

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

TED BERNSTEIN, as Trustee of the Shirley Bernstein Trust Agreement Dated May 20, 2008, as Amended

Case No.: 502014CP003698XXXXNBIJ  
Probate Division

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 9/13/12; ELIOT BERNSTEIN, individually, as Trustee f/b/o D.B., Ja. B. and Jo. B. under the Simon L. Bernstein Trust Dtd 9/13/12, and on behalf of his minor children D.B., Ja. B. and Jo. B.; JILL IANTONI, Individually, as Trustee f/b/o J.I. under the Simon L. Bernstein Trust Dtd 9/13/12, 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.

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**PLAINTIFF'S SECOND AMENDED<sup>1,2</sup> EXHIBIT LIST**

Plaintiff, Ted S. Bernstein (the "Trustee"), hereby files his list of exhibits for the trial scheduled for December 15, 2015, by Order of this Court dated September 24, 2015, as follows:

TAB	DESCRIPTION	BATES	MARKED	ADMITTED
1.	May 20, 2008 Shirley Bernstein Will			
2.	May 20, 2008 Shirley Bernstein Trust Agreement			
3.	November 18, 2008 First Amendment to Shirley Trust Agreement			

<sup>1</sup> First Amended Exhibit List added Exhibit(s) 40A-40F

<sup>2</sup> Second Amended Exhibit List adds Exhibit 41

TAB	DESCRIPTION	BATES	MARKED	ADMITTED
4.	July 25, 2012 Will of Simon L. Bernstein	TS004297-TS004305		
5.	July 25, 2012 Amended and Restated Trust Agreement of Simon L. Bernstein			
6.	<i>Invalid</i> November 18, 2008 First Amendment to Shirley Bernstein Trust Agreement	TS001397-TS001399		
7.	Bernstein Family Charts			
8.	August 15, 2007 Letter from John A. Herrera, Esq. to Eliot Bernstein Re-Advancement of Inheritance	TS006701-TS006703		
9.	November 16, 2007 Client/Case Maintenance Form of Simon & Shirley Bernstein	TS003232		
10.	Tescher & Spallina Attorney Notes Re: Bernstein	TS003638-TS003646 &TS004061-4063		
11.	April 9, 2008 Letter from Robert Spallina to Mr. and Mrs. Simon Bernstein Re-Estate Planning			
12.	Undated Financial Statement of Simon Bernstein			
13.	2012 Financial Statement of Simon Bernstein			
14.	May, 2012 Email from E. Bernstein to R. Spallina Re-Estate of Shirley Bernstein	TS003977		
15.	May 24, 2012 Letter enclosing draft Wills from Spallina to Simon Bernstein Re-Estate Planning	TS003983-TS004018		
16.	July 2, 2012 Simon L. Bernstein Durable Power of Attorney	TS003916-TS003919		
17.	July 26, 2012 Letter from Spallina to Simon Bernstein Re-Estate Planning	TS003982		
18.	Simon Leon Bernstein Certification of Death	TS004163		
19.	Notice of Administration In Re: Estate of Simon L. Bernstein	TS004177		
20.	October 23, 2012 Palm Beach Daily Business Review Notice of Administration In Re: Estate of Simon L. Bernstein	TS004274		
21.	iViewit.com LLC Promissory Noteholders Chart, Stock Ledger	TS004329, TS004324-TS004325		

TAB	DESCRIPTION	BATES	MARKED	ADMITTED
22.	LIC Holdings, Inc. Analysis of Shareholders and Shareholdings	TS002953		
23.	2006-2010 LIC Holdings, Inc. Tax Return 1120S Forms	TS000925, TS002419, TS002421, CBIZ148, TS001531		
24-A	December, 2013 Amended Inventory In Re: Estate of Simon Bernstein	TS004201-TS004203 TS004206-TS004207		
24-B	December 1, 2014 [2012CP004391 In Re: Estate of Simon L. Bernstein] Inventory by Brian M. O'Connell			
25.	March 26, 2015 Successor Trustee's Notice of Accounting of The Simon Bernstein Revocable Trust From: February 3, 2014 through March 15, 2015			
26.	March 31, 2015 [In Re: Estate of Shirley Bernstein, Case Number: 2011CP000653] Accounting of Successor Personal Representative			
27.	March 31, 2015 [In Re: Estate of Shirley Bernstein, Case Number 2011CP000653] Inventory by Ted S. Bernstein, As Successor Personal Representative			
28.	Fifteenth Judicial Circuit, Palm Beach County Case Number: 2011CP000653SB, In Re: Estate of Shirley Bernstein: <i>Petition to Re-Close Estate Based Upon Prior Signed Waivers and for Discharge of Successor Personal Representative</i>			
29.	Fifteenth Judicial Circuit, Palm Beach County Case Number: 2012CP00439SB, In Re: Estate of Simon L. Bernstein: <i>Ted S. Bernstein's Motion for Instructions</i>			
30.	Fifteenth Judicial Circuit, Palm Beach County Case Number 2012CA013933, Stansbury v. Bernstein et al: <i>Order of Dismissal with Prejudice of Certain Parties and Claims</i>			
31.	January 21, 2014 Resignation of Co-Trustee			

TAB	DESCRIPTION	BATES	MARKED	ADMITTED
32.	March 4, 2014 Affidavit of Donald R. Tescher			
33.	March 10, 2014 Affidavit of Robert Spallina			
34.	Palm Beach County Case Number: 2012CP004391 In Re: The Estate of Simon L. Bernstein- September 22, 2014 <i>Ted. S. Bernstein Amended Designations of the Deposition of Donald Tescher</i>			
35.	Preliminary Statement by Eliot Bernstein in the USDC Southern District of New York, Eliot Bernstein v. Appellate Division, First Department Departmental Disciplinary Committee, et al			
36.	<i>Internet and Blog Postings with negative references to Ted S. Bernstein; Judge Colin; various fiduciaries and counsel, and others</i>			
36-A	January 11, 2014 Ted Bernstein Report by Investigative Blogger, Crystal L. Cox: Filing a Lien Against All Judges In Re: Shirley Bernstein			
36-B	February 21, 2014 Ted Bernstein Report by Investigative Blogger, Crystal L. Cox Re: "Judge Martin Colin has a History of Protecting the Bad Guys..."			
36-C	May 14, 2014 Ted Bernstein Report by Investigative Blogger, Crystal L. Cox Re: "John Pankauski"			
36-D	March 30, 2015 Ted Bernstein Insurance Scam Article by Crystal L. Cox Re: <i>7020 Lions Head Lane Boca Raton, Real Estate Buyers Have a Legal Right to Have FULL DISCLOSURE. Buyer Be Aware</i>			
36-E	April 20, 2015 Article by Crystal Cox Re: <i>Simon Bernstein Irrevocable Insurance Trust Dtd 6/21/95 v. Heritage Union Life Insurance Company; Insurance Fraud, Forged Documents, Murder Allegations, No Policy, and Millions Paid</i>			
36-F	June 4, 2015 Article by Crystal L. Cox Re: <i>Alan B. Rose of Mrachek,</i>			

TAB	DESCRIPTION	BATES	MARKED	ADMITTED
	<i>Fitzgerald, Rose, Konopka, Thomas, &amp; Weiss Florida Probate Case</i>			
36-G	September 14, 2015 Article by Crystal L. Cox Re: <i>Florida Probate Fraud, Forgery, and Corruption</i>			
37.	November 9, 2012 and November 29, 2012 Letters from Christine P. Yates to Robert Spallina Re-Estates of Shirley Bernstein and Simon Leon Bernstein	TS004363- TS004364, TS004365-TS004366		
38.	Accounting for Sale of 7020 Lions Head Lane, Boca Raton, FL (if sale closed)			
39.	Any and all documents listed by Defendants, subject to objections			
40-A	Envelope from S. Greenwald, P.A. to Mr. and Mrs. Simon L. Bernstein	TS000001		
40-B	October 12, 2007 Cover Letter from Greenwald to Mr. and Mrs. Bernstein	TS000043-TS000044		
40-C	August 15, 2000 Last Will and Testament of Simon Bernstein	TS000002-000022		
40-D	August 15, 2000 Last Will and Testament of Shirley Bernstein	TS000023-TS000042		
40-E	December 1, 2001 First Codicil to Last Will and Testament of Shirley Bernstein	TS000045-TS000048		
40-F	November 30, 2001 First Codicil to Last Will and Testament of Simon L. Bernstein	TS000049-TS000052		
41.	December 8, 2015 Ted Bernstein Report by Investigative Blogger, Crystal L. Cox Re: <i>Florida Judge, Judge L. Phillips RULES to not disqualify himself? Wow, is that Lawful? Ethical? Etc.</i>			

The Trustee reserves the right to amend and/or supplement this Exhibit List and to utilize any and all exhibits offered into evidence by the Defendants.

**CERTIFICATE OF SERVICE**

I CERTIFY that a copy of the foregoing has been furnished to all persons on the Service List set forth below by email electronic transmission this 10<sup>th</sup> day of December, 2015.

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*Attorneys for Trustee, Ted Bernstein*

By: */s/ Alan B. Rose*  
Alan B. Rose (Florida Bar No. 961825)

**SERVICE LIST**  
**CASE NO.: 502014CP003698XXXXNBIJ**

<p>Eliot Bernstein, individually and Eliot and Candice Bernstein, as Parents and Natural Guardians of D.B., Ja. B. and Jo. B, Minors 2753 NW 34th Street Boca Raton, FL 33434 (561) 245-8588 - Telephone (561) 886-7628 - Cell (561) 245-8644 - Facsimile Email: Eliot I. Bernstein (<a href="mailto:iviewit@iviewit.tv">iviewit@iviewit.tv</a>)</p>	<p>Alan Rose, Esq. Mracheck Fitzgerald Rose Konopka Thomas &amp; Weiss, P.A. 505 S Flagler Drive, Suite 600 West Palm Beach, FL 33401 (561) 655-2250 - Telephone (561) 655-5537 - Facsimile Email: <a href="mailto:arose@mracheck-law.com">arose@mracheck-law.com</a></p>
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<p>Lisa Friedstein, individually and as trustee for her children, and as natural guardian for M.F. and C.F., Minors; and Max Friedstein <a href="mailto:lisa.friedstein@gmail.com">lisa.friedstein@gmail.com</a></p>	<p>Brian M. O'Connell, Esq. Joielle A. Foglietta, Esq. Ciklin Lubitz Martens &amp; O'Connell 515 N. Flagler Dr., 20th Floor West Palm Beach, FL 33401 561-832-5900 - Telephone 561-833-4209 - Facsimile Email: <a href="mailto:boconnell@ciklinlubitz.com">boconnell@ciklinlubitz.com</a>; <a href="mailto:jfoglietta@ciklinlubitz.com">jfoglietta@ciklinlubitz.com</a>; <a href="mailto:service@ciklinlubitz.com">service@ciklinlubitz.com</a>; <a href="mailto:slobdell@ciklinlubitz.com">slobdell@ciklinlubitz.com</a></p>
<p>Jill Iantoni, individually and as trustee for her children, and as natural guardian for J.I. a minor <a href="mailto:jilliantoni@gmail.com">jilliantoni@gmail.com</a></p>	