

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

INRE:

CASE NO. 502012CP004391XXXXNBIH

ESTATE OF SIMON L. BERNSTEIN,
_____ /

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
9113 /12; ELIOT BERNSTEIN, individually, as
Trustee f/b/o D.B., Ja. B. and Jo. B. under the
Simon L. Bernstein Trust Dtd 9113112, and on
behalf of his minor children D.B., Ja. B. and
Jo. B.; JILLIANTONI, Individually, as Trustee
f/b/o J.I. under the Simon L. Bernstein Trust
Dtd 911 3112, 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.
_____ /

**URGENT EMERGENCY MOTION TO POSTPONE AND RESCHEDULE NOVEMBER
15, 2017 HEARING PER NOVEMBER 06, 2017 AMENDED ORDER SPECIALLY
SETTING HEARINGS**

1. Eliot Bernstein has been medically unfit to proceed with hearings for several months continuously as previously noted to the Court due to chronic Vasovagal Syncope that has led to repeated daily passing out unconscious, which has led to several traumatic falls and injuries, which are further exacerbated by having to prepare for hearings in this Court despite the severe dangers to his life that this additional stress is causing, including postponing several doctors to try and prepare for Court hearings that the Court has refused to change to allow a proper diagnosis and recovery.
2. A brief chronology of the medical situation is attached in Exhibit 1 - “AFFIDAVIT OF CANDICE BERNSTEIN IN SUPPORT OF ELIOT BERNSTEIN’S “MOTION TO POSTPONE AND RESCHEDULE NOVEMBER 15, 2017 HEARING” that outlines and supports that the Situational Vasovagal Syncope according to Hospital records is **“Apparent Life Threatening Event,”** “Syncope” and “Apnea.”
3. Eliot has only addressed primarily the time period from August 2017 to November 2017 to show that he has been unable to properly prepare for or attend hearings in a healthy state of mind and body during this period and remains in such unhealthy state as of this date.
4. It is anticipated that Eliot can in 30-60 days both recover and have diagnosis completed and be back in a functioning capacity after that time period as Exhibit 1 shows. The Court was requested prior to the 10/19/17 hearing in this Court to allow time for Eliot to seek medical treatment and recover properly from a life threatening ailment and the Court refused to grant such request despite being made aware of the danger to Eliot’s life and in fact moved the hearing from October 27, 2017 to October 19, 2017 instead.

5. That these deadlines have only made the medical conditions worse and have not allowed Eliot to properly prepare or represent himself Pro Se before this Court.
6. Eliot has allowed his wife Candice to submit medical reports of his to this Court in her attached affidavit so that the Court may see not only the hospital and other doctor reports but the amount of very heavy narcotic analgesics, muscles relaxers and antibiotics he has been on from August 2017 through November 2015 and remains on to this date and was further proscribed another week worth after his dental implant prosthesis was reinserted on November 08, 2017, which had been out since October 11, 2017 and required daily pain medication as reported in Exhibit 1.
7. Finally, this Court should take notice of the attached 60(a) and (b) Motion for the Illinois Federal Court case (Exhibit 2 - 60(a) and (b) Case # 13-cv-03643 - US District Court of Eastern Illinois,) which outlines the continuing and ongoing fraud on the Illinois Federal Court and Hon. Judge John Robert Blakey and on this Court being committed by this Court's Court Appointed Officers (Attorneys, Fiduciaries and Guardian.) This filing should also provide ample cause for this Court to stay the proceedings and have all parties involved in the ongoing Fraud on the Court and Fraud on the True & Proper Beneficiaries and Interested Party to be called to show cause involving the frauds committed that have deprived the Eliot Bernstein family of their US and Florida Constitutional rights to fair and impartial due process and procedure rights and MORE.

WHEREFORE, Eliot seeks from this Court a 30-60 day stay of all cases before the Court to fully recover from his current injuries and complete the necessary tests without having to stress more over Court hearings and deadlines, which add to the Vasovagal Syncope attacks and risk of fatal injury. Further, stay the proceedings to

report and correct all recently discovered frauds upon the court by Court appointed officers, discovered in hearings held before this Court on February 16, 2017 and March 02, 2017, based on claims that Eliot Bernstein was not a beneficiary of his mother and father's estates and trusts and where it was learned that in fact at the minimum he is a beneficiary with standing in his father's estate. Eliot believes that if the Court reviews the 60(b) motion and the documents attached, the two Wills and two Inter-vivos Trusts that were declared valid at the December 15, 2015 hearing that the Court will see that not only does Eliot have standing in each as Natural Born son but that each document has him named as a beneficiary despite any claims or orders or pleadings claiming he is not.

DATED: November 09, 2017

Respectfully submitted,

/s/ Eliot Ivan Bernstein

Eliot Ivan Bernstein

2753 NW 34th St.

Boca Raton, FL 33434

561-245-8588

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CERTIFICATE OF SERVICE

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

/s/ Eliot Ivan Bernstein

Eliot Ivan Bernstein

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EXHIBIT 1

“AFFIDAVIT OF CANDICE BERNSTEIN IN SUPPORT OF ELIOT BERNSTEIN’S

“MOTION TO POSTPONE AND RESCHEDULE NOVEMBER 15, 2017 HEARING”

FILED SEPARATELY ECF

EXHIBIT 2

60(a) and (b) Case # 13-cv-03643 - US District Court of Eastern Illinois

FILED SEPARATELY ECF