 351350

**Cc:** joon.kim@usdoj.gov; 'FBI Philadelphia'; tom.wheeler@usdoj.gov; 'William Stansbury'; 'Crystal L. Cox, in Love and Light'; Sam Sugar MD; 'Natalie Andre'; 'Skender Hoti'; Richard Black; John Pacenti ~ Reporter @ Palm Beach Post; Michelle Pickels; 'Andrew Dietz @ Rock-It Cargo USA, Inc.'; Barbara Stone; Barbara Stone Gmail; 'CANDICE BERNSTEIN'; Candice Schwager; Candice Schwager ~ Attorney at Law @ Schwager Law Firm; 'Caroline Prochotska Rogers Esq.'; 'Eliot I. Bernstein'; Frank Brady aka Kevin McKeown @ Expose Corrupt Courts; iviewit@gmail.com; JoAnne M. Denison Esq.; Kevin R. Hall; 'Michele M. Mulrooney ~ Partner @ Venable LLP'; Alan Rose; Marie Chandler; 'Anderson, Charlene'; Alan Rose; attorneys@matbrolaw.com; 'Benjamin P. Brown'; bhenry@matbrolaw.com; 'Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell'; ddustin@tescherspallina.com; 'Don Tescher'; 'Gary R. Shendell'; 'John J. Pankauski'; 'John P. Morrissey Esq. @ John P. Morrissey, P.A.'; john@pankauskilawfirm.com; 'Kenneth S. Pollock'; 'Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A.'; Louis Mrachek; 'Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts'; 'Mark R. Manceri, Esquire @ Mark R. Manceri, P.A.'; 'Mimi K. McAndrews'; mrmlaw1@gmail.com; 'Pamela Beth Simon'; 'Peter Feaman'; 'Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.'; pmatwiczuk@matbrolaw.com; 'Robert Spallina'; service@feamanlaw.com

**Subject:** SIGNED LETTER DEMAND TO DIANA LEWIS TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM - FROM JACOB NOAH ARCHIE BERNSTEIN

Diana Lewis, please see the attached SIGNED CEASE AND DESIST letter from my ADULT son JACOB NOAH ARCHIE Bernstein to you. This is the second Cease and Desist sent to you today by my adult children. If you have any questions please feel free to contact me.

Eliot I. Bernstein

Inventor, really cool shit that changed your world!

Iviewit Holdings, Inc. – DL

2753 N.W. 34th St.

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(561) 245.8588 (o)

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---

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***From the Desk of :  
Jacob Bernstein***

2753 NW 34th Street, Boca Raton, FL 33434

July 11, 2017

ADR & MEDIATIONS SERVICES, LLC

Diana Lewis

2765 Tecumseh Drive

West Palm Beach, FL 33409

(561) 758-3017 Telephone

dzlewis@aol.com

(Fla. Bar No. 351350)

**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM OF JACOB BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

Attention Diana Lewis, Esq.,

My name is Jacob Noah Archie Bernstein and it has come to my attention that you are an attorney and former Judge in Palm Beach County and Officer of the Court, allegedly continuing to act as Guardian Ad Litem for me since April 07, 2016 allegedly as a “minor child” of Eliot Ivan Bernstein and Candice Michelle Bernstein.

While I understand that there is likely major legal problems with the proceedings leading up to your Appointment and Acceptance as Guardian ad Litem on my behalf, I turned 18 on January 01, 2017 and have not been a “Minor” for over 6 months and yet you have failed to Discharge the Guardianship and knowingly continue to purport to act on my behalf as a minor and make Court appearances for me and tender “Consents” on my behalf which were never provided to you and you have done this at all times knowing that there has never been any “incapacity” or

  
Page 1 of 18

**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM OF JACOB BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

“competency” Hearing since I turned 18 and thus no basis in law or fact to continue to act on my behalf after my 18th Birthday.

I now make this voluntary request for you to Cease and Desist all actions allegedly as my Guardian Ad Litem, turn over all records, discovery and information obtained in the course of your actions as my alleged Guardian and correct any and all frauds in all Courts or elsewhere impacted by this illegal Guardianship, including but not limited to, the Estate and Trust cases of my deceased grandparents, Simon and Shirley Bernstein.

Since I have been over the age of 18 years since January 01, 2017, you, Ted Bernstein, Alan Rose, Brian O’Connell and Steven Lessne have at all times had actual knowledge of these facts and the requirement to Discharge the Guardianship or conduct a proper Hearing with Due Process Notice and thus have continued to illegally use this Guardianship as a predatory weapon against myself and my family to interfere in proper rights of Inheritance and to cover up frauds in these cases.

Further, all of you actually know and have known that no “competency hearing” was ever held against me in over 6 months since turning the age of majority of 18, nor have I ever been provided ANY Due Process Notice or been served to appear in any proceeding or have an Opportunity to be heard at any of the relevant proceedings to date.

What is even more egregious about your conduct as a former Judge and done as an “Officer of the Court” is that you not only have continued in your actions as alleged Guardian in this illegal Guardianship despite being specifically advised that I was now over the age of 18 years but have also even gone as far as to give alleged “Consents” on my behalf to various actions by Ted

**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM OF JACOB BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

---

Bernstein and Alan Rose and entered into "Settlements" on my behalf again giving "Consent" all without my knowledge, without my Consent and without any Notice of Opportunity to be heard provided to myself. In fact, as you actually know. you and I have never even spoken to one another.

Like my older brother Joshua who was 18 even before the Guardian Ad Litem was created and accepted by you, I have come to learn that under Federal law under Title 18 USC Sec.242 it is a Federal Criminal Offense for Civil Rights Violations for 2 or more persons to conspire to Violate my US Constitutional rights, which have been violated by your actions in this case together in common with Attorney Alan Rose, Fiduciary Ted Bernstein and with the compliance and acquiescence of attorney Brian O'Connell as current Personal Representative of my grandfather Simon's Estate.

Please take notice that I have copied the US Dept of Justice Civil Rights Division head Tom Wheeler and offices of the FBI and US Attorney on this request.

I have further learned the following from the US Dept. of Justice Website:

"Section 242 of Title 18 makes it a crime for a person acting under color of any law to willfully deprive a person of a right or privilege protected by the Constitution or laws of the United States.

For the purpose of Section 242, acts under "color of law" **include acts not only done by federal, state, or local officials within the their lawful authority, but also acts done beyond the bounds of that official's lawful authority, if the acts are done while the official is purporting to or pretending to act in the performance of his/her official duties. Persons acting under color of law within the meaning of this statute include police officers, prisons guards and**

**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM OF JACOB BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

---

**other law enforcement officials, as well as judges,** care providers in public health facilities, and others who are acting as public officials. It is not necessary that the crime be motivated by animus toward the race, color, religion, sex, handicap, familial status or national origin of the victim.

The offense is punishable by a range of imprisonment up to a life term, or the death penalty, depending upon the circumstances of the crime, and the resulting injury, if any.” See, <https://www.justice.gov/crt/deprivation-rights-under-color-law>.

I have never spoken with you, met with you, granted you any authority over me and in any way enabled or allowed your acting in any capacity and in any matter on my behalf as an adult. This is a Cease and Desist demand to stop all further illegal acts on my behalf.

I am unaware of any Guardian Ad Litem Orders entered in the Simon and Shirley Probate Cases ( Case # 502012CP004391XXXXSB – Simon Bernstein Estate and Case # 502011CP000653XXXXSB – Shirley Bernstein Estate) giving you any guardianship powers over me to make any representations or take any actions on my behalf in those cases.

Ja.B. AND D.B. IN THE ABOVE STYLED CASE” **emphasis added**

The Shirley Bernstein Trust Order Appointing Guardianship is similarly limited to legal authority of the guardianship in that case only and only for MINOR CHILDREN.

The 2016 Florida Statutes - Title XLIII - DOMESTIC RELATIONS - Chapter 744 - GUARDIANSHIP  
744.521 Termination of guardianship.—**When a ward becomes sui juris** or is restored to capacity, when the guardian has been unable to locate the ward through diligent search, or, for a guardian

**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM OF JACOB BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

of the property, when the property subject to the guardianship has been exhausted, the guardian shall file a final report and receive his or her discharge. A guardian of the person is discharged without further proceeding upon filing a certified copy of the ward's death certificate. The court may require proof of the removal of incapacity.

History.—s. 1, ch. 74-106; ss. 21, 26, ch. 75-222; s. 4, ch. 86-120; s. 89, ch. 89-96; s. 63, ch. 90-271; s. 1110, ch. 97-102.

Note.—Created from former s. 746.12.

"Minor Ward Reaches 18 Unless the minor is incapacitated, at the age of 18 he or she is no longer a minor and is deemed to be legally old enough to manage his or her own finances or property. The guardianship is terminated and the assets are distributed to the minor."

[https://umshare.miami.edu/web/wda/ethics/gurardianship\\_rev1-07.pdf](https://umshare.miami.edu/web/wda/ethics/gurardianship_rev1-07.pdf)

Therefore, due to your lack of legal authority over me despite any Court Orders gained through simulated legal process, I immediately request that you;

1. **CEASE AND DESIST** from any further representations of myself, Jacob Noah Archie Bernstein, in any proceedings, settlements or other matters involving me.
2. **NOTIFY** the Florida Courts and Correct all actions taken on my behalf since turning the age of majority on January 01, 2017, have been improper and illegal and cease and desist this **KNOWINGLY, GROSS, WILLFUL, WANTON and RECKLESS** criminal violation of your fiduciary duties as a Guardian Ad Litem .
3. **WITHDRAW** any and all Consent you have given in any matters relating to Jacob Bernstein.
4. **FILE** immediately within or without the final report the fact that I, Jacob Bernstein, turned the age of majority on Jan. 01, 2017 and that no legal adult guardianship proceedings were held giving you legal authority from such date to the present,



**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM OF JACOB BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

---

discharge the Guardianship and turn over all records and properties regarding the guardianships as required.

5. **MAKE NO** further appearances in Court on my behalf or state in any pleadings consent on my behalf or take any any action whatsoever on my behalf claiming that you are a acting as Guardian Ad Litem for me.
6. **NOTIFY ALAN ROSE AND STEVEN LESSNE** to similarly take all actions to remove and strike all pleadings, orders, settlements, etc. in any court cases made on my behalf as a minor and correct any and all Court Orders and actions impacted by these defects and cease and desist any further acts on my behalf.
7. **NOTIFY ALL COURTS** affected by your actions since I turned the age of majority of 18 on Jan. 01, 2017.
8. **NOTIFY ALL COURTS** that you have made improper representations in pleadings and hearings in the Simon and Shirley Bernstein Estate and Trust cases and the Oppenheimer cases where you have never been granted a legal guardianship over me. The Courts to be notified and cases related to your actions that have been affected by the misconduct shall include but not be limited to,
  - a. The Florida Probate Court – HONORABLE Judge Rosemarie Scher, cases:
    - i. Case # 502012CP004391XXXXSB – Simon Bernstein Estate
    - ii. Case # 502015CP001162XXXXNB – Simon Bernstein Trust to Remove Ted Bernstein
      1. OLD CASE # Was Civil but Colin transferred to Probate ?  
502014CA014637XXXXMB
    - iii. Case # 502011CP000653XXXXSB – Shirley Bernstein Estate
    - iv. Case # 502014CP003698XXXXNB – Shirley Trust Construction
    - v. Case # 502014CP002815XXXXSB – Oppenheimer v. Bernstein Minor Children

**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD  
LITEM OF JACOB BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

- vi. Case # 502015CP002717XXXX Colin Closed and transferred to Coates Eliot Bernstein v. Simon Estate Case for Claims
  - vii. Case # 502014CA014637XXXXMB BERNSTEIN, ELIOT I VS BERNSTEIN, THEODORE S
  - viii. Case # 50-2010-CP-003128-XXXX-SB – Joshua Bernstein alleged 2010 Trust Case Colin
  - ix. Case # 50-2010-CP-003125-XXXX-SB -- Jacob Jake Bernstein alleged 2010 Trust Case Colin
  - x. Case # 50-2010-CP-003123-XXXX-SB– Daniel Danny Bernstein alleged 2010 Trust Case Colin
- b. The Florida 15th Judicial Civil Circuit Court and HONORABLE JUDGE Cymonie Rowe, case:
- i. Case # 502012CA013933XXXXMB William E. Stansbury v. Ted S. Bernstein et al. -
- c. The Florida 4<sup>th</sup> District Court of Appeals – Note – Do not submit any information to Chief Judge Corey Ciklin who is conflicted in these matters already as being a former law partner of Personal Representative of the Estate of Simon Bernstein, Brian O’Connell’s law firm, Ciklin Lubitz Martens & O’Connell, where Judge Ciklin already has Sua Sponte removed himself from proceedings he was involved with in these matters and removed his name from several prior issued Orders at that court.
- i. Case 15-3849 ELIOT BERNSTEIN ESTATE OF SIMON BERNSTEIN
  - ii. Case 16-1449 ELIOT IVAN BERNSTEIN OPPENHEIMER TRUST CO. OF DELAWARE, ET AL.
  - iii. Case 16-1476 ELIOT IVAN BERNSTEIN OPPENHEIMER TRUST CO. OF DELAWARE, ET AL.
  - iv. Case 16-2249 ELIOT IVAN BERNSTEIN OPPENHEIMER TRUST CO. OF DELAWARE, ET AL.
  - v. Case 16-0222 ELIOT IVAN BERNSTEIN TED BERNSTEIN, AS TRUSTEE, ET AL.
  - vi. Case 16-1478 ELIOT IVAN BERNSTEIN TED BERNSTEIN, AS TRUSTEE, ETC., ET AL.



**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD  
LITEM OF JACOB BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

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- vii. Case 16-3314 ELIOT IVAN BERNSTEIN TED BERNSTEIN,  
AS TRUSTEE, ETC., ET AL.
  - viii. Case 16-0064 ELIOT IVAN BERNSTEIN TED BERNSTEIN,  
AS TRUSTEE. ET AL.
  - ix. Case 16-3162 ELIOT IVAN BERNSTEIN WILLIAM E.  
STANSBURY, et al.
  - x. Case 16-4120 ELIOT IVAN BERNSTEIN WILLIAM E.  
STANSBURY, et al.
- d. The Florida Supreme Court – Note – Do not submit any information to Chief Judge Jorge Labarga as he is conflicted with the Eliot Bernstein family in these matters.
- i. SC16-29
- e. The United States District Court Northern District of Illinois Case 1:13-cv-03643 Simon Bernstein Irrevocable Insurance Trust Dtd 6/21/95 v. Heritage Union Life Insurance Company – HONORABLE Judge John Robert Blakey and Chief Judge Ruben Castillo.
- i. Case # 13-cv-03643 - Federal Lawsuit in the US District Court of Eastern Illinois
- f. United States Court of Appeals for the Seventh Circuit - Chief Judge Diane P. Wood in relation to the Lower Court Case 1:13-cv-03643 Simon Bernstein Irrevocable Insurance Trust Dtd 6/21/95 v. Heritage Union Life Insurance Company.
- i. Case No. 17-1461 APPEAL UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT
9. **TURN OVER** all of your professional and individual insurance policies and bonding information to me as claims against you individually and professionally and your firm,

**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM OF JACOB BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

will be forthcoming for the massive damages caused to me from your breaches of fiduciary duties and other misconduct. Your firm appears as follows and I believe it was set up specifically for liability purposes for these matters with my family, immediately prior to your acceptance of Guardian Ad Litem for me:

ADR & MEDIATIONS SERVICES, LLC  
Diana Lewis  
2765 Tecumseh Drive  
West Palm Beach, FL 33409  
(561) 758-3017 Telephone  
Email: [dzlewis@aol.com](mailto:dzlewis@aol.com)  
By: /s/ Diana Lewis  
(Fla. Bar No. 351350)

10. **TURN OVER** all records, documents, emails, faxes, information of any kind regarding me obtained by and during these illegal actions to my attention at my permanent address of, 2753 NW 34<sup>th</sup> Street, Boca Raton, FL 33434.

I have been notified that on repeated occasions over the past year my father and mother Eliot and Candice Bernstein have notified you directly of my Sui Juris status and you have refused to take any actions to end the improper Guardian Ad Litem and continue to make representations, agreements and settlements on my behalf and hopefully this notice will cause you to **IMMEDIATELY CEASE AND DESIST THIS ILLEGAL CONDUCT.**

I have also been made aware that my father and mother, Eliot and Candice Bernstein have notified state and federal authorities of your misconduct on my behalf, including but not limited to acts such as,

1. Dissolving various Trusts in my name set up by my grandparents,

**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM OF JACOB BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

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2. Dissolving Bernstein Family Realty, LLC, set up by my grandparents of which I am a 33% owner,
3. Making appearances in various court and legal proceedings illegally on my behalf,
4. Consenting to various legal agreements illegally on my behalf,
5. Consenting to various settlements illegally on my behalf.

I have learned that in Case # 502014CP003698XXXXNB – Shirley Bernstein Trust in the Fifteenth Judicial Probate Court you are acting under an alleged Trust created in my name that I was sued as a defendant under with my father, Eliot Bernstein, as Trustee and where I have never received formal notice of any such trust, nor do I believe my parents or any other party, including the courts have received, although I am a beneficiary allegedly under this trust. The Trust I am sued under is titled,

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.**  
**[Emphasis added]**

Please provide a copy of the “**Simon L. Bernstein Trust Dtd 9/13/12**” and any subtrusts held thereunder in my name supposedly created on 9/13/12 the date of my grandfather’s death. If you are in possession of any such trust or subtrust OR ANY OTHER TRUST in my name, please instantly turn over all records regarding this legal entity I have been sued under and that you are acting illegally as a Guardian Ad Litem over my person in such legal action under such trust.

I have done preliminary research into your name online since learning of this predatory Guardian Ad Litem placed knowingly upon me as an adult and have learned that you are a FORMER

**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD LITEM OF JACOB BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

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Judge and no longer a Florida Registered Judge who has lost her judgeship to Jennifer Ticktin since on or about 2014<sup>1 2 3</sup> where I learned from the attached articles, "But Ticktin, a 35-year-old partner at Ticktin Law Group and a Boca Raton resident, says she targeted Lewis for a reason. She cited a 2013 Palm Beach County Bar poll in which Lewis ranked last among 34 circuit court judges in categories including knowledge and application of the law, impartiality and judicial demeanor. "I think that right now we have an issue with the incumbent judge," Ticktin said. "Last time she was given a second chance, and I don't think that she did well with that second chance. I think it's time for change." In noting your bar association number above I believe that as both a former judge and current registered attorney at law I need not educate you on your obligations to notify all tribunals, criminal and civil and all parties with any liabilities resulting from your and others you worked in conspire with actions, as required by both State and Federal - Civil, Criminal and Ethical Rules and Statutes.

That these Knowingly, Gross, Willful, Wanton and Reckless Acts, which appear as Financial Exploitation of an Adult through an ILLEGAL GUARDIAN AD LITEM FOR A MINOR and further appear part of a larger conspiracy against the rights of my father, my mother and my brothers are simultaneously being forwarded to state and federal criminal authorities to

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<sup>1</sup> "Ugly PBC judicial campaign pits Diana Lewis and Jessica Ticktin" By Jane Musgrave - Palm Beach Post Staff Writer

Updated: 12:41 p.m. Friday, August 08, 2014 | Posted: 7:00 a.m. Friday, August 08, 2014

<http://www.mypalmbeachpost.com/news/local-govt--politics/ugly-pbc-judicial-campaign-pits-diana-lewis-and-jessica-ticktin/NczV3oHgQuXksyXpl11JdI>

<sup>2</sup> "Race for Palm Beach County Circuit Judge Group 14 seat is personal" July 19, 2014 | By Brittany Shammass, Sun Sentinel

[http://articles.sun-sentinel.com/2014-07-19/news/fl-election-palm-circuit-judges-14-20140719\\_1\\_lewis-incumbent-judge-ticktin-law-group](http://articles.sun-sentinel.com/2014-07-19/news/fl-election-palm-circuit-judges-14-20140719_1_lewis-incumbent-judge-ticktin-law-group)

<sup>3</sup> "Palm Beach Judge Diana Lewis Loses Judicial Seat to Challenger Raising Issues with Demeanor" Florida You Judge Wednesday, August 27th, 2014 at 5:26 pm by admin by Haydee Oropesa

<http://www.floridayoujudge.com/palm-beach-judge-diana-lewis-loses-judicial-seat-to-challenger-raising-issues-with-demeanor/>

**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD  
LITEM OF JACOB BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**

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investigate and prosecute any prior and future criminal acts, so please **govern yourself**  
**accordingly** in any future actions you may take in any matters relating to my family and myself.



*[Handwritten Signature]*


*[Handwritten Signature]*  
Page 12 of 18  
July 11, 2017



**RE: DIANA LEWIS DEMAND TO CEASE AND DESIST ILLEGAL GUARDIAN AD  
LITEM OF JACOB BERNSTEIN, CORRECT ALL FRAUD, OTHER RELIEF**


I authorize this Statement and Cease and Desist Request to be filed in any and all state and federal proceedings as relevant and necessary.

Sincerely,

X:   
\_\_\_\_\_  
Jacob Noah Archie Bernstein  
2753 NW 34th Street  
Boca Raton, FL 33434

Dated: 7-11-17

Witness:

X:   
\_\_\_\_\_  
Name: Joshua Bernstein  
2753 NW 34th Street  
Boca Raton, FL 33434

Dated: 7/11/17

TED S. BERNSTEIN, Trustee of the Shirley  
Bernstein Trust Agreement dated 5/20/2008

TED S. BERNSTEIN, Trustee of the Simon  
L. Bernstein Amended and Restated Trust  
Agreement dated 7/25/2012

July 20, 2017

Jacob Bernstein  
Joshua Bernstein  
2753 NW 34th Street  
Boca Raton, FL 33434

**Re: Recent "Cease and Desist" Letters you sent to Guardian, Diana Lewis**

Dear Jacob and Joshua:

I am writing to you now because you have sent very serious papers to the court-appointed guardian ad litem protecting your interests in court cases related to the estates of your grandparents, Bub and Zaid (Shirley and Simon Bernstein). I have serious concerns for you because those letters appear to continue your father's crusade against the court system, and do not appear to be written independently by the two of you.

I am writing as the Successor Trustee of certain Trusts created by your grandparents, which direct the creation of a trust for each of you (and Danny). I also am writing as your uncle, because I am concerned for your welfare and your financial future. Although circumstances dictated by your father have prevented us from having any interaction in the recent past, and have isolated you from your aunts, uncles and cousins related to Simon and Shirley, that is solely your father's choice. We are your family and we are trying to help you as much as the circumstances permit, and your father and mother have allowed.

Just so you know, I accepted this responsibility so I could watch out for your interests regardless of how your mother and father might feel about it. I am sorry if this has been or is now stressful for you. I have done everything I could to avoid that. As it relates to this role, I have tried very hard to minimize the financial damage your father has done to you, and as part of a settlement have convinced all of the other beneficiaries and interested persons not to seek a reduction in your share of the trusts (something the law refers to as a surcharge) because the harmful actions were being pursued solely by your father, and you were playing no role in them.

Exh. 3

Jacob Bernstein  
Joshua Bernstein  
July 21, 2017  
Page 2

To recap for your benefit, in Zaida's Last Will and Trust, he appointed all of Bubbe's and his assets equally to ten of his grandchildren, including the two of you and Danny (they chose not to leave anything to my son, Matthew). For whatever reason, Zaida decided to leave only a portion of the life insurance policy and furniture/jewelry to his children, equally. For the past five years, your father has been fighting and challenging everything being done to administer your grandparent's Estates and Trusts, and preventing my efforts to put money into the Trust created for your benefit. In fact, your father refused an interim distribution of \$80,000 for each of your trusts. Those monies could have been available for your benefit more than three years ago.

It is important to know that the law firm hired by Bub and Zaid to do their estate planning did act improperly on two occasions. Alan Rose and I held them responsible by insisting upon their immediate resignations as fiduciaries, and by pursuing a claim against them which now has been favorably settled.

At first, your father claimed that he should have been a beneficiary. He went to court and claimed that all the documents were fraudulent. After a trial held in December 2015, the judge ruled that Zaida's 2012 Will and Trust were not fraudulent. That ruling officially disinherited your father from the bulk of their wealth. Your father appealed that order all the way to the Florida Supreme Court, and he lost. The cost has been very significant to defend these law suits brought by your dad. As a result, there is significantly less now for all the grandchildren.

Today, the Florida courts ruled against your father's position about that very same trial. The court stated that he is known to be abusing the court system with frivolous and unnecessary filings. I have attached the ruling and I would encourage you to read what it says in order for you to form an educated opinion. I am concerned that you may be coerced into taking legal actions which are against your best interests. I also am enclosing copies of the motions filed by me and by Oppenheimer seeking the appointment of the Guardian. These motions, particularly Oppenheimer's, contain detailed information about some of your father's history in litigation matters.

Shortly after the trial in December 2015, both Oppenheimer and I asked the court to appoint a guardian to represent only your litigation interests, given the fact that you were minors, and out of concern that your father was inadequately representing or protecting you. All of your aunt's were in favor of this too as we were all concerned for your well-being. The judge agreed and determined that your father's actions were "adverse" and "destructive" to your best interests, and he actually appointed a guardian solely to represent you and watch out for your interests. This is very unfortunate, but we all felt it was necessary. As things have turned out, I stand by that decision and feel the court appointed guardian has served you well. She is someone you can trust if you would be more comfortable speaking directly with her.



Jacob Bernstein  
Joshua Bernstein  
July 21, 2017  
Page 3

Importantly, even though you are now over 18 years old and as such, you are adults in the eyes of the American legal system, Zaid wanted your inheritance held in a trust to protect you. Just as Jewish law considered you to be an adult at 13, and American law does at 18, Zaid only allowed you to serve as a co-trustee at age 25. I continue to have great concern for you and your ability to handle decisions in this lawsuit alone, which is why we sought the guardian in the first place.

It is now time for the court to appoint someone to serve as the trustee of your trusts, created by your grandparents' documents, to oversee the funds set aside for your benefit. We don't know yet how much it will be but if all of the current settlements are approved, there could be in excess of \$100,000 in trust for each of you and your brother. It is critical that we find someone willing to serve as the trustee of your trusts. Unfortunately, this has become virtually impossible because your father is aggressively litigating all of this in court and publishing false and defamatory information on the internet about everyone trying to help you. The professionals are afraid to serve in fear of having their reputations destroyed by the blogs written by your dad and Crystal Cox.

I am very concerned about your reputations. As young men entering the world of universities, athletics and eventually the work force, it has never been more important to have a flawless reputation. If there is any question about the character of a person, it can be more difficult to secure a position. The admissions officers at colleges or the person in charge of hiring at a company where you may want to work will "google" you or look you up on the Internet. They hope to find positive things or nothing at all. I am afraid that in your cases as well as your cousins, there is already a great deal of negative information associated with your names and your family name.

If you wish to have any input in selecting the trustee for your trusts, I ask you to immediately contact me and provide that input. In this regard, it could be a trusted relative or close family friend, but must be somebody who is independent and not under the influence of your father. Additionally, a letter written by each of you has recently been sent to all the parties and to the court appointed guardian ad litem complaining that you are now over the age of 18. As your uncle, I believe it is in your best interest to have this guardian, Diana Lewis, representing your interests. She only has one job and it is to protect your interests. She is controlled by no one. She would be happy to meet with you boys and I would urge you to listen to what she has to say. I would be happy to join you if that would be more comfortable.

If you wish to discuss any of this with me, your other relatives or Ms. Lewis, the guardian ad litem, please let us know and we will arrange it for you in a safe place. We would like to meet with you very soon to discuss what has been happening and to seek your input now that you have sent these letters. Of course, if you do not wish to have any involvement in this litigation, nobody can force you to do so. But since you have apparently written and sent a letter, now would be the time to let us know what you are thinking. We would be pleased to meet with you, alone or both of you at the same time, but not with your father present.

Jacob Bernstein  
Joshua Bernstein  
July 21, 2017  
Page 4

At any time, you can communicate with me by email, [tbernstein@lifeinsuranceconcepts.com](mailto:tbernstein@lifeinsuranceconcepts.com), or call me on my cell phone, 561-213-2322. But, we advise you that the court has prohibited your father from being involved or participating in the case or even communicating with the guardian, so we ask that you communicate only your own thoughts and not his, as difficult as that may be.

Please reach out to me at your earliest convenience.

Uncle Ted

cc: Diana Lewis, Guardian  
Alan B. Rose, Esq., Trustee's counsel  
Brian O'Connell, Personal Representative  
Pam Simon  
Jill Iantoni  
Lisa Friedstein  
Candice Bernstein  
Eliot Bernstein

# Ted Bernstein Boca Raton. Life Cycle Financial Planners

Florida Estate and Probate Case, Forgery, and Alleged Murder, blog written upon information, knowledge and belief of Crystal L. Cox, Investigative Blogger. Florida Probate Fraud, Forgery and Corruption; Simon Bernstein Estate Case

<b>Attorney Alan Rose</b>	<b>CAR BOMBING Details</b>	<b>Lis Pendens BLOCKED by Probate Judge</b>	<b>Florida Bar Complaints</b>	
<b>Judge John Phillips</b>	<b>Attorney Mark Manceri</b>	<b>BLAKEY Court 7-13-2017 EB Status Report</b>	<b>Judge Howard Coates</b>	
<b>Oppenheimer Sheriff Statement</b>	<b>Judge Martin Colin</b>	<b>PAM SIMON REPORT</b>	<b>PBSO Case Research Links</b>	<b>PBSO Statement</b>
<b>Read this Recent 7th Circuit Filing</b>	<b>Recent 7th Circuit Filing Memorandum</b>	<b>Life Insurance Concepts</b>	<b>Predatory Guardianship</b>	
<b>Ted Bernstein Boca Raton</b>	<b>Attorney Alan Rose Florida</b>	<b>Judge Rosemarie Scher</b>		
<b>Cease and Desist DEMANDS to Guardian Diana Lewis</b>				

Wednesday, July 26, 2017

## STATE OF FLORIDA Fourth District of Appeals Dismissal involving Conflicted CHIEF Judge Cory Ciklin in the Probate case of the Estate of Simon Bernstein.

Cory Ciklin. Cory J. Ciklin is chief judge of the Florida Fourth District Court of Appeal. Cory J. Ciklin was appointed to the Fourth District's Court of Appeal by Governor Charlie Crist.

Chief Judge Cory Ciklin practiced at the law firm of Ciklin Lubitz Martens & O'Connell whereby his brother Alan Ciklin is still a partner, a managing partner. [Brian O'Connell, partner of this same firm is the PR in the Estate of Simon Bernstein.](#)

Chief Judge Cory Ciklin is conflicted in the Estate of Simon Bernstein, Yet he is involved in ruling in these matters and in dismissing appeals filed by Estate Beneficiary Eliot Bernstein.

Judge Cory Ciklin is on a Dismissal Order one day and off the next day, why?

Why did Cory Ciklin do this? Was it to get files, information, rule in favor of family, law partners or to protect corruption in the Florida Guardianship program?

Judge Cory Ciklin replaced Judge Labarga as Chief Judge. Judge Martin Colin claimed that Judge Labarga was his mentor. Judge Labarga was involved in the iViewit patent theft, according to my research over the last decade, click below to research this. <http://deniedpatent.blogspot.com/search?q=Labarga>



More about the iViewit Stolen Video Technology involving Proskauer Rose and other Co-Conspirators and protected by Judge Labarga and Co-Conspirators. <http://DeniedPatent.blogspot.com/>



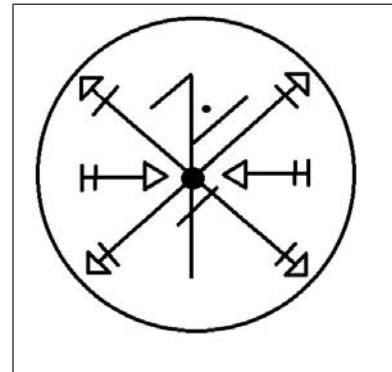
Judge Corey Ciklin

**Brian O'Connell is the current Personal Representative of the Estate of Simon Bernstein.** The Florida 4th District Court of Appeals had been Notified of Chief Judge Corey Ciklin's Conflicts of Interest and connection to the PR's law firm. Yet Judge Cory Ciklin was involved in DISMISSING appeals in the very case where his former law firm is the PR, and where his brother Alan Ciklin is the current managing partner at that same law firm. Brian O'Connell's law firm Ciklin Lubitz Martens & O'Connell.

Cory Ciklin is conflicted because he was a former law partner of Personal Representative of the Estate of Simon Bernstein, Brian O'Connell's law firm, Ciklin Lubitz Martens & O'Connell, where Judge Ciklin removed himself from proceedings he was involved with in these matters and removed his name from several prior issued Orders.

So Why did Judge Cory Ciklin, with Known Conflicts, get involved in this Dismissal Ruling? Was it to protect Brian O'Connell, and the Judicial Predatory Probate gang in the State of Florida?

Below we see the Documentation of Conflicted Judge Cory Ciklin Appeal Dismissal, CLEARLY involved in and steering, I would say controlled the outcome of this ORDER to Dismiss this action of which his former law firm and brother's current law firm is the PR for the Estate in this Case.



[Ted Bernstein Boca Raton](#)

**Ted Bernstein**



Life Insurance Concepts

Exh. 4

**ORDER APPEAL DISMISSED 4th DCA 4D-163162 CIKLIN IS ON PANEL**

With Known Conflicts of Interest. Ciklin is on this Day of Oct. 27th 2016 and by the very next day he is not on the Decision / Order but clearly was involved in the RULING with Clear Conflicts  
<https://drive.google.com/file/d/0Bzn2NurXrSkiNm54bnBMTnU5RTQ/view?usp=sharing>

"IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA FOURTH DISTRICT

**October 27, 2016**

CASE NO.: 4D16-3162

L.T. No.: 502012CA013933XXXXMB

**ELIOT IVAN BERNSTEIN v. WILLIAM E. STANSBURY, et al.**  
**Appellant / Petitioner(s) Appellee / Respondent**

BY ORDER OF THE COURT:

Upon consideration of the parties' responses to this court's September 16, 2016 jurisdictional order, it is ORDERED that [this appeal is dismissed](#). Dismissal is without prejudice to appellant to seek review of this order upon appeal from a final order.

**CIKLIN**, C.J., TAYLOR and FORST, JJ., **concur.**"

Source and Full Document  
<https://drive.google.com/file/d/0Bzn2NurXrSkiNm54bnBMTnU5RTQ/view?usp=sharing>

**Below is the AMENDED order the VERY next day, to make it look like Conflicted Judge Cory Ciklin was not involved in the Dismissal RULING.**

"IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
 FOURTH DISTRICT, 1525 PALM BEACH LAKES BLVD., WEST PALM BEACH, FL 33401

**October 28, 2016**

CASE NO.: 4D16-3162

L.T. No.: 502012CA013933XXXXMB

ELIOT IVAN BERNSTEIN v. WILLIAM E. STANSBURY, et al.

BY ORDER OF THE COURT:

ORDERED that [this court's October 27, 2016](#) order is amended as to the panel only: Upon consideration of the parties' responses to this court's September 16, 2016 jurisdictional order, it is ORDERED that this **appeal is dismissed**. Dismissal is without prejudice to appellant to seek review of this order upon appeal from a final order.  
**TAYLOR, LEVINE and FORST, JJ., concur.**"

Source of AMENDED Order  
<https://drive.google.com/file/d/0Bzn2NurXrSkib1YUmhGM1y1cm8/view?usp=sharing>

How can a Judge rule on an Order and then remove his name from a Ruling he was involved in. Even if he recuses later, he was still involved in that ruling, so how can he simply remove his name, yet the RULING, the Dismissal involving his former law firm where his brother is still a managing partner, still stands and still effects those in the case where he is CLEARLY conflicted?

The Florida Supreme Court is well aware of the Conflicts, yet none of them report to authorities.

**PETITION FOR ALL WRITS' WRIT OF PROHIBITION, WRIT OF MANDAMUS AND PETITION TO STAY CASES AND TEMPORARILY RESTRAIN SALE, TRANSFER, DISPOSITION OF ANY ASSET AND FOR PRESERVATION OF ALL EVIDENCE.**

Warning of Conflicts of Interest  
**IN THE SUPREME COURT OF FLORIDA**  
 CAUSE NO. SC15-1077

Click Below to Read, They KNOW of Massive Conflicts of Interest  
<https://drive.google.com/file/d/0Bzn2NurXrSkia3JpUnlVdXM4SzA/view?usp=sharing>

The Florida Courts seem to be unable or unwilling to report the misconduct of their Court Officers and the Fraud on the Courts, as well as the depth of corruption in the Florida guardianship program

[roselaw@gmail.com](mailto:roselaw@gmail.com) [Dashboard](#) [Sign Out](#)

Jordan Rushie  
 Randazza Legal Group  
 Marc Randazza



To Read this **WHOLE BLOG**, [click older posts](#) on the bottom right, page after page. Don't let this Florida Estate and Insurance FRAUD and Forgery happen to YOU.

**Blog Archive**

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  - ▶ 2014 (248)
  - ▶ 2015 (140)
  - ▶ 2016 (81)
  - ▼ 2017 (64)
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    - ▶ 07/09 - 07/16 (18)
    - ▶ 07/16 - 07/23 (11)
    - ▼ 07/23 - 07/30 (1)
- STATE OF FLORIDA Fourth District of Appeals Dismis...

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- [Eliot Bernstein Iviewit Inventor Interview Dick Wo...](#)

to state and federal authorities.

Predatory guardianships were placed in the Estate of Simon Bernstein cases to silence rights and thereby, it seems, to literally steal assets. This has went on for 5 years and counting in this one case, there are many other connected cases as well as the massive victims of Florida's Predatory Guardian programs.

Why did the 4th District Court of Appeals and the Florida Supreme Court simply rubber stamp known fraud and violations of Constitutionally Protected Rights? And why was Cory Ciklin involved in that Dismissal?

Corey Ciklin suddenly recused himself off several appeals that had been filed in the 4th DCA that he had already acted upon. Orders were changed and yet we are to believe that a 4th DCA Dismissal has any Truth or base in law other than Conflicts of Interest, Collusion, and Protecting the massive corruption in the Florida Probate Courts.

What information did Corey Ciklin receive, with his KNOWN conflicts?

Corey Ciklin is the brother of one of the partners at his former law firm Ciklin Lubitz Martens & O'Connell, where **not only is the Personal Representative of the Simon Bernstein Estate a partner** but also **Jerald Beer is a partner** and Eliot Bernstein, whose Appeal was dismissed, is pursuing Jerald Beer involving the theft of the Intellectual Properties in both state and federal, civil, criminal and ethical complaints ongoing and thus the whole firm and all of its partners, affiliates, former partners, and more are conflicted with the matters of the Estate of Simon Bernstein due to his ownership interest in the iViewit companies and the iViewit Intellectual Properties where Simon Bernstein was at a founding investor, shareholder and Chairman of the Board.

Judge Cory Ciklin was a partner at Ciklin Lubitz Martens & O'Connell  
Where his brother Alan Ciklin is a Managing Partner to this day.

"joined his brother, Alan Ciklin's law firm. From 1983 to 1991"

"He made the quantum leap into the position of Assistant County Attorney"

" County Judge, and started work on January 3. 1995."

Source of Above Quotes

<http://www.palmbeachbar.org/judicial-profiles/2002/>

"Crist puts Labarga, Ciklin on 4th District Court of Appeal"

[http://www.sun-sentinel.com/sf-mtblog-2008-12-crist\\_puts\\_labarga\\_ciklin\\_on\\_4-story.html](http://www.sun-sentinel.com/sf-mtblog-2008-12-crist_puts_labarga_ciklin_on_4-story.html)

#### **"Republican ad says Scott Rothstein bought Charlie Crist's judicial appointments"**

"Crist appointed four judges to the Fourth District's Court of Appeal during Rothstein's tenure. Three were previously county or circuit judges: **Cory Ciklin, Jorge Labarga and Jonathan Gerber**. (Labarga **served a single day**, and then Crist appointed him to the Florida Supreme Court. This year he became the first Cuban-American chief justice.)"

Source and Full Article

<http://www.politifact.com/florida/statements/2014/aug/25/republican-party-florida/republicans-ad-says-scott-rothstein-bought-charlie/>

### **Jerald S. Beer,, Alan J. Ciklin, Both ARE Current Partners of Ciklin Lubitz Martens & O'Connell**

#### **Ciklin Lubitz Martens & O'Connell A Law Firm Riddled in Conflict See Links Below**

"Boose, Casey, Ciklin, Lubitz, Martens & O'Connell lost its first name when former high-profile land use attorney William Boose went to prison. He pleaded guilty in 2007 to helping craft and conceal a dirty real estate deal that landed former County Commission Chairman Tony Masiolotti a five-year prison term. Boose served 15 months in prison and was released in 2009.

Now longtime business lawyer Patrick Casey is gone from the firm — only this time, it's a volunteer departure and a decision to stop practicing law.

The firm has been renamed Ciklin Lubitz Martens & O'Connell.

But Casey isn't happy about the way things turned out when he announced his retirement Oct.1 in a letter to **managing partner Alan Ciklin**.

Earlier this month, Casey filed a lawsuit against his former longtime partners, alleging they failed to hand over a \$511,200 retirement payment. His lawsuit also alleges that under Florida law, when a partner leaves, the firm is supposed to dissolve and reform, which Casey says hasn't happened. In fact, the firm has taken on new cases, the proceeds of which have been paid to partners before he's received the money he's owed, according to the Palm Beach County Circuit Court lawsuit.

So Casey, a longtime business and litigation attorney, is suing his former firm for breach of contract. He also **wants a court to order the dissolution of the firm.**"

Alexandra aka Monica interviews Eliot Bernstein

Alan B. Rose is MADD as a HATTER and he ain't goin'...

Hey Lindsay, you may want to watch the ol' digital...

Alan B. Rose of Page Mrachek, Fitzgerald & Rose Ge...

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ...

You know that Mark Twain quote, "Truth is stranger..."

John Pankauski, Pankauski Law Firm, Alan B. Rose, ...

Who does Alan B. Rose of Page Mrachek, Fitzgerald ...

Don Sanders, Jackson National sure seems to have m...

Oh and you Spineless, Cowardly, Lawless, Free Spee...

Burke, Warren, Mackay & Serritella Taking a Look

Alan B. Rose of Page Mrachek, Fitzgerald & Rose se...

Folks, Alan Rose is a MASSIVE, Blatant Hypocrite. ...

Alan B. Rose, Esq. seems set on suppressing speech...

Eliot Bernstein and iViewit

Isn't Armonk, New York Stephen Lamont's neck of th...

Don Sanders, assistant VP - Jackson National Life ...

Life Reassurance Corp. - Capital Bankers Life Insu...

Judge Amy J. St. Eve is formerly of Davis Polk & W...

Cedarhurst, New York

WOW, a full days wages for a Jackson National Empl...

Pam and Ted CUT out of the WILL so they seem to be...

Whatch all worried about? Prison, Fines, Judgement...

Not Getting Much Work Done today are ya? I sure ho...

303 East Wacker Drive Suite 210, Chicago Illinois

STP Enterprises, Inc. - Pamela Simon

Jackson National Life Distributors LLC - Register...

So Where Does Christopher C. Wheeler, Ex Proskauer...

Carol Ann Kindred at Heritage Union Life Insurance...

Heritage Union Life Insurance Company is well awar...

So, who at Jackson National has sweaty palms, all ...

So is Pamela Simon the real Puppeteer in all this?...

Jackson National Life Insurance Company has HUGE L...

oh and Don't Forget the BUYER of the CONDO and how...

More on Michael A. Wells, Jackson National Life Co...

Looks to me like Jackson National is a Little SPOO...

Source of Above and Full Article

<http://www.palmbeachpost.com/business/casey-ciklin-firm-mired-lawsuit-with-founding-lawyer/QVs9b3tn1yXvaB2V2M4KpM/>

#### Bill Boose former partner of Ciklin Lubitz Martens & O'Connell which was Boose Casey CiklinI

"Bill Boose, considered the dean of local land use lawyers – was sent to prison for 15 months after admitting he helped former Palm Beach County Commissioner Tony Masiolotti hide profits from a secret land deal. "

<http://postoncourts.blog.mypalmbeachpost.com/2016/07/20/storied-west-palm-law-firm-wins-2-3-million-legal-battle-against-founding-partner/>

#### "Powerful WPB law firm ordered to pay \$2.2 million to retired partner

WEST PALM BEACH —

The Ciklin Lubitz Martens & O'Connell law firm owes founding partner Patrick Casey \$2.2 million for failing to pay him his share when he retired in 2012, a judge ruled earlier this month. But Palm Beach County Circuit Court Judge Lucy Chernow-Brown's judgment didn't just talk money.

Chernow-Brown also slammed Alan Ciklin, a prominent attorney and managing partner of the West Palm Beach law firm. "The court finds Mr. Ciklin's testimony and credibility to be questionable," Brown wrote in her scathing, 12-page ruling, which came on Sept. 8, after a five-day trial in late July and early August.

"Mr. Ciklin, a licensed Florida attorney for 43 years, and managing partner of the defendant law firm for 24 years" testified he was not familiar with Florida partnership law, Chernow-Brown wrote, in finding that the firm didn't follow the law.

"I testified to nothing but the truth," Ciklin responded last week. "That was her opinion."

Chernow-Brown's decision was a victory for Casey, who helped found the firm in 1985. It was previously known as **Boose Casey Ciklin**. It then became Casey Ciklin, after once-powerful lawyer William Boose retired in 2006 and went to federal prison after admitting he helped a former county commissioner hide profits from a land deal. "

Source of Above Quote and More on the Story

<http://www.mypalmbeachpost.com/business/powerful-wpb-law-firm-ordered-pay-million-retired-partner/jmc7eHotXNzujCcDq6PzDO/>

#### To Research more on the former Ciklin Lubitz Martens & O'Connell partner Bill Boose, co-founder of the law firm Boose, Casey, Ciklin, Lubitz, Martens, McBane & O'Connell.

[http://articles.sun-sentinel.com/2006-11-04/news/0611040069\\_1\\_boose-indictment-secret-land-deals](http://articles.sun-sentinel.com/2006-11-04/news/0611040069_1_boose-indictment-secret-land-deals)

[http://articles.sun-sentinel.com/2007-07-20/news/0707191885\\_1\\_land-deal-plea-deal-prosecutors](http://articles.sun-sentinel.com/2007-07-20/news/0707191885_1_land-deal-plea-deal-prosecutors)

<http://www.palmbeachpost.com/news/boose-could-soon-regain-law-license/B3CtW22LpsGIE2MMW01cpO/>

<https://eyeonmiami.blogspot.com/2008/01/large-scale-public-corruption-whos-in.html>

#### "MEMORANDUM IN AID OF SENTENCING

On July 19, 2007, Defendant, WILLIAM R. BOOSE, III, pled guilty to a one (1) count Information charging him with misprision of felony, in violation of 18 U.S.C §4, a class E felony. Mr. Boose pled guilty pursuant to a negotiated plea agreement entered into with the United States government. Mr. Boose has accordingly accepted his role in assisting Anthony Masiolotti to commit honest services fraud in violation of 18 U.S.C. §371, for which Mr. Masiolotti has been sentenced to 60 months' imprisonment, and two years' supervised release."

"Mr. Boose is co-founder of the law firm **Boose, Casey, Ciklin, Lubitz, Martens, McBane & O'Connell**, a 34-member law firm renowned for its work in the area of land use, greatly due to Mr. Boose's efforts. Sadly, Mr. Boose has made the painful decision to retire from his law firm to defend himself against the instant charges. "

Source and Full Florida Court Filing

<http://alt.coxnewsweb.com/palmbeachpost/news/boosesentmemo.pdf>

Posted by Crystal L. Cox at 2:55 PM No comments:



So Funny, that Heritage Union Life Insurance Compa...

Heritage Union Life Insurance Company is well awar...

#### Blog Posts

Is Google Really the Best Way to Conduct a Fraud, ...

Welcome Back, How is that Murder Investigation Goi...

Order for Discharge and Withdrawal of Counsel Tesc...

Morgan Stanley Group New York and Tescher & Spalli...

Judge Martin Colin seems to be Doing the Right Thi...

Why is Ted Bernstein NOT connected to this Story? ...

Motion to Halt Hat Trick. Can You Believe this is ...

Hmmm.. Friend or Foe?

Alan B. Rose, Mracek, Fitzgerald, Rose, Konopka &...

Hello Marc Randazza, Welcome to the PARTY, Hope yo...

Alan Rose Wants the First Amendment to Be Set Asid...

Hey Liars, Thugs, Thieves, Corrupt, Murdering, Gre...

Hey Alan B. Rose, Mracek, Fitzgerald, Rose, Konop...

Judge Martin Colin has a history of protecting the...

I keep waiting for Judge Martin Colin to punish, o...

Whatch hiding FROM Boys?

Hey Flushing New York .. is this Raymond or possib...

Objection to Motion to Withdraw as Personal Repres...

Objection to Motion to Withdraw as Personal Repres...

I am getting me some "bad guy" ideas that somethin...

Why is Heritage Union Life Insurance Company Filin...

"Criminal Action through use of Simulated Legal Pr...

Letter to Judge Martin Colin and Opposition to Ted...

What is Going on with Janet Craig Lying about not ...

Motion for Appointment of Curator or Administrator...

Ted Petition for Appointment of Successor Personal...

Alan Rose Esq., John J. Pankauski, Pankauski Law F...

Chicago Insurance and Commercial Litigation Law Fi...

Morgan Stanley Group, Ted Bernstein and Tescher & ...

Wow, the Fraud Sure Seems to be Piling Up. Is Ted ...

Full Docket Of Heritage Union Life Insurance Case ...

Saturday, July 22, 2017

lan Rose and Traitoro s Ted o ld ne er ha e held Tescher responsible. They did not ha e the brains or balls to act ally do the R it R LL too to e pose Tescher and pallina s fra d. liot id Plain and imple.

Traitoro s Ted ays:

"It is important to know that the law firm hired by Bub and Zaid to do their estate planning did act improperly on two occasions. Alan Rose and I held them responsible by insisting upon their immediate resignations as fiduciaries, and by pursuing a claim against them which now has been favorably settled."

Source of Ted Bernstein's words linked below  
<https://drive.google.com/file/d/0Bzn2NurXrSkibjMzNU4yQi1SajQ/view>

Eliot Bernstein held Tescher and Spallina responsible. Eliot filed the motions, the criminal complaints and did all the work to expose the situation. Sounds like Alan and TED reap the financial REWARD as they always do. However, it was not Alan Rose and Traitorous Ted who "held them responsible".

Links Below to research What Eliot did to Expose Tescher and Spallina, keep in mind there were many Motions filed, letters, emails and conversations that may not all be linked here. Tescher and Spallina and their co-conspirators SHOULD be in Jail.

Post on this Blog regarding Donald Tescher. Keep in mind Ted and Tescher are and were "tight" as they say. Whatever RUSE of a settlement played out, well find the TRUTH about Traitorous Ted on your own.  
<http://tedbernsteinreport.blogspot.com/search?q=Tescher>

onald Tescher and Robert pallina ere the state planners for imon and hirley Bernstein and sho ld ha e no ledge and possession of any s ch Tr st and ins rance policies and contracts

34. Tescher and pallina ere the state planners for imon and hirley Bernstein ho sho ld ha e no ledge and possession of any s ch Tr st and ins rance policies and contracts.

35. New facts have emerged well beyond the time of my original Answer and as recently as Dec. 2015 when shown that Ted Bernstein and his co nsel lan Rose ere

oring ith Robert pallina as their primary itness in an orchestrated "one-day" pre-determined "validity" trial where Robert pallina directly pro ides false and misleading testimony about his status of pleading to criminal conduct for nsider Trading and C Consent rder and by the discovery that no one knows where the "original" files are and that Ted Bernstein someho has ne er seen an original Tr st in his entire time as alleged Tr stee either in this case or any of the Florida cases.

Source of above and Full Court Filing  
<https://drive.google.com/file/d/0Bzn2NurXrSkinjQ2am5UaTFBbms/view>

earing Transcript here dge artin . Colin clearly no s of fra d on the courts and has yet to act ally follo thro gh ith the threatened reading of the iranda rights.  
<https://docs.google.com/file/d/0B n2 r r ia3 a d1 5a /edit>

Petition to Free e Bernstein ssets  
<https://drive.google.com/file/d/0B n2 r r iT B b d T /edit sp sharing>

otion to Remo e Personal Representati e  
<https://drive.google.com/file/d/0B n2 r r i Fd o3 nh /edit sp sharing>

Response to Florida o ernor in imberly oran otary Fra d Forgery Case  
<https://drive.google.com/file/d/0B n2 r r i FPR0 ll F /edit sp sharing>

imberly oran tatement  
<https://drive.google.com/file/d/0B n2 r r iTmd 2 nR p d /edit>

Notary Public Comparison of Signatures and Dates, Evidence in Kimberly Moran Notary of Tescher and Spallina Law Firm Fraud, Forgery Case  
<https://drive.google.com/file/d/0Bzn2NurXrSkiU2FsT0hfVEhocWM/edit?usp=sharing>

Posted by Crystal L. Cox at 3:31 PM No comments:

[Heritage Lawsuit Illinois, Reply to Response Regar...](#)

[Reported as a Murder, yet the Box checked is medic...](#)

["The Document in Question Changes the Inheritance ...](#)

[Looks like the Tescher & Spallina, Ted Bernstein F...](#)

Ted Bernstein Tescher and pallina  
[Florida Estate Forgery, Fraud Case DOCKET](#)

onald Tescher on Left  


Ted Bernstein Tescher and Pallina  
[Florida Estate Forgery, Fraud Case DOCKET](#)