



SHARON R. BOCK
Clerk & Comptroller
Palm Beach County



CASE NUMBER: 50-2005-CC-011311-XXXX-MB

CASE STYLE: EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP V EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP

Search Criteria Search Results Case Info **Party Names** Dockets & Documents Case Fees Court Events


First Name	Middle Name	Last Name	Suffix	Party Type	Party Association
KENNETH	J	LOWENHAUPT		ATTORNEY	EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP
		EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP		COUNTER DEFENDANT/RESPONDENT	
CANDICE		BERNSTEIN		COUNTER PLAINTIFF/PETITIONER	
ELLIOT		BERNSTEIN		COUNTER PLAINTIFF/PETITIONER	
CANDICE		BERNSTEIN		DEFENDANT/RESPONDENT	
ELLIOT		BERNSTEIN		DEFENDANT/RESPONDENT	
Division		RL		JUDGE	
		EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP		PLAINTIFF/PETITIONER	







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Docket Number	Effective Date	Description	Notes
1	08/31/2005	ADDITIONAL COMMENTS	
2	08/31/2005	CCFF/EV	Filed by PLAINTIFF EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP
3	08/31/2005	COMPLAINT FOR TENANT EVICTION	Filed by PLAINTIFF EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP
4	08/31/2005	PENDING	
5	08/31/2005	RECEIPT FOR PAYMENT	A Payment of -\$80.00 was made on receipt SBSB107182. Filed by PLAINTIFF EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP
6	09/01/2005	SUMMONS ISSUED	SM-05-213332 Filed by DEFENDANT ELLIOT BERNSTEIN
7	09/01/2005	SUMMONS ISSUED	SM-05-213341 Filed by DEFENDANT CANDICE BERNSTEIN
8	09/01/2005	CERTIFICATE OF MAILING	Docket entry for the letter produced from GUAQFLW on 01-SEP-2005 by KGILLIAM.
9	09/12/2005	ANSWER	AND COUNTERCLAIM Filed by DEFENDANT ELLIOT BERNSTEIN
10	09/12/2005	MOTION	TO DETERMINE RENT Filed by DEFENDANT ELLIOT BERNSTEIN

11	09/12/2005	SERVICE RETURN (ATTACHED)	POSTED 9/03/05 Filed by DEFENDANT ELLIOT BERNSTEIN. Associated to docket SMIS filed on 2005-09-01
12	09/12/2005	SERVICE RETURN (ATTACHED)	POSTED 9/03/05 Filed by DEFENDANT CANDICE BERNSTEIN. Associated to docket SMIS filed on 2005-09-01
13	09/12/2005	MOTION FOR DEFAULT	Filed by PLAINTIFF EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP
14	09/12/2005	AFFIDAVIT	OF COURT COSTS Filed by PLAINTIFF EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP
15	09/12/2005	AFFIDAVIT	(SUPPLEMENTAL) NON-MILITARY Filed by PLAINTIFF EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP
16	09/13/2005	ORDER	DEFS TO DEPOSIT \$6,340 INTO REGISTRY NO LATER THAN 3 PM 9/20/05 . STATUS CHECK RE MEDIATION ON 9/26/05 @ 9 AM IF CASE DOES NOT SETTLE RM 6L
17	09/15/2005	NOTICE OF HEARING	9/26/05 @ 9AM RM 6L
18	09/16/2005	NOTICE OF HEARING	ON MOTION TO DISMISS COUNTERCLAIM 26-SEP-2005 @ 9:00AM Filed by ATTORNEY KENNETH J LOWENHAUPT
19	09/16/2005	ANSWER	TO RENT OWED & MOTION TO HAVE ESCROW WAIVED IN LIGHT OF EXTRANEIOUS CIRCUMSTANCES Filed by DEFENDANT ELLIOT BERNSTEIN. Filed by COUNTER PLAINTIFF ELLIOT BERNSTEIN
20	09/19/2005	NOTICE	OF MANDATORY MEDIATION AS REQUIRED BY CRT ORD 22-SEP-2005 @ 9:00AM Filed by ATTORNEY KENNETH J LOWENHAUPT
21	09/20/2005	RECEIPT FOR PAYMENT	A Registry Deposit of \$6,340.00 was receipted on receipt CCMB85683. The registry fees due on this deposit are \$102.60. Filed by DEFENDANT ELLIOT BERNSTEIN. Filed by COUNTER PLAINTIFF ELLIOT BERNSTEIN
22	09/20/2005	RECEIPT FOR PAYMENT	A Registry Deposit Fee of \$102.60 was receipted on receipt CCMB85684. Associated with Registry Deposit receipted on receipt CCMB85683. Filed by COUNTER PLAINTIFF ELLIOT BERNSTEIN. Filed by DEFENDANT ELLIOT BERNSTEIN
23	09/20/2005	ORDER	DENYING DEFS MOT TO AVOID PLACING MONEY INTO REGISTRY
24	09/22/2005	MOTION	TO STRIKE NON-PARTY FROM DFT'S ANSWER AND COUNTERCLAIM Filed By ATTORNEY DONNA BARFIELD
25	09/26/2005	MOTION	(FAX) TO HAVE IMMEDIATE HEARING TO: CEASE AND DESIST COUNTER DFT FROM HARASSMENT SLANDER AND DEFAMATION OF COUNTER PLT' S INJUNCTION TO CONDEMN THE BUILDING, Filed by DEFENDANT ELLIOT BERNSTEIN. Filed by COUNTER PLAINTIFF ELLIOT BERNSTEIN
26	09/26/2005	MOTION	(ORIGINAL) TO HAVE IMMEDIATE HEARING TO: CEASE AND DESIST COUNTER DEDFENDANT FROM HARASSEMENT SLANDER AND DEFAMATION OF COUNTER PLT'S, INJUNCTION TO CONDEMN THE BUILDINGS Filed by COUNTER PLAINTIFF ELLIOT BERNSTEIN. Filed by DEFENDANT ELLIOT BERNSTEIN
27	09/26/2005	MEDIATION REPORT	

28	09/26/2005	ORDER	TO DEPOSIT RENT. DEF SHALL PAY INTO THE COURT REGISTRY \$1585.00 NO LATER THAN 5:00 PM ON THE 1ST DAY OF EACH MONTH (MARX)
29	09/26/2005	MOTION	TO DISMISS COUNTER COMPLAINTS Filed by PLAINTIFF EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP. Filed by COUNTER DEFENDANT EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP
30	09/26/2005	ORDER	DISMISSING COUNTERCLAIM (MARX)
31	09/26/2005	MOTION TO DISMISS	COUNTER COMPLAINTS Filed by COUNTER DEFENDANT EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP. Filed by PLAINTIFF EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP
32	09/27/2005	MEMORANDUM	(CLERK'S) TO ATTY, RETURN POSS CHECK. NO FINAL JUDGMENT (REC'D ON 9/12/05)
33	09/27/2005	ORDER	(AMENDED) DISMISSING COUNTERCLAIM. DEFS HAVE 5 ADD'L DAYS TO AMEND COUNTER COMPLAINT
34	09/28/2005	REQUEST	TO PAY RENT DAILY AS IT BECOMES DUE AT DAILY RENT RATE Filed by COUNTER PLAINTIFF ELLIOT BERNSTEIN. Filed by DEFENDANT ELLIOT BERNSTEIN
35	09/29/2005	MOTION	(FAX) TO RETAIN COUNSEL Filed by DEFENDANT ELLIOT BERNSTEIN. Filed by COUNTER PLAINTIFF ELLIOT BERNSTEIN
36	09/29/2005	MOTION	FOR EMERGENCY HEARING TO RETAIN COUNSEL Filed by PLAINTIFF EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP. Filed by COUNTER DEFENDANT EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP
37	09/30/2005	NOTICE	OF TRIAL AS TO POSSESSION 03-OCT-2005 @ 10:15AM Filed by ATTORNEY KENNETH J LOWENHAUPT
38	10/03/2005	MOTION	(FAX) FOR DISQUALIFICATION OF JUDGE FOR PREJUDICE UNDER RULE 2.160 Filed by COUNTER DEFENDANT EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP. Filed by PLAINTIFF EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP
39	10/03/2005	MOTION	(FAX)FOR IMMEDIATE HEARING PRIOR TO ANY FURTHER RULINGS TO HEAR THE MOTION FOR DISQUALIFICATION OF JUDGE FOR PREJUDICE UNDER RULE 2.160 Filed by PLAINTIFF EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP. Filed by COUNTER DEFENDANT EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP
40	10/03/2005	ORDER	DENYING DEFS MOT TO PAY RENT DAILY AS IT BECOMES DUE AT DAILY RENT RATE
41	10/04/2005	MOTION	(FAX) FOR DISQUALIFICATION OF JUDGE FOR PREJUDICE UNDER RULE 2.160 Filed by COUNTER DEFENDANT EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP. Filed by PLAINTIFF EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP
42	10/04/2005	MOTION	FOR ORDER APPROVING ATTACHED STIP
43	10/05/2005	MOTION	(FAX) FOR IMMEDIATE HEARING PRIOR TO ANY FURTHER RULINGS TO HEAR THE MOTION FOR DISQUALIFICATION OF JUDGE FOR PREJUDICE UNDER RULE 2.160 Filed by PLAINTIFF EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP. Filed by COUNTER DEFENDANT EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP
44	10/05/2005	ORDER	APPROVING STIP. DEFS HAVE UNTIL 10/7/05 TO FILE AMENDED COUNTERCOMPLAINT. MONIES IN REGISTRY TO BE DISBURSED TO DUBINER & WILENSKY
45	10/05/2005	ORDER	GRANTING DEFS MOT FOR DISQUALIFICATION OF JUDGE FOR PREJUDICE
46	10/05/2005	NOTICE OF REASSIGNMENT	TO DIVISION RL

47	10/06/2005	MOTION	(FAX) FOR IMMEDIATE HEARING DISMISSING POTENTIAL SETTLEMENT DOCUMENTS SUBMITTED TO THIS COURT Filed by COUNTER DEFENDANT EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP. Filed by PLAINTIFF EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP
48	10/06/2005	MOTION	(FAX) FOR IMMEDIATE HEARING AT THE NEXT AVAILABLE TIME OF THIS CRT TO HEAR THE MOTION FOR IMMEDIATE HEARING DISMISSING POTENTIAL SETTLEMENT DOCUMENTS SUBMITTED TO THIS CRT Filed by PLAINTIFF EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP. Filed by COUNTER DEFENDANT EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP
49	10/06/2005	ADDITIONAL COMMENTS	DISBURSEMENT REQUEST SENT TO ACCTING
50	10/06/2005	MOTION	TO WITHDRAW AS COUNSEL FOR DEFS
51	10/07/2005	ORDER	SETTING HEARING ON 10/11/05 @ 9:00AM RM 6A. (PEREZ)
52	10/10/2005	CHECK PRINTED	A Disbursement of \$6,237.40 on Check Number 10161 to DUBINER & WILENSKY LLC
53	10/11/2005	CHECK PRINTED	Check Number 10161 for \$6,237.40 has been Voided.
54	10/11/2005	VOIDED CHECK OR DISBURSEMENT	
55	10/11/2005	VOIDED CHECK OR DISBURSEMENT	
56	10/11/2005	VOIDED CHECK OR DISBURSEMENT	
57	10/11/2005	VOIDED CHECK OR DISBURSEMENT	
58	10/11/2005	VOIDED CHECK OR DISBURSEMENT	
59	10/11/2005	NOTICE OF HEARING	SET FOR 10/11/05 @ 9:00AM RM 6A
60	10/11/2005	NOTICE OF FILING	(COPY) OF AGREED STIP FOR SETTLEMENT.
61	10/11/2005	NOTICE OF FILING	COPY OF STIPULATION

62	10/11/2005	NOTICE OF HEARING	COPY
63	10/11/2005	MOTION	TO W/DRAW AS COUNSEL FOR DEFS
64	10/11/2005	MOTION	TO DISBURSE FUNDS FROM CT REGISTRY
65	10/11/2005	MOTION	FOR TENANT REMOVAL
66	10/14/2005	MOTION	FOR DISQUALIFICATION OF JUDGE FOR PREJUDICE UNDER RULE 2.160: MOTION FOR RULE 1.530 MOTIONS FOR NEW TRIAL AND REHEARING; AMENDMENTS OF JUDGMENT & MOTION FOR RULE 1.540 RELIEF FROM JUDGMENT, DECREES, OR ORDERS (FAX) Filed by COUNTER PLAINTIFF ELLIOT BERNSTEIN. Filed by DEFENDANT ELLIOT BERNSTEIN
67	10/14/2005	MOTION	FOR IMMEDIATE HEARING PRIOR TO ANY FURTHER RULINGS TO HEAR THE MOTION FOR DISQUALIFICATION OF JUDGE FOR PREJUDICE UNDER RULE 2.160; MOTION FOR RULE 1.530 MOTIONS FOR NEW TRIAL AND REHEARING; AMENDMENTS OF JUDGMENTS & MOTION FOR RULE 1.540 RELIEF FROM JUDGMENT, DECREES, OR ORDERS (FAX) Filed by DEFENDANT ELLIOT BERNSTEIN. Filed by COUNTER PLAINTIFF ELLIOT BERNSTEIN
68	10/14/2005	MOTION	FOR IMMEDIATE HEARING DISMISSING POTENTIAL SETTLEMENT DOCUMENTS SUBMITTED TO CRT Filed by COUNTER PLAINTIFF ELLIOT BERNSTEIN. Filed by DEFENDANT ELLIOT BERNSTEIN
69	10/17/2005	ORDER	ON MOT TO VACATE IS DENIED AND DEF TO VACATE PREMISES BY 10/14/05 @ 5:00PM. THE HEARING IS SET ON 10/31/05 @ 1:00PM RM 6A. (NUNC PRO TUNC 10/11/05) (PEREZ)
70	10/18/2005	ORDER	DENYING DFT'S MOTION FOR DISQUALIFICATION Filed by JUDGE ROBERT PANSE
71	10/18/2005	AFFIDAVIT	(FAX) OF FAILURE OF DFT TO VACATE AS AGREED PURSUANT TO OPEN COURT Filed by PLAINTIFF EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP. Filed by COUNTER DEFENDANT EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP
72	10/18/2005	ORDER	DFT'S MOTION FOR REHEARING AND NEW TRIAL AND THE MOTION FOR RELIEF FROM JUDGMENT ARE DENIED. (PEREZ)
73	10/18/2005	FINAL JUDGMENT BOOK 019436 PAGE 01695	PLT RECOVERS POSSESSION AND COSTS FROM DFTS ELLIOT BERNSTEIN AND CANDICE BERNSTEIN. (PEREZ) Filed by COUNTER PLAINTIFF ELLIOT BERNSTEIN. Filed by DEFENDANT ELLIOT BERNSTEIN
74	10/18/2005	DISPOSED BY JUDGE	Associated to docket FJUD filed on 2005-10-18
75	10/18/2005	WRIT OF POSSESSION ISSUED	WPO-05-013952 Filed by DEFENDANT ELLIOT BERNSTEIN. Filed by COUNTER PLAINTIFF ELLIOT BERNSTEIN
76	11/01/2005	ORDER	TO DISBURSE FUNDS FROM CT REGISTRY GRANTED. THE CLERK TO RELEASE FUNDS, LESS CLERK FEES TO PLTFS C/O KENNETH LOWENHAUPT. (PEREZ)
77	11/02/2005	ADDITIONAL COMMENTS	DISBURSEMENT REQUEST SENT TO ACCOUNTING.

78	11/02/2005	ORDER	GRANTING MOT TO W/DRAW IS GRANTED. DUBINER & WILENSKY AND W/DRAWN AS CUONSEL FOR DEF. ALL FUTURE PLEADINGS SENT DIRECTLY TO DEF. (PEREZ)
79	11/02/2005	WRIT OF POSSESSION RETURNED	EXECUTED Filed by COUNTER PLAINTIFF ELLIOT BERNSTEIN. Filed by DEFENDANT ELLIOT BERNSTEIN. Associated to docket WPOI filed on 2005-10-18
80	11/10/2005	CHECK PRINTED	A Disbursement of \$6,237.40 on Check Number 10475 to EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP
