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

TED BERNSTEIN, as Trustee Probate Division

of the Shirley Bernstein Trust Agreement Case No.: 502014CP003698XXXXSB

dated May 20, 2008, as amended,

Plaintiff,

v. motion for re-hearing; sale of home

ALEXANDRA BERNSTEIN; et al.

Defendants.

outline

1. IN FIRST HALF OF HEARING TO SELL HOUSE court said it needed to hold hearings on trusts, validity, meaning etc but failed to do so prior to order on sale of house – how can dispositions be made when trusts not determine yet and hearings not held
2. COURT SAID ELIOT WOULD KNOW HIS TOTAL INHERITANCE TO DETERMINE IF HE COULD PURCHASE HOME, HE WAS TO GET ACCOUNTINGS THAT ARE LONG OVERDUE, NEVER GOT THEM
3. PROBLEM WITH TITLE COMPANY WAS SOMEHOW EVADED
4. court aware ted bernstein involved with trust lawyers and notary already admitting to criminal acts before this court in relation to trusts
5. court already said miranda warnings appropriate ON 9/13/2013 but no action taken prior to issuance of order on sale of home
6. trustee not allowed to be felon but strong likelihood ted involved as felon in document and notary fraud – find citation to trustees not able to be felons under – investigation obviously not completed
7. even if trusts as proposed accepted as true ted is predeceased for purposes of DISPOSITION OF trust so how can he act TO SELL OR DISTRIBUTE BENEFITS
8. court has failed to determine and act upon lis pendens THAT IT HELD SINCE 10/13/14, AS COURT ORDERED ELIOT TO FILE EVERYTHING WITH COURT BEFORE OFFICIALLY FILING
9. THAT TED AND ALAN GAVE NO NOTICE TO BENEFICIARIES OF SALE UNTIL AFTER ELIOT NOTIFIED COURT AND EXECUTOR OF SALE 5-6 DAYS PRIOR TO CLOSING.
10. CRIME SCENE AS PERSONAL PROPERTY OF SIMON THAT IS IN CUSTODY OF O’CONNELL PR WAS IN HOME AND THEY PLANNED ON SELLING IT OR MOVING IT, WHILE THERE WAS A COURT ORDER TO INSPECT SHIRLEY CONDO STUFF FOR MONTHS THAT WAS SAID TO HAVE TRANSFERRED TO LIONS HEAD HOME.
11. COURT ORDERED INSPECTION THEN DONE – ALL SHIRLEY CONDO STUFF GONE, HOME IS CRIME SCENE.
12. ELIOT WAS NOT ALLOWED IN HOME TO MAKE SURE SIMON STUFF WAS ALL THERE, INVENTORY PERSON SAYS EVERYTHING NOT INVENTORIED DUE TO TIME.
13. florida disclosure laws – notice to buyer
14. court says in order it determined arms length transaction but no testimony of buyer occurred, buyer not identified and eliot denied due process by not being able to examine the buyer -
15. lay out standards for arms length transactions
16. court could have issued subpoena for appraiser eliot spoke to, court should now issue subpoena for this appraiser and also be examined on why he ran away when alan rose was involved, appraisers like notaries like realtors have uniform standards and guidelines, the value of the home should not change just because alan rose is involved
17. HOW DID SIMON HAVE IT LISTED AT 3.2M weeks before his death by same realtor who sells it for 1.1 with ted.
18. all the reasons why ted should not be trustee and fact court should have held those hearings and made determination prior to allowing sale