

PALM BEACH COUNTY SHERIFF'S OFFICE PAGE 1
CASE NO. 14029489 SUPPLEMENT 14 OFFENSE REPORT CASE NO. 14029489
DISPOSITION: ZULU
DIVISION: DETECTIVE

911:
ECONOMIC CRIMES * * *
SIGNAL CODE: 14 CRIME CODE: NON CRIME CODE: OT CODE: 9546 03/20/15 THURSDAY
ZONE: BR GRID: DEPUTY I.D.: 6685 NAME: PANZER ASSIST: TIME D 1020 A 1020 C 1021
OCCURRED BETWEEN DATE: 12/01/12 , 0000 HOURS AND DATE: 01/31/13 , 0000 HOURS
EXCEPTION TYPE:
INCIDENT LOCATION: 4855 TECHNOLOGY WY APT. NO.: 700
CITY: BOCA RATON STATE: FL ZIP: 33431

NO. OFFENSES: 00 NO. OFFENDERS: UK NO. VEHICLES STOLEN: 0 NO. PREMISES ENTERED: 0
LOCATION: OTHER
NO. VICTIMS: 00 NO. ARRESTED: 0 FORCED ENTRY: 0

UPON COMPLETING MY REVIEW OF THE DOCUMENTATION BERNSTEIN SUBMITTED IN HIS EMAIL OF 01/08/15, IT WAS DETERMINED THE NEW INFORMATION HE BROUGHT FORTH WAS IN REGARD TO THE DOCUMENTS RELATING TO THE TRUSTS OF HIS 3 MINOR CHILDREN, JOSHUA, JACOB, AND DANIEL BERNSTEIN. IN ITEM 52 OF THE STATEMENT OF FACTS BERNSTEIN WROTE:

"THAT IMMEDIATELY AFTER THE INITIAL COURT HEARING ON OCTOBER 20, 2014 ELIOT, CANDICE AND WILLIAM STANSBURY CONTACTED AND THEN MET WITH TRACI KRATISH, ESQ. WHEREBY TRACI STATED;

- A. SHE HAD NEVER SEEN THE TRUST DOCUMENTS EXHIBITED HEREIN BEFORE NAMING HER AS THE INITIAL TRUSTEE,
- B. THAT SHE DID NOT WORK FOR THE BERNSTEIN FAMILY AT THE TIME THE TRUST DOCUMENT IS ALLEGEDLY SIGNED BY HER AS TRUSTEE,
- C. THAT SHE WAS NOT THE ORIGINAL TRUSTEE IN THE DOCUMENT AND WAS ONLY ASKED TO BE A TRUSTEE WHEN THE STANFORD TRUST COMPANY WAS SEIZED AND ONLY FOR A FEW DAYS, DUE TO THE SIR ALLEN STANFORD PONZI SCHEME AND NEED TO TRANSFER FUNDS.
- D. TRACI CLAIMS TO HAVE SIGNED AN ACCEPTANCE LETTER AT THAT TIME WHICH IS MISSING FROM THE DOCUMENT PRODUCTION OF TESCHER AND SPALLINA AND THEN SHORTLY THEREAFTER SIGNED A RESIGNATION TRANSFERRING TRUSTEESHIP TO OPPENHEIMER.
- E. THAT SHE NEVER SIGNED THE TRUST DOCUMENTS AS ALLEGED IN THE DOCUMENTS AND THAT THE APPEARED FORGED AND FRAUDULENT.

UPON EXAMINING THE SIGNATURE AREAS OF THE TRUST AGREEMENTS DATED SEPTEMBER 07, 2006 PROVIDED BY BERNSTEIN, I NOTED THE TRUSTEE SECTION LISTS

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TRACI KRATISH, PA AS TRUSTEE. BELOW THIS IS A SIGNATURE, FOLLOWED BY FOR TRACI KRATISH, PA. ON 01/31/15, I SEARCHED TRACI KRATISH, PA THROUGH THE FLORIDA DIVISION OF CORPORATION SUNBIZ WEBSITE AND DISCOVERED THE CORPORATION HAD BEEN DISSOLVED PER THE APPROVAL OF ITS SHAREHOLDERS ON 12/31/13. I WAS ABLE TO LOCATE A POSSIBLE PHONE NUMBER FOR THE ADDRESS LISTED IN THE CORPORATE PAPERWORK AND SUBSEQUENTLY MADE CONTACT WITH KRATISH. IN SPEAKING WITH KRATISH, SHE ADVISED SHE WAS CURRENTLY WORKING FOR ERNST & YOUNG IN BOCA RATON. I EXPLAINED MY INVOLVEMENT WITH BERNSTEIN IN REGARD TO HIS ALLEGATIONS AND ASKED IF SHE WOULD BE WILLING TO MEET WITH ME. KRATISH AGREED AND A MEETING WAS ARRANGED FOR 02/03/15 AT HER OFFICE IN BOCA RATON. ON 02/02/15, I RECEIVED A PHONE MESSAGE FROM KRATISH REQUESTING THE MEETING BE RESCHEDULED. I MADE CONTACT WITH KRATISH AND THE MEETING WAS RESCHEDULED FOR 02/05/15 AT 10 AM, BUT THIS MEETING HAD TO BE CANCELLED AS WELL DUE TO A PRIOR COMMITMENT ON MY PART THAT HAD ALREADY BEEN SCHEDULED.

ON 03/06/15, I MADE CONTACT WITH KRATISH BY PHONE AND ATTEMPTED TO SCHEDULE AN INTERVIEW. KRATISH REQUESTED THE MEETING BE SCHEDULED AFTER 04/15/15, AS THIS WAS A VERY BUSY TIME FOR HER AS SHE WAS ALSO A CERTIFIED PUBLIC ACCOUNTANT. I TOLD HER I WOULD CONTACT HER AFTER TAX SEASON BUT ASKED HER TO CONTACT ME IN THE EVENT AN OPENING IN HER SCHEDULE PRESENTED ITSELF PRIOR TO THEN.

ON 03/20/15, I SPOKE AT LENGTH WITH BERNSTEIN AND ADVISED HIM OF MY ATTEMPT TO MEET WITH KRATISH AND WHEN THE MEETING MIGHT TAKE PLACE. I ASKED IF THE DATE ON THE TRUST AGREEMENTS, WHICH HE PROVIDED AS EXHIBITS WERE THE ACTUAL DATES OF WHEN THE FORGERY MAY HAVE OCCURRED AND BERNSTEIN STATED HE DIDN'T KNOW WHEN THESE DOCUMENTS WERE SIGNED OR IF THEY WERE EVEN ACTUAL LEGAL DOCUMENTS. BERNSTEIN HAD SOME QUESTIONS AS TO ISSUES WHICH AROSE DURING THE TIME THIS CASE WAS ASSIGNED TO DETECTIVE MILLER AND I TOLD HIM I WOULD ATTEMPT TO FIND OUT THE ANSWERS TO HIS QUESTIONS. IT SHOULD BE NOTED, BERNSTEIN IS INVOLVED IN A NUMBER OF CIVIL LITIGATIONS IN MULTIPLE JURISDICTIONS AND SOME THAT STEM FROM ISSUES HE BELIEVES ARE RELATED TO THIS CASE. AS HE BEGAN TO SPEAK OF SOME OF THESE, I LISTENED TO WHAT HE HAD TO SAY BUT ENSURED HE UNDERSTOOD THE PURPOSE OF MY CALL WAS TO UPDATE HIM ON THE PROGRESS OF THE ATTEMPT TO INTERVIEW KRATISH. BERNSTEIN ADVISED ME HE HAD A SIGNIFICANT AMOUNT OF DOCUMENTS YET TO PROVIDE ME. I ADVISED BERNSTEIN I WOULD CONTACT HIM ONCE I HAD INTERVIEWED KRATISH.

THIS CASE REMAINS OPEN PENDING THE INTERVIEW OF KRATISH.

DETECTIVE ANDREW PANZER #6685

03/20/15

TRANS. VIA EMAIL/COPY/PASTE: 03/23/2015/MDR/#6405

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 CASE NO. 14029489 SUPPLEMENT 15 O F F E N S E R E P O R T CASE NO. 14029489
 DISPOSITION: ZULU
 DIVISION: DETECTIVE

911:
 ECONOMIC CRIMES * * *
 SIGNAL CODE: 14 CRIME CODE: NON CRIME CODE: OT CODE: 9546 05/12/15 THURSDAY
 ZONE: BR GRID: DEPUTY I.D.: 6685 NAME: PANZER ASSIST: TIME D 1020 A 1020 C 1021
 OCCURRED BETWEEN DATE: 12/01/12 , 0000 HOURS AND DATE: 01/31/13 , 0000 HOURS
 EXCEPTION TYPE:
 INCIDENT LOCATION: 4855 TECHNOLOGY WY APT. NO.: 700
 CITY: BOCA RATON STATE: FL ZIP: 33431
 NO. OFFENSES: 00 NO. OFFENDERS: UK NO. VEHICLES STOLEN: 0 NO. PREMISES ENTERED: 0
 LOCATION: OTHER
 NO. VICTIMS: 00 NO. ARRESTED: 0 FORCED ENTRY: 0

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ON 05/06/15, I MADE CONTACT WITH TRACI KRATISH BY PHONE AND ATTEMPTED TO SCHEDULE AN INTERVIEW WITH HER REGARDING THE ALLEGED FORGED TRUST DOCUMENTS. IT WAS AGREED THE INTERVIEW WOULD TAKE PLACE AT THE PALM BEACH COUNTY SHERIFF'S OFFICE FINANCIAL CRIMES UNIT ON THURSDAY, 05/21/15 AT 1:00 PM. THIS CASE REMAINS OPEN PENDING THE RESULTS OF THE INTERVIEW WITH KRATISH.
 DETECTIVE ANDREW PANZER #6685
 05/12/15
 TRANS. VIA EMAIL/COPY/PASTE: 05/18/2015/MDR/#6405

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911:
ECONOMIC CRIMES * * *
SIGNAL CODE: 14 CRIME CODE: NON CRIME CODE: OT CODE: 9546 06/30/15 THURSDAY
ZONE: BR GRID: DEPUTY I.D.: 6685 NAME: PANZER ASSIST: TIME D 1020 A 1020 C 1021
OCCURRED BETWEEN DATE: 12/01/12 , 0000 HOURS AND DATE: 01/31/13 , 0000 HOURS
EXCEPTION TYPE:
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NO. OFFENSES: 00 NO. OFFENDERS: UK NO. VEHICLES STOLEN: 0 NO. PREMISES ENTERED: 0
LOCATION: OTHER
NO. VICTIMS: 00 NO. ARRESTED: 0 FORCED ENTRY: 0

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ON 05/21/15, I RESPONDED TO 250 S. AUSTRALIAN AVENUE - #1402, WEST PALM BEACH, FL AND MET WITH TRACI KRATISH IN THE OFFICE OF HER ATTORNEY JAMES CUNHA. I HAD BROUGHT WITH ME COPIES OF THE DOCUMENTS BERNSTEIN HAD PROVIDED AS ATTACHMENTS IN HIS 01/18/15 LETTER TO ME. IN SPEAKING WITH KRATISH SHE ADVISED ME SHE BEGAN HER EMPLOYMENT WITH SIMON BERNSTEIN ON 09/10/06 AS THE GENERAL COUNSEL AND CHIEF COMPLIANCE OFFICER FOR HIS FIRM LIC HOLDINGS INC. KRATISH STATED SHE WAS EMPLOYED UNTIL FEBRUARY 2010 AND HER LAST PAYCHECK WAS FOR PAY DATE ENDING 02/18/10. KRATISH PROVIDED ME A CHART DETAILING THAT LIC HOLDINGS INC. (FL S CORP) WAS THE PARENT COMPANY OF THE FOLLOWING ENTITIES; ARBITRAGE INTERNATIONAL MANAGEMENT LLC F/K/A ARBITRAGE INTERNATIONAL HOLDINGS LLC (FL), CAMBRIDGE FINANCING COMPANY (FL) AND ITS SUBSIDIARY CFC OF DELAWARE LLC (DE), CAMBRIDGE PREMIUM COMPANY, INC. (NY), ARBITRAGE INTERNATIONAL MARKETING, INC. D/B/A LIFE INSURANCE CONCEPTS (FL S CORP) AND NATIONAL SERVICE ASSOCIATION, INC. (FL). SIMON AND TED BERNSTEIN WERE THE MAJORITY SHAREHOLDERS AND WILLIAM STANSBURY WAS AN ADDITIONAL SHAREHOLDER.

I ASKED KRATISH WHEN SHE FIRST MET ELIOT BERNSTEIN. SHE STATED IT WAS IN OCTOBER OF 2014 AND SHE WAS INTRODUCED TO HIM BY WILLIAM STANSBURY, WHO WAS INVOLVED IN SOME LITIGATION REGARDING THE ESTATES OF SIMON AND SHIRLEY BERNSTEIN. THE MEETING WAS HELD AT THE BOCA MARRIOTT. IT SHOULD BE NOTED THAT BERNSTEIN SAID THIS MEETING WITH KRATISH OCCURRED IMMEDIATELY AFTER A HEARING BEFORE JUDGE COLIN ON 10/02/14, IN WHICH THE TRUST AGREEMENTS WERE FRAUDULENTLY TENDERED TO THE COURT, BY LESSNE WHO IS AN ATTORNEY REPRESENTING OPPENHEIMER.

I SHOWED KRATISH THE DOCUMENTS BERNSTEIN SENT ME IN REGARD TO HIS

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ALLEGATION. KRATISH ACKNOWLEDGED SHE WAS THE TRUSTEE AT SOME POINT FOR THE TRUSTS OF BERNSTEIN'S MINOR CHILDREN. SHE ADDED THAT SHE DIDN'T REMEMBER BEING INVOLVED PRE-STAMFORD BUT DOES RECALL BEING INVOLVED IN THE TRANSFER TO OPPENHEIMER. KRATISH LOOKED AT THE SIGNATURES ON THE DOCUMENTS AND STATED THEY APPEARED TO BE HER SIGNATURE ALTHOUGH SHE DOESN'T HAVE INDEPENDENT RECOLLECTION OF SIGNING THE SPECIFIC DOCUMENTS. KRATISH SAID SHE SIGNED MANY DOCUMENTS IN HER ROLE AS GENERAL COUNSEL AND CHIEF COMPLIANCE OFFICER FOR SIMON BERNSTEIN'S BUSINESS CONCERNS. IT SHOULD BE NOTED UPON CHECKING THE DRIVER AND INFORMATION DATABASE (DAVID) SIGNATURE ARRAY FOR KRATISH, THE SIGNATURES SHE USED ON HER DRIVER LICENSES APPEARED TO MATCH THOSE ON THE DOCUMENTS BERNSTEIN PROVIDED IN HIS ATTACHMENTS. KRATISH ALSO RECOGNIZED THE NAME OF ONE OF THE WITNESSES, JOCELYN JOHNSON AS BEING AN EMPLOYEE OF SIMON BERNSTEIN. IT SHOULD BE NOTED THESE TRUST DOCUMENTS WERE EXECUTED ON 09/07/06, SHORTLY AFTER KRATISH STARTED HER EMPLOYMENT. IT SHOULD ALSO BE NOTED BERNSTEIN PROVIDED A DOCUMENT WHICH INDICATED KRATISH RESIGNED AS TRUSTEE ON 09/12/07.

I EXPLAINED TO KRATISH AND CUNHA THAT BERNSTEIN FELT THAT MANY OF THE DOCUMENTS PRESENTED IN COURT WERE FRAUDULENT AND/OR FORGED. I BROUGHT UP THE FACT KRATISH WAS REFERRED TO AS A MALE IN PARTS OF THE TRUST DOCUMENTS AND ONE OF THE TRUSTS LISTED A SEPARATE INDIVIDUAL AS TRUSTEE. ATTORNEY CUNHA SPOKE TO THE FACT THESE COULD BE SIMPLE MISTAKES (SCRIBNER'S ERROR) AND SHOULD NOT HAVE AN ADVERSE EFFECT ON THE DOCUMENT.

WHEN I BROUGHT UP BERNSTEIN'S CONTENTION THAT IN ADDITION TO THE SIGNATURES BEING FORGED, THERE WAS ANOTHER ISSUE AS EACH PAGE LACKED THE INITIALS OF THE MINOR CHILD WHO WAS THE GRANTEE, CUNHA EXPLAINED THIS INITIAL SECTION IS NOT FOR THE RECIPIENT OF THE TRUST, RATHER IT IS FOR THE GRANTOR. KRATISH ADVISED ME THAT EARLIER THAT MORNING, SHE HAD RECEIVED AN EMAIL FROM WILLIAM STANSBURY WITH THE SUBJECT LINE; ORIGINAL SIGNED "OPPENHEIMER" TRUSTS. SEE BELOW:

 FROM: WILLIAM STANSBURY
 DATE: MAY 21, 2015 AT 9:07:50 AM EDT
 TO: "TRACI@KRATISH.COM"
 SUBJECT: ORIGINAL SIGNED "OPPENHEIMER" TRUSTS

 FROM: ALAN ROSE [MAILTO:AROSE@MRACHEK-LAW.COM]
 SENT: WEDNESDAY, MAY 20, 2015 2:14 PM
 TO: LESSNE, STEVEN; ELIOT IVAN BERNSTEIN; ELIOT IVAN BERNSTEIN
 CC: TED BERNSTEIN; O'CONNELL, BRIAN M.; FOGLIETTA, JOY A

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SUBJECT: ORIGINAL SIGNED "OPPENHEIMER" TRUSTS
MR. LESSNE AND MR. ELIOT BERNSTEIN:

I AM WRITING TO ADVISE THAT WE LOCATED SOME FILES IN DRAWERS IN SIMON'S PRIVATE OFFICE IN HIS HOME AT LIONS HEAD, AS WE WERE TRYING TO ASSESS THE COMPLEXITY OF THINGS THAT MUST HAPPEN BETWEEN NOW AND THE CLOSING OF LIONS HEAD. MY PRIMARY REASON WAS TO VISUALLY INSPECT THE THREE CHANDELIERS THAT HAVE BEEN THE SUBJECT OF PR EMAILS IN THE PAST FEW DAYS.

IN ANY EVENT, AND ALTHOUGH THESE FILES LIKELY WERE EXAMINED AND DISCOUNTED AS UNIMPORTANT BY THE PRS AFTER SIMON'S DEATH AND LIKELY MEANT NOTHING IF AND WHEN THEY WERE CATALOGED OR VIEWED DURING THE O'CONNELL AS PR RE-APPRAISAL/RE-INSPECTION, I NOTICED A FOLDER MARKED AS THE JAKE BERNSTEIN TRUST. LOOKING MORE CLOSELY, THERE WERE THREE GREEN FOLDERS LABELED WITH ELIOT'S CHILDRENS NAMES AND INSIDE ARE WHAT APPEAR TO THE ORIGINAL SIGNED IRREVOCABLE TRUST AGREEMENTS FOR THE TRUSTS WHICH OPPENHEIMER FORMAL SERVED. THESE MAY BE RELEVANT OR IMPORTANT TO THE ONGOING OPPENHEIMER CASE, SO I BRING THEM TO YOUR ATTENTION. THERE ARE ALSO WHAT APPEAR TO BE SOME TAX RETURNS AND STANFORD ACCOUNT STATEMENTS. SIMPLY BECAUSE I HAVE ATTENDED SOME OF THE OPPENHEIMER HEARINGS, I UNDERSTAND THAT ELIOT CLAIMS AT LEAST ONE OF THE TRUST DOES NOT EXIST. AS AN OFFICER OF THE COURT, AND BECAUSE THEY MAY BE RELEVANT, I HAVE TAKEN TEMPORARY CUSTODY OF THE DOCUMENTS. I WILL HOLD THEM PENDING JOINT INSTRUCTIONS OR A COURT ORDER, BUT WOULD PREFER TO DELIVER THEM TO STEVE LESSNE AS OPPENHEIMER'S COUNSEL. THESE HAVE NO ECONOMIC VALUE AND HAVE NO BEARING ON THE ESTATE, SO I DOUBT BRIAN O'CONNELL WOULD WANT THEM, BUT I DID NOT WANT TO SEE THEM LOST OR DISCARDED IN THE IMPENDING MOVE. TO FACILITATE YOUR REVIEW, I HAVE SCANNED THE FIRST AND LAST PAGE OF EACH TRUST, AND SCANNED THE FIRST PAGE OF THE ANCILLARY DOCUMENTS, AND ATTACH THAT IN .PDF FORMAT.

I AM SURE THAT PEOPLE HAVE LOOKED THROUGH THESE FILES BEFORE, AND THERE DID NOT APPEAR TO BE ANYTHING OF SIGNIFICANCE. (I DID NOTICE A FEW FOLDERS WITH THE OTHER GRANDCHILDRENS NAMES, NOT ELIOT'S KIDS, BUT LEFT THOSE PAPERS IN PLACE BECAUSE I UNDERSTAND THAT EVERYONE BUT ELIOT HAS FULLY COOPERATED WITH OPPENHEIMER IN RESOLVING THESE MATTERS.)

I ALSO HAVE HAD OCCASION TO RE-LOOK THROUGH A SMALL BOX OF TRUST DOCUMENTS WHICH I HAVE BEEN HOLDING, WHICH CAME FROM SIMON'S FORMER WORK OFFICE. INSIDE FILE FOLDER IN A DESK DRAWER, SIMON RETAINED DUPLICATE ORIGINALS OF THE TRUST AGREEMENTS RELEVANT TO MY CASES. WHEN I WAS LOOKING TO REEXAMINE THESE DOCUMENTS - DUPLICATE ORIGINALS OF THE 2008 TRUSTS AND THE 2012 TRUST (THE TRUE ORIGINALS REMAIN WITH TESCHER & SPALLINA WHO DRAFTED THE) - I NOTICED A COPY OF THE THREE SEPARATE IRREVOCABLE TRUST DOCUMENTS. AGAIN, THESE WOULD NOT HAVE CAUGHT MY EYE ORIGINALLY BECAUSE I NEVER WOULD HAVE GUESSED THAT ELIOT WOULD CLAIM THE TRUSTS WERE NOT VALID. I ONLY RECENTLY HAD OCCASION TO NOTICE THESE IN LOOKING FOR THE DUPLICATE TRUST ORIGINALS FOR SIMON AND

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SHIRLEY. THE THREE IRREVOCABLE TRUSTS APPEAR TO BE SIGNED AND WITNESSED ON PAGE 17, BUT THE INDIVIDUAL PAGES ARE INITIALED. AGAIN, THESE WERE ONLY COPIES, BUT NOW HAVING LOOKED AT THE ORIGINALS INCLUDED IN THE ATTACHED SCAN, I NOTE (ALTHOUGH NOT A HANDWRITING EXPERT) THAT THE ATTACHED COPIES APPEAR TO BE ABSOLUTELY IDENTICAL TO THE ORIGINALS JUST FOUND IN SIMON'S PERSONAL OFFICE.

THESE COPIES INCLUDE IRS FORMS UNDER WHICH TRACI KRATISH PA, AS TRUSTEE APPEAR TO HAVE APPLIED FOR AND OBTAINED A TAXPAYER ID NUMBER FOR EACH TRUST, AND OBVIOUSLY SHE PROVIDED THESE TO SIMON. EACH OF THE TRUST DOCUMENTS IS SIGNED BY SIMON BERNSTEIN, AS SETTLOR, AND BY TRACI KRATISH PA AS THE INITIAL TRUSTEE, AND THE SIGNATURES ARE WITNESSED BY TWO PEOPLE. SIMON'S IS WITNESSED BY JOCELYN JOHNSON AND SOMEONE ELSE. I AM ADVISED THAT JOCELYN WAS AN EMPLOYEE OF SIMON'S, AS PRESUMABLY WAS THE SECOND WITNESS AND ALSO THE INITIAL TRUSTEE, TRACI KRATISH, WHO WAS IN HOUSE COUNSEL FOR THE COMPANIES SIMON OWNED PART OF.

ALTHOUGH THIS WAS LONG BEFORE ANY INVOLVEMENT ON MY PART, TRACI KRATISH APPEARS TO HAVE BEEN THE INITIAL TRUSTEE (THERE IS A TYPO SOMEWHERE NAMING STEVEN GREENWALD.) I DO NOT KNOW STEVEN GREENWALD, BUT I HAVE CONFIRMED THAT THESE TRUSTS WERE NOT CREATED BY TESCHER & SPALLINA. IF THEY HAD BEEN, I'M SURE THEY WOULD HAVE RETAINED THE ORIGINAL AND GIVEN SIMON DUPLICATE ORIGINALS AS THEY DID FOR ALL OF THE TRUST DOCUMENTS FOR THE 2008 AND 2012 TRUST THEY PREPARED. I DO NOT KNOW IF GREENWALD PREPARED THESE AND MADE A TYPO LEAVING HIS NAME ON A LATER SECTION, OR IF KRATISH PREPARED THESE FROM A BOILERPLATE GREENWALD FORM AND MADE THE TYPO. EITHER WAY, AND IT DOES NOT MATTER TO ME, THE FACT THAT THIS WAS A SIMPLE AND ORDINARY TYPO SHOULD BE OBVIOUS TO ALL.

EVENTUALLY, TRACI KRATISH LEFT THE EMPLOY AS THE IN-HOUSE COUNSEL FOR THE COMPANIES. SOMETIME BEFORE OR AT THAT TIME OF HER LEAVING, SHE RESIGNED AND APPOINTED SOMEONE ELSE, AND EVENTUALLY THESE TRUST ACCOUNTS ALONG WITH SIMILAR TRUSTS FOR SIMON'S OTHER SEVEN GRANDCHILDREN AND MUCH OF SIMON'S PERSONAL WEALTH, WERE MOVED TO STANFORD. AFTER STANFORD'S COLLAPSE AMID WORD THAT IT WAS A PONZI SCHEME - SIMON LOST UPWARDS OF \$2 MILLION OF HIS OWN FUNDS IN THE PONZI SCHEME - SIMON DIRECTED THE TRANSFER OF THE HIS AND TRUST ACCOUNTS TO OPPENHEIMER. SIMON SELECTED OPPENHEIMER; PAID TESCHER'S FIRM TO DO THE NECESSARY DOCUMENTS TO APPOINT OPPENHEIMER AS SUCCESSOR TRUSTEE; TOOK THE DOCUMENTS FROM TESCHER AND HAD THEM SIGNED BY ALL CHILDREN, INCLUDING ELIOT AND CANDICE; AND RETURNED DOCUMENTS TO TESCHER FOR FILING. I PRESUME THAT SIMON PAID ALL OF THESE LEGAL FEES, BECAUSE THAT IS THE RIGHT THING TO DO FROM AN ESTATE PLANNING STRATEGY AND AS A FAVOR TO HIS GRANDCHILDREN. I KNOW HAVE SEVEN COPIES OF THE FILED PETITIONS, AND AGAIN WITHOUT BEING A HANDWRITING EXPERT, IT CERTAINLY LOOKS LIKE ELIOT'S AND CANDICE'S SIGNATURE ON THEM, REGARDLESS OF WHETHER THEY HAD EVER MET TESCHER OR SPALLINA BEFORE THEIR

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PARENT'S DEATH.

ELIOT AND CANDICE REAPED THE BENEFITS OF OPPENHEIMER'S SERVICES, AND IN ANY EVENT THERE IS NO REASON TO BELIEVE THAT CANDICE AND ELIOT DID NOT SIGN THESE PETITIONS FOR THE BENEFIT OF THEIR CHILDREN. IF ELIOT NOW SUGGESTS THAT HIS AND HIS WIFE'S SIGNATURES DO NOT APPEAR ON THE JUNE 2010 PETITIONS APPOINTING OPPENHEIMER 2010 ALLEGATION, WHICH IS HIGHLY DOUBTFUL JUST LOOKING AT THE THREE SETS OF SIGNATURES, THAT WOULD MEAN ELIOT IS ACCUSING SIMON OF BEING A FORGER. ELIOT IS ALREADY SUPPORTIVE OF BILL STANSBURY, WHO ACCUSES SIMON OF COMMITTING A FRAUD ON STANSBURY. I WOULD BE SHOCKED BY ANY ACCUSATION THAT SIMON DID NOT OBTAIN FROM ELIOT AND CANDICE THEIR GENUINE SIGNATURES ON THE JUNE 2010 PETITIONS, AND PARTICULARLY SHOCKED THAT ELIOT, WHO RECEIVED SO MUCH OF HIS FATHER'S (AND MOTHER'S) LARGESSE DURING THEIR LIFETIMES, WOULD NOW MALIGN SIMON'S NAME IN SUCH A MANNER.

ANYWAY, I'M NOT SURE IF EITHER OF YOU NEEDS THESE ANY LONGER, BUT IF YOU DO, HERE THEY ARE.

ALAN B. ROSE, ESQ.

AROSE@MRACHEK-LAW.COM
561.355.6991
505 SOUTH FLAGLER DRIVE
SUITE 600
WEST PALM BEACH, FLORIDA 33401
561.655.2250 PHONE

KRATISH FORWARDED ME THE EMAIL SHE HAD RECEIVED ALONG WITH ALL OF THE ATTACHMENTS. I ADVISED HER I WOULD BE ATTEMPTING TO SPEAK WITH ROSE AND VIEW THE ORIGINAL DOCUMENTS HE REFERS TO IN HIS LETTER. I TOLD HER I WOULD CONTACT HER IF I NEEDED ANYTHING FURTHER BUT THAT BASED UPON HER ACKNOWLEDGING THE SIGNATURE ON THE PAPERWORK WAS HERS, IT WAS UNLIKELY THAT WOULD BE NECESSARY.

ON 05/22/15, I ATTEMPTED TO REACH ROSE BY PHONE BUT THE CALL WENT TO VOICEMAIL. I LEFT MY CONTACT INFORMATION AND THE REASON FOR MY CALL AND ASKED THAT HE RETURN MY CALL AT HIS CONVENIENCE. LATER THAT DAY, I RECEIVED A CALL FROM ROSE. ROSE INQUIRED AS TO WHY THIS CASE WAS STILL BEING INVESTIGATED BY PBSO AS IT WAS A CIVIL MATTER. I EXPLAINED TO HIM I RECEIVED A COPY OF THE EMAIL HE HAD SENT TO BERNSTEIN AND STEVEN LESSNE. ROSE DESCRIBED THE CIRCUMSTANCES SURROUNDING THE DISCOVERY OF THE DOCUMENTS AND IT WAS CONSISTENT WITH WHAT WAS IN HIS EMAIL. HE AGAIN STATED THAT AS AN OFFICER OF THE COURT, HE FELT BOUND TO MAINTAIN THOSE DOCUMENTS. HE DID NOT SEEM SURPRISED THAT BERNSTEIN HAD MADE THE ALLEGATION AS HE HAS MADE A NUMBER OF OTHER ALLEGATIONS IN REFERENCE TO THE TRUSTS AND OTHER DOCUMENTS. DURING OUR CONVERSATION, ROSE TOLD ME JUDGE COLIN HAS RECUSED HIMSELF FROM BERNSTEIN'S CASE AND THE CASE WAS CURRENTLY AWAITING REASSIGNMENT.

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DURING OUR CONVERSATION THE TOPIC OF SPALLINA'S ACTIONS CAME UP AND ROSE ADVISED ME HE BELIEVED SPALLINA HAD RELINQUISHED HIS FLORIDA BAR LICENSE BECAUSE OF HIS INVOLVEMENT AND ACTIONS HE TOOK. IN REGARD TO BERNSTEIN'S RICO CASE IN NEW YORK, HE ADVISED ME JUDGE SHEINDLIN HAD DISMISSED THE CASE IN 2008. ROSE OFFERED TO ALLOW ME TO VIEW THE DOCUMENTS HE HAD LOCATED IN SIMON BERNSTEIN'S OFFICE AND IT WAS AGREED THAT I COULD CONTACT HIM AND SET UP A MUTUALLY AGREEABLE DATE AND TIME.

ON 06/09/15, I RESPONDED TO THE LAW OFFICES OF ATTORNEY ALAN ROSE, LOCATED AT 505 SOUTH FLAGLER DRIVE - SUITE 600, WEST PALM BEACH, FL 33401. ROSE PROVIDED ME WITH A SEALED ENVELOPE AND ASKED THAT I SIGN, DATE AND TIME THE BACK OF THE FOLDER UPON BREAKING THE SEAL. I COMPLIED WITH THE REQUEST. I REVIEWED THE DOCUMENTATION IN THE THREE GREEN FOLDERS CONTAINED WITHIN THE SEALED ENVELOPE UPON CLOSE EXAMINATION; THEY APPEARED TO BE ORIGINALS OF THE TRUST AGREEMENTS FOR JOSHUA BERNSTEIN, JACOB BERNSTEIN, AND DANIEL BERNSTEIN IRREVOCABLE TRUSTS. I COMPARED THE SIGNATURES TO THE COPIES I HAD RECEIVED AND THOSE THAT ROSE HAD SENT TO BERNSTEIN AND LESSNE IN HIS EMAIL DATED 05/20/15. THEY WERE THE SAME. ROSE HAD PREPARED COPIES OF THE EXECUTED DOCUMENTS AS WELL AS IRS PAPERWORK IN REGARD TO EACH TRUST SHOWING TRACI KRATISH PA AS THE TRUSTEE. AFTER COMPLETING THE REVIEW OF THE DOCUMENTS, ROSE TOOK POSSESSION OF THEM AND RETURNED THEM TO THE ENVELOPE. THE COPIES OF THE DOCUMENTS PROVIDED BY ROSE DURING THIS EXAMINATION AS WELL AS ANY OTHERS ATTACHED TO THE ORIGINAL EMAIL WILL BE MADE PART OF THE CASE FILE.

ON 06/12/15, I RECEIVED AN EMAIL FROM BERNSTEIN REQUESTING A TIME FOR US TO SPEAK REGARDING SOME OLD ISSUES AND NEW ISSUES IN THE CASE. I ATTEMPTED TO REACH BERNSTEIN THE SAME DAY ON BOTH HIS OFFICE LINE AND HIS CELL NUMBER. ALL ATTEMPTS WERE NEGATIVE.

ON 06/16/15, I SENT BERNSTEIN AN EMAIL LETTING HIM KNOW I HAD ATTEMPTED TO REACH HIM ON BOTH HIS NUMBERS ON 06/12/15 AS WELL AS EARLIER THIS DATE. BERNSTEIN RESPONDED LATER IN THE DAY THANKING ME FOR MY ATTEMPTS TO REACH HIM AND ASKING WHAT TIME WOULD BE GOOD TO SPEAK ON 06/17/15. I ADVISED HIM THAT I WOULD TRY AND CONTACT HIM BETWEEN 0800 AND 0900 HOURS ON 06/17/15. BERNSTEIN REPLIED THAT THIS WOULD BE A GOOD TIME TO SPEAK AND OFFERED TO MOVE THE CALL FORWARD ONE DAY TO 06/18/15, IF THAT WORKED BETTER FOR ME. I EXPLAINED TO BERNSTEIN I WAS IN TRAINING ON 06/18 AND 06/19. BERNSTEIN REPLIED IN PART, "WE CAN START TOMORROW ON SOME THINGS AND PICK UP MORE THE FOLLOWING WEEK."

ON 06/17/15, I MADE CONTACT WITH BERNSTEIN AT APPROXIMATELY 0935 HOURS. I APOLOGIZED FOR NOT BEING ABLE TO CALL BETWEEN 0800 AND 0900. I EXPLAINED I WAS ON MY WAY TO A MEETING AND COULD ONLY SPEAK FOR A FEW MINUTES. BERNSTEIN WAS SPEAKING TO ME ON A SPEAKERPHONE AND SUBSEQUENTLY ADVISED ME THAT HE HAD HIS BUSINESS ADVISOR, KEVIN HALL, LISTENING TO THE CALL. I TOLD BERNSTEIN I WAS NOT COMFORTABLE SPEAKING WITH HIM ABOUT THE SPECIFICS OF HIS ALLEGATIONS

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WITH HIM BEING ON A SPEAKER PHONE IN FRONT OF SOMEONE NOT INVOLVED IN THE CASE. DURING THE COURSE OF THE CALL, BERNSTEIN BROUGHT UP OLD ISSUES THAT WERE NOT PART OF MY INVESTIGATION. I TRIED TO EXPLAIN TO HIM AGAIN THAT I WAS NOT LOOKING INTO THE ALREADY INVESTIGATED ISSUES AND HE BECAME UPSET. WHEN ASKED WHAT NEW CRIMES HE WAS REFERRING TO, BERNSTEIN TOLD ME JUDGE COLIN SHOULD BE INVESTIGATED FOR "FRAUD UPON THE COURT". I EXPLAINED I WAS UNAWARE OF THAT PARTICULAR CHARGE AND ASKED IF HE COULD PROVIDE A STATUTE NUMBER SO I COULD LOOK INTO IT. BERNSTEIN THEN STATED IT WAS AN OBSTRUCTION CHARGE. BERNSTEIN SPOKE OF FRAUDULENT ACTS HE BELIEVED JUDGE COLIN HAD BEEN INVOLVED IN DURING THE TIME BERNSTEIN'S CASE WAS ASSIGNED TO HIS DOCKET.

BERNSTEIN MADE REFERENCE TO THE FACT THAT I WAS NOT DOING MY JOB AND ASKED IF HE NEEDED TO SPEAK WITH CAPTAIN GREGG AGAIN. I TOLD HIM BY DOING SO WOULD BYPASS MY ENTIRE CHAIN OF COMMAND AND I COULDN'T UNDERSTAND WHY HE WOULD FEEL THE NEED TO DO THAT. BERNSTEIN THEN ASKED IF HE SHOULD GO TO INTERNAL AFFAIRS. I EXPLAINED TO HIM THAT I WAS DOING MY JOB AND THE CASE WOULD PROBABLY COME BACK TO ME EVEN AFTER HE SPOKE WITH WHOMEVER HE WAS GOING TO SPEAK TO. DURING THIS CONVERSATION I COULD HEAR HALL IN THE BACKGROUND SPEAKING TO BERNSTEIN AS IF HE WAS GIVING HIM THINGS TO SAY OR RESPONDING TO THINGS I HAD SAID. IT WAS VERY DIFFICULT TO CONVERSE WITH BERNSTEIN DURING THIS CALL, AS HE WOULD SPEAK OVER ME AS I WAS TRYING TO ANSWER HIS QUESTION OR EXPLAIN THINGS TO HIM. I DID NOT ADDRESS THE EMAIL THAT HAD BEEN SENT TO HIM FROM ATTORNEY ROSE AND HE DID NOT BRING IT UP EITHER. UPON REACHING MY DESTINATION, I ADVISED BERNSTEIN THAT I WOULD HAVE TO END OUR CALL AND I WOULD ATTEMPT TO REACH HIM LATER IN THE DAY. I ATTEMPTED TO REACH BERNSTEIN ON BOTH HIS OFFICE AND CELL NUMBERS LATER IN THE AFTERNOON. BOTH ATTEMPTS WERE MET WITH NEGATIVE RESULTS.

ON 06/23/15, I RECEIVED AN EMAIL FROM BERNSTEIN INQUIRING IF I WOULD HAVE TIME TO SPEAK WITH HIM ON THE 23RD OR 24TH. I REPLIED TO THE EMAIL AND IT WAS AGREED WE WOULD SPEAK ON 06/24/15 BETWEEN 0800-1000 HOURS. LATER THAT AFTERNOON, BERNSTEIN NOTIFIED ME BY EMAIL THAT HE WAS GOING TO HAVE TO RESCHEDULE THE MEETING AS HE WOULD NEED TO BE IN MIAMI TESTIFYING AT ANOTHER COURT CORRUPTION HEARING FOR A PROBATE VICTIM. HE INQUIRED AS TO WHETHER THE FOLLOWING DAY AT THE SAME TIME WOULD BE OK. I ADVISED HIM I WOULD NOT KNOW UNTIL LATE IN THE AFTERNOON. I WAS UNABLE TO CALL BERNSTEIN DUE TO BEING CALLED OUT FOR AN IN PROGRESS CASE.

ON 06/25/15, BERNSTEIN SENT ME AN EMAIL REQUESTING A TIME WHEN WE COULD CONTINUE OUR DISCUSSION REGARDING THE NEW CRIMES AND OLD CRIMES THAT WERE DISCUSSED THE PRIOR WEEK. I RESPONDED TO BERNSTEIN IMMEDIATELY ADVISING HIM THAT I WAS DOING A SEARCH WARRANT THAT MORNING AND I WAS UNSURE HOW LONG IT WOULD TAKE. I ADVISED HIM I WOULD GAUGE THE REST OF THE DAY AND GIVE HIM A CALL LATER IN THE AFTERNOON. LATE IN THE AFTERNOON OF 06/25/15, I ATTEMPTED

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CONTACT WITH BERNSTEIN AT HIS OFFICE NUMBER. THE CALL WAS ANSWERED BY HIS WIFE WHO TOLD ME BERNSTEIN WAS NOT THERE. I ASKED IF SHE THOUGHT I COULD REACH HIM ON HIS CELL PHONE AND AFTER A BRIEF HOLD, SHE CAME BACK ON THE LINE AND ADVISED BERNSTEIN WAS NOW PRESENT AND COULD TAKE MY CALL. UPON BERNSTEIN COMING ON THE LINE I REALIZED HE WAS ON A SPEAKERPHONE. I EXPLAINED THAT I COULD NOT HEAR HIM VERY WELL AND ASKED HIM TO TAKE THE SPEAKERPHONE OFF. BERNSTEIN ADVISED HIS BUSINESS ADVISOR, HALL, WAS PRESENT AND WOULD BE MONITORING THE CALL.

DURING THE COURSE OF THIS CONVERSATION, BERNSTEIN AGAIN SPOKE OF A NUMBER OF FRAUDS AGAINST THE COURT HE BELIEVED JUDGE COLIN HAD COMMITTED THAT HE WISHED HIM INVESTIGATED AND PROSECUTED FOR. BERNSTEIN ADVISED ME HE WAS AWARE THAT KRATISH HAD COME TO SEE ME AT MY OFFICE AND I HAD TURNED HER AWAY. I TRIED TO EXPLAIN THIS WAS NOT ACCURATE AND THAT I HAD SPOKEN WITH KRATISH AT HER ATTORNEY'S OFFICE, AND HAD SPOKEN WITH OTHER SUBJECTS AS WELL IN REGARD TO THIS INVESTIGATION. UPON BROACHING THE SUBJECT OF THE RICO CASE IN NY THAT BERNSTEIN HAD MENTIONED ON A NUMBER OF OCCASIONS AND INQUIRING AS TO THE STATUS OF THE CASE, BERNSTEIN BECAME VERY UPSET. BERNSTEIN ACKNOWLEDGED THE CASE WAS DISMISSED IN 2008 BUT STATED HE WAS FILING AN APPEAL AS NEW ALLEGATIONS AND EVIDENCE HAD COME TO LIGHT.

BERNSTEIN ACCUSED ME OF NOT DOING MY JOB AND AS HE SPOKE HE WOULD SAY "AND YOU TOLD ME OR AND YOU DID OR DIDN'T DO THIS". I EXPLAINED TO HIM THAT A NUMBER OF THINGS HE WAS SPEAKING OF HAD NOTHING TO DO WITH ME OR MY PORTION OF THE INVESTIGATION. BERNSTEIN REPLIED THAT WHEN HE SAID "YOU" HE WAS REFERRING TO PBSO IN CERTAIN INSTANCES BUT WASN'T CLEAR WHICH INSTANCES HE WAS REFERRING TO. BERNSTEIN FELT THAT ROBERT SPALLINA SHOULD HAVE BEEN ARRESTED AND COULD NOT UNDERSTAND WHY HE HAD NOT BEEN ARRESTED AS OF YET. I ADVISED BERNSTEIN IT WAS NOT UP TO HIM AS TO WHETHER OR NOT SPALLINA WAS ARRESTED AND ANOTHER DETECTIVE HAD HANDLED THAT PART OF THE INVESTIGATION. AS BERNSTEIN BECAME MORE UPSET WITH THE ANSWERS HE WAS RECEIVING FROM ME, THE ISSUE OF FEDERAL JURISDICTION CAME UP AS BERNSTEIN HAD MADE ALLEGATIONS OF INTERSTATE MAIL AND WIRE FRAUD. I ADVISED HIM HE COULD SEEK ASSISTANCE FROM A FEDERAL AGENCY AND THAT I WOULD WRAP UP MY CASE AND HE COULD MOVE FORWARD FEDERALLY, ALTHOUGH I COULD NOT THINK OF AN AGENCY THAT WOULD TAKE THE CASE. BERNSTEIN STATED HE DID NOT WISH TO DISCUSS THIS CASE WITH ME ANY FURTHER, YET HE CONTINUED TO SPEAK TO ME. AS I TOLD BERNSTEIN I WOULD BE COMPLETING MY REPORT, HE STATED HE DID NOT WANT ME TO DO THAT AS HE WAS GOING TO BE CONTACTING CAPTAIN GREGG AND POSSIBLY INTERNAL AFFAIRS. BERNSTEIN THEN ASKED FOR THE NUMBER TO INTERNAL AFFAIRS AND I PROVIDED HIM INFORMATION AS TO HOW TO REACH THEM THROUGH THE MAIN PBSO NUMBER. BERNSTEIN CONTINUED TO SPEAK TO ME AND SHORTLY THEREAFTER THE CALL WAS CONCLUDED.

ON 06/29/15, I RECEIVED AN EMAIL FROM BERNSTEIN IN REGARD TO THE

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INVESTIGATION. THE EMAIL WAS COPIED TO 13 OTHER RECIPIENTS. THE EMAIL AND ITS ATTACHMENTS AS WELL AS ALL OF THE EMAILS RECEIVED FROM BERNSTEIN DURING MY PORTION OF THIS INVESTIGATION WILL BE TRANSFERRED TO DISK AND PLACED INTO PBSO EVIDENCE.

IT SHOULD BE NOTED THAT BERNSTEIN HAS YET TO DISCLOSE TO ME HE WAS IN RECEIPT OF THE EMAIL OF 05/20/15 FROM ATTORNEY ROSE DESCRIBING THE DISCOVERY OF THE ORIGINAL TRUST DOCUMENTS, WHICH WAS THE BASIS FOR THIS ADDITIONAL INVESTIGATION AND THAT BERNSTEIN ALLEGED WERE FORGED AND/OR DID NOT EXIST. IT IS NOT KNOWN IF HE IS AWARE THAT I HAVE MET WITH ROSE AND VIEWED THE ORIGINAL DOCUMENTS OR THAT KRATISH HAS IDENTIFIED THE SIGNATURES ON THE COPIES OF THE DOCUMENTS SHOWN TO HER AS BEING HER SIGNATURE.

BASED UPON THE TOTALITY OF THE INVESTIGATIVE EFFORT, I DO NOT FIND EVIDENCE OR PROBABLE CAUSE TO SUPPORT ANY CRIMINAL CHARGES. THIS CASE WILL BE CLASSIFIED AS A NON-CRIMINAL INFORMATION REPORT.

DETECTIVE ANDREW PANZER #6685

06/30/15

TRANS. VIA EMAIL/COPY/PASTE: 07/02/2015/MDR/#6405

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