

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Southern District of Florida
(State)

Case number (if known): Chapter 11

☐ Check if this is an amended filing

Official Form 205

Involuntary Petition Against a Non-Individual

12/15

Use this form to begin a bankruptcy case against a non-individual you allege to be a debtor subject to an involuntary case. If you want to begin a case against an individual, use the *Involuntary Petition Against an Individual* (Official Form 105). Be as complete and accurate as possible. If more space is needed, attach any additional sheets to this form. On the top of any additional pages, write debtor's name and case number (if known).

Part 1: Identify the Chapter of the Bankruptcy Code Under Which Petition Is Filed**1. Chapter of the Bankruptcy Code**

Check one:

- ☐ Chapter 7
☒ Chapter 11

FILED-USBC, FLS-WPB
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Part 2: Identify the Debtor**2. Debtor's name**

Bernstein Family Realty, LLC

3. Other names you know the debtor has used in the last 8 years

Include any assumed names, trade names, or doing business as names.

BFR, LLC
 BERNSTEIN FAMILY REALTY, LLC
 BFR

4. Debtor's federal Employer Identification Number (EIN)☐ Unknown

26 - 2735064
 EIN

5. Debtor's address

Principal place of business

2753 NW 34th Street

Number Street

Boca Raton FL 33434
 City State ZIP Code

Palm Beach County

County

Mailing address, if different

2753 NW 34th Street

Number Street

P.O. Box

Boca Raton FL 33434
 City State ZIP Code

Location of principal assets, if different from principal place of business

Real Estate at same address

Number Street

and unknown location Liquid assets

City State ZIP Code

Debtor Bernstein Family Realty, LLC
Name

Case number (if known) _____

6. Debtor's website (URL) not applicable

7. Type of debtor
- ☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
- ☐ Partnership (excluding LLP)
- ☐ Other type of debtor. Specify: _____

8. Type of debtor's business

Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the types of business listed.
- ☐ Unknown type of business.

9. To the best of your knowledge, are any bankruptcy cases pending by or against any partner or affiliate of this debtor?

- ☒ No *P*
- ☐ Yes. Debtor _____ Relationship _____
- District _____ Date filed _____ Case number, if known _____
- MM / DD / YYYY
- Debtor _____ Relationship _____
- District _____ Date filed _____ Case number, if known _____
- MM / DD / YYYY

Part 3: Report About the Case

10. Venue

Check one:

- ☒ Over the last 180 days before the filing of this bankruptcy, the debtor had a domicile, principal place of business, or principal assets in this district longer than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliates, general partner, or partnership is pending in this district.

11. Allegations

Each petitioner is eligible to file this petition under 11 U.S.C. § 303(b).

The debtor may be the subject of an involuntary case under 11 U.S.C. § 303(a).

At least one box must be checked:

- ☒ The debtor is generally not paying its debts as they become due, unless they are the subject of a bona fide dispute as to liability or amount.
- ☐ Within 120 days before the filing of this petition, a custodian, other than a trustee, receiver, or an agent appointed or authorized to take charge of less than substantially all of the property of the debtor for the purpose of enforcing a lien against such property, was appointed or took possession.

12. Has there been a transfer of any claim against the debtor by or to any petitioner?

- ☒ No
- ☐ Yes. Attach all documents that evidence the transfer and any statements required under Bankruptcy Rule 1003(a).

Debtor Bernstein Family Realty, LLC
Name

Case number (if known) _____

13. Each petitioner's claim

Name of petitioner	Nature of petitioner's claim	Amount of the claim above the value of any lien
<u>Joshua Bernstein</u>	<u>See attached</u>	<u>\$ \$77,411.00</u>
<u>Jacob Bernstein</u>	<u>See attached</u>	<u>\$ \$77,411.00</u>
<u>Daniel Bernstein</u>	<u>See attached</u>	<u>\$ 77,411.00</u>
Total of petitioners' claims		<u>\$ 232,233.00</u>

If more space is needed to list petitioners, attach additional sheets. Write the alleged debtor's name and the case number, if known, at the top of each sheet. Following the format of this form, set out the information required in Parts 3 and 4 of the form for each additional petitioning creditor, the petitioner's claim, the petitioner's representative, and the petitioner's attorney. Include the statement under penalty of perjury set out in Part 4 of the form, followed by each additional petitioner's (or representative's) signature, along with the signature of the petitioner's attorney.

Part 4: Request for Relief

WARNING – Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Petitioners request that an order for relief be entered against the debtor under the chapter of 11 U.S.C. specified in this petition. If a petitioning creditor is a corporation, attach the corporate ownership statement required by Bankruptcy Rule 1010(b). If any petitioner is a foreign representative appointed in a foreign proceeding, attach a certified copy of the order of the court granting recognition.

I have examined the information in this document and have a reasonable belief that the information is true and correct.

Petitioners or Petitioners' Representative**Name and mailing address of petitioner**Name Joshua Bernstein2753 NW 34th Street

Number Street

City Boca Raton State FL ZIP Code33434**Name and mailing address of petitioner's representative, if any**

Name _____

Number Street _____

City _____ State _____ ZIP Code _____

I declare under penalty of perjury that the foregoing is true and correct.

Executed on MM / DD / YYYY

x

Signature of petitioner or representative, including representative's title

Attorneys

Printed name _____

Firm name, if any _____

Number Street _____

City _____ State _____ ZIP Code _____

Contact phone _____ Email _____

Bar number _____

State _____

x

Signature of attorney _____

Date signed MM / DD / YYYY

Debtor **Bernstein Family Realty, LLC**
Name

Case number (if known)

Name and mailing address of petitioner

Jacob Bernstein

Name

2753 NW 34th Street

Number Street

Boca Raton**FL****33434**

City

State

ZIP Code

Name and mailing address of petitioner's representative, if any

Name

Number Street

City

State

ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

MM / DD / YYYY

x

Signature of petitioner or representative, including representative's title

Printed name

Firm name, if any

Number Street

City

State

ZIP Code

Contact phone Email

Bar number

State

x

Signature of attorney

Date signed

MM / DD / YYYY

Name and mailing address of petitioner

Daniel Bernstein

Name

2753 NW 34th Street

Number Street

Boca Raton**FL****33434**

City

State

ZIP Code

Name and mailing address of petitioner's representative, if any

Name

Number Street

City

State

ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

MM / DD / YYYY

x

Signature of petitioner or representative, including representative's title

Printed name

Firm name, if any

Number Street

City

State

ZIP Code

Contact phone Email

Bar number

State

x

Signature of attorney

Date signed

MM / DD / YYYY

**BERNSTEIN FAMILY REALTY, LLC
ADDITIONAL WORKSHEET TO INVOLUNTARY PETITION**

**CHAPTER 11 INVOLUNTARY BANKRUPTCY PETITION AGAINST
BERNSTEIN FAMILY REALTY, LLC US BANKRUPTCY COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA**

1. We are the Petitioners, individual Creditors Joshua, Jacob and Daniel Bernstein filing this Involuntary petition against Bernstein Family Realty, LLC .
2. We are all over the age of 18 years.
3. We are filing this Individual Petition against a company, BFR, LLC and are the sole Owners and Members of this Company owning the LLC through our Individual Irrevocable Trusts where we individually are the sole and only beneficiary of each such Trust.
4. The Trusts are attached as Exhibits along with the Operating Agreement of Bernstein Family Realty, LLC. .
5. We are not lawyers but are all educated and read English and research and have a State court attorney but are still seeking a Bankruptcy attorney and reserve the right to have an attorney represent us once we can retain one.
6. We file this Petition in good faith for a proper purpose to seek the equal distribution of the assets of BFR to proper Creditors.

7. We believe there are special circumstances in our filing because we were minors when some of the original acts occurred that we have been told about and learned about and read about.
8. We are still still trying to understand and sort out a lot of this out since this LLC was set up by our Grandfather Simon Bernstein as Asset Protection for us and also our parents to have a home which is the main asset at risk to what we are told and believe is an improper foreclosure.
9. We have been told and believe this main asset which is real estate at 2753 NW 34th Street Boca Raton, Florida has been steered by improper preference to and by Ted Bernstein and his attorney Alan Rose and where a risk of further disproportionate share of this asset may go to Ted Bernstein and where we have been told this asset should have been paid off years ago according to our father and a Sworn Statement by William Stansbury who was friends and in business with our Grandfather and was also selected by him as Successor Trustee of his Trusts.
10. This sworn statement is attached as well. . .
11. We believe the purpose of filing is proper to protect both BFR and ourselves as Creditors under the US Bankruptcy laws.
12. We each made Capital Contributions to purchase and protect this Asset the bulk of which was paid for by our Trusts in 2008 totalling \$217,233.00 and

we have attached Bank Records to show these payments which we each made equally.

13. We also each paid taxes to maintain this Asset from our own funds totalling \$15,000.00 paying one third each by Agreement.
14. The Operating Agreement gives us the clear and undisputed right to seek return of our Capital Contributions and there is no dispute about this or the amounts in question which is why our claims are one third each of those undisputed amounts paid.
15. We understand there are at least 2 Creditors against the Real Estate being Walter Sahm and his Patricia Sahm that have a Note and Mortgage on this asset but we recently confirmed Walter Sahm is Deceased as of over 15 months ago by confirmed Florida Death Certificate from Sumter County but their lawyer Robert Sweetapple hid and concealed this Suggestion of Death from the State Court for over 8 months and filed in Walter's name as a Deceased person getting improper Judgment now trying to Sell the property improperly.
16. We have been shown handwritten Letters by Walter and Pat Sahm sent to our parents and Ted Bernstein back in 2013 where even Walt Sahm told Ted

and all the documents and records from Trusts and banks and never paid the Note.

17. So since the hijacking of our Company and other misconduct by Ted Bernstein and Tescher and Spallina as Estate lawyers and other frauds we have been told about BFR, LLC stopped paying it's bills properly and continued to not pay which is why the foreclosure is going as part of a scheme as Mr. Stansbury even confirms the Note was supposed to be paid upon our Grandfather's passing and more than enough monies were there to pay this and we were not individually liable and Mr. Stansbury confirms this was not supposed to diminish our other Inheritances which have not been paid either except for a small amount.
18. Somehow the "new lawyer" for Walt and Pat Sahm never sued Ted Bernstein and instead we have been shown a Transcript where Robert Sweetapple who sued wrong parties and didn't name parties right and concealed the Death of Walt Sahm from the Court for months was also admitting to conferring with attorney Alan Rose for Ted Bernstein who is also at the center of withholding Documents and Records and accounts from us for years and even using an illegal Guardianship against Josh and then Jake Bernstein when over the age of 18 years using this setup to withhold information and disclosures to us.

19. This is shown by the attached filing by attorney Paul Turner who shows Josh never has received any information and disclosures nor have any of us.
20. From what we are told Tescher and Spallin resigned in fraud from the original Trusts and Estate cases and Resigned as Registered Agent of BFR, LLC so there is no proper party to be Served listed at the Secretary of State listing so the Secretary of State probably needs to get Served this Petition.
21. We have attached documents showing our Father had an attorney at Tripp Scott trying to get original documents and any documents from Tescher and Spallina going back to 2012 and this is attached too and so are attempts our Father made on his own to get documents and records from the Courts but to this day we have virtually no information on BFR, LLC.
22. Our parents Eliot and Candice Bernstein are likely Creditors as well from the way BFR, LLC and the mortgage foreclosure threat and games were used against them by Ted Bernstein and Alan Rose to extort them into taking improper settlements and we are told they may have claims from all the upkeep to this asset they did as well.
23. But we understand from recent Zillow searches there should be at least \$400,000.00 or so plus in Equity in the property even after the Sahms are fully paid off at their numbers which we believe are improper based on the

fraudulent filings in the foreclosure and actions of Robert Sweetapple working with Alan Rose for Ted Bernstein.

24. We have also attached records showing over \$6 Million plus in Accounts that our Grandfather had at the time of passing and then value of Real Estate and other assets and understand some of these Investments and Accounts should have flowed into BFR.
25. So we think there is a good chance of a plan to save BFR and restore its status but at least pay all proper creditors.
26. We also believe Ted Bernstein and Alan Rose should be holding at least \$1 Million in their Trust Account for the 3 of us from the sale of our grandparents home in Lions Head Lane in St. Andrews and a beach Condo.
27. There are accounts at JP Morgan and Wilmington Trust and others that have never been accounted for and in addition to BFR records there is LIC Holdings (Life Insurance Concepts) and Bernstein Family Investments (BFI) and Bernstein Family Holdings that are all entities for BFR to look to go over potential assets.
28. We have attached as many documents to help explain this complex case and are trying to get an attorney to further help us in Bankruptcy but Alan Rose as attorney for Ted Bernstein has been holding up release of \$300,000.00 in a Court Registry solely for in our names that we could use to revamp BFR

and claw back and find its assets but Rose and Ted Bernstein have blocked those funds too to even save BFR's one clear real estate asset off the foreclosure block.

29. We think our Father has some message from Walt Sahm the Secured Creditor through his Estate now going back to when Walt was actually alive several years ago where Walt said to our Dad that our Grandfather Simon had told Walt that Simon was worth about \$41 Million before he passed yet we have only been Distributed about \$100,000.00 total since 2012 and where the Sahms should have been paid off years ago but for Ted Bernstein and Alan Rose and those working with them.

30. These documents should help show the special circumstances of the case.

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I have examined the information in this document and have a reasonable belief that the information is true and correct.

Petitioners or Petitioners' Representative Attorneys

Name and mailing address of petitioner

JOSHUA BERNSTEIN

Name

2753 NW 34TH STREET

Number Street

BOCA RATON, FL 33434

City State ZIP Code

Name and mailing address of petitioner's representative, if any

Name

Number Street

City State ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

MM / DD / YYYY

Signature of petitioner or representative, including representative's title

JACOB BERNSTEIN

Name

2753 NW 34TH STREET

Number Street

BOCA RATON, FL 33434

City State ZIP Code

Name and mailing address of petitioner's representative, if any

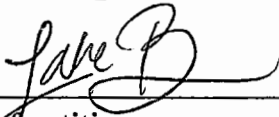
Name

Number Street

City State ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 04/19/22
MM / DD / YYYY


Signature of petitioner or representative, including representative's title

DANIEL BERNSTEIN

Name

2753 NW 34TH STREET

Number Street

BOCA RATON, FL 33434

City State ZIP Code

Name and mailing address of petitioner's representative, if any

Name

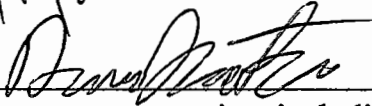
Number Street

City State ZIP Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 04/14/22

MM / DD / YYYY


Signature of petitioner or representative, including representative's title