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May 4, 2016

VIA FED EX

Federal Bureau of Investigation
505 South Flagler Street, Suite 500
West Palm Beach, FL 33401

Re: White Collar Crimes Division

Dear Special Agent:

I recently spoke to your office and reported that I had information concerning potential white collar crimes. I was informed that someone from the White Collar Crimes Division would get back to me. Since I have not been contacted, I am taking the liberty of sending this package of information on:

1. Robert L. Spallina, formerly licensed as an attorney in the state of Florida; and
2. Mr. Spallina's client, Theodore Bernstein, a/k/a Ted S. Bernstein.

--- Background Facts ---

Robert L. Spallina was an attorney licensed to practice law in the state of Florida. During the relevant time period (2012 through 2015) he practiced law at the law firm of Tescher and Spallina, P.A., located in Boca Raton, Palm Beach County, Florida. Ted S. Bernstein was a client of Robert Spallina. Ted Bernstein introduced Mr. Spallina to his father and mother, Simon Bernstein and Shirley Bernstein, for the preparation of estate planning documents, including a Last Will & Testament and a Trust.

Shirley Bernstein passed away on December 8, 2010. A probate estate was opened in Palm Beach County Circuit Court shortly thereafter. Her husband, Simon Bernstein later passed away on September 13, 2012. A probate estate was opened by Mr. Spallina in Palm Beach County Circuit Court shortly thereafter.

The conduct complained of in this submission arises out of the conduct of Messrs. Spallina and (Ted) Bernstein in connection with the administration and handling the estates of both Shirley Bernstein and Simon Bernstein.

I. Presentation of Fraudulent Documents to the Circuit Court of Palm Beach County in connection with the Estate of Shirley Bernstein.

In 2014, Robert Spallina admitted to Judge Martin Colin, Circuit Court Judge of Palm Beach County Probate Court, Delray Beach branch, that his employee, Kimberly Moran, fraudulently notarized the signature of Simon Bernstein and forged the signature of Simon Bernstein because Simon Bernstein was deceased at the time of the forging of the signature and the fraudulent notarization of the forged signature. A copy of the fraudulently notarized document of the forged signature of Simon Bernstein is attached hereto as **Exhibit "1."** Kimberly Moran subsequently pleaded guilty of a third-degree felony. She remained in the employ of Tescher and Spallina, P.A.

At the time, Judge Colin opined that he had probably heard enough to read Mr. Spallina his Miranda rights. Incredibly, Judge Colin failed to take any action with regard to the conduct which took place in his court. The relevant pages of the hearing transcript (pages 15, 16) are attached hereto as **Exhibit "2."** There were actually six (6) forged signatures submitted by Mr. Spallina and six (6) fraudulent notaries which involved the five adult children of Simon Bernstein wherein their signatures were fraudulently notarized. The five adult children are:

1. Theodore Bernstein
2. Pamela Beth Simon
3. Eliot Bernstein
4. Lisa Friedstein
5. Jill Iantoni

On December 15, 2015, Mr. Spallina admitted under oath that he submitted these fraudulently notarized documents to the Court when he testified as follows:

Question: What law firm submitted those documents to the Court?

Answer (by Mr. Spallina): Tescher and Spallina, P.A.

Question: Are you a partner in that firm?

Answer: I was.

Question: Did Tescher and Spallina law firm submit Kimberly Moran's forged and fraudulent waivers to the Court?

The Court: He already said he did.

Question: Did your office - - did you submit documents to close the Estate of Shirley with Simon as the Personal Representative at the time Simon was dead?

Answer: We did.

Question: So Shirley's Estate was closed by a dead Personal Representative. Can you give me a time when the estate was closed by Simon while he was dead?

Answer: I believe it was October, November, 2012.

Answer: We filed all of the waivers originally with the Court all signed by the appropriate parties and the Court kicked those back and she forged and notarized new documents and sent them to the Court...

The relevant pages of the transcript (pages 105-106) are attached hereto as **Exhibit "3."**

II. Fraudulent Altering of a Trust Document (Shirley Bernstein Trust) and then Submission of the Fraudulently Altered Trust Document through the U.S. Mail.

On or about January, 2013, Robert Spallina, acting as counsel on behalf of the Shirley Bernstein Trust, responded to an inquiry from a Christine Yates, attorney-at-law, who, at the time, was representing one of the five Bernstein children (Eliot Bernstein). Ms. Yates asked Mr. Spallina to send to her a copy of the Shirley Bernstein Trust. Mr. Spallina altered the Trust document to mislead Christine Yates as to who the intended beneficiaries of the Shirley Bernstein Trust were. Mr. Spallina admitted to the Palm Beach County Sheriff's office that he fraudulently altered the document and submitted it to attorney Yates. A copy of the Sheriff's report is attached hereto as **Exhibit "4."**

Mr. Spallina admitted to this under oath, testifying on December 15, 2015, where he admitted that he mailed the "fraudulently signed document to Christine Yates, the attorney for Eliot Bernstein's minor children." At page 96 of the transcript, a copy of which is attached hereto as **Exhibit "5,"** Mr. Spallina admits the following:

Question: Did you mail a fraudulently signed document to Christine Yates, the attorney for Eliot Bernstein's minor children?

Witness: Yes.

III. Attempted Fraud on Heritage Union Insurance Company

Simon Bernstein died on September 13, 2012. At that time, it was alleged that there was in existence an insurance trust allegedly entitled, "The Simon Bernstein Irrevocable Insurance Trust dated 6/21/1995." At the time of his death, Simon owned a life insurance policy issued by Heritage Union Life Insurance Company with a face amount of approximately \$1,750,000.00. In order to fraudulently convince Heritage to pay the \$1.75 million death benefit to this so-called Irrevocable Insurance Trust, Mr. Spallina wrote, in September, 2012, that he was the Trustee of the Irrevocable Insurance Trust. The insurance company responded on October 9, 2012 requesting a copy of the Trust Agreement and any Amendments. On November 1, 2012, Robert Spallina replied to the insurance company, enclosing a "Claimant Statement" where he signed as the Trustee of the Simon Bernstein Irrevocable Insurance Trust. A copy of the November 1, 2012 letter, including his fraudulent statement that he was the Trustee is attached hereto as **Exhibit "6."**

On December 6, 2012, Mr. Spallina again wrote to the Heritage Union Life Insurance Company and continued his attempt to fraudulently coax the death benefit out of the insurance company, requesting that "the proceeds from the Heritage policy (be) released to our firm's trust account..." A copy of this letter is attached hereto as **Exhibit "7."** Thereafter, the insurance company simply placed the money in the Registry of the Court and washed its hands of it.

--- TED BERNSTEIN ---

At all times, Ted Bernstein was aware of Mr. Spallina's false representations concerning Mr. Spallina posing as the purported Trustee of the purported Life Insurance Trust. When Mr. Spallina was unable to convince Heritage to pay the death benefit to him or his trust account, Ted Bernstein picked up the fraud where Mr. Spallina left off. Ted Bernstein is now continuing the fraud. In U.S. District Court in Illinois, Bernstein now alleges that he is the Trustee of the same insurance trust that Robert Spallina represented he was the Trustee! A copy of the first three pages of Plaintiff's First Amended Complaint filed in U.S. District Court in the Northern District of Illinois is attached hereto as **Exhibit "8."** Ted Bernstein represents to the Court that he is the Trustee of the Simon Bernstein Irrevocable Insurance Trust dated 6/21/95. The so-called insurance trust has never been located, and not even a copy of it has been produced anywhere.

IV. Wrongful Distribution of Real Estate Sale Proceeds under the Shirley Bernstein Trust

As set forth above, Shirley Bernstein died on December 8, 2010. She left a Trust which held title to an oceanfront condominium in Boca Raton. On April 18, 2013, that condominium was sold for approximately \$1,400,000.00. The proceeds of the sale (over half a million dollars) were distributed in direct contravention to the language of her Trust. Specifically, the Trust language specifically disinherited and excluded two of Shirley's five children, Pam Simon and Ted Bernstein, and their respective children. Notwithstanding the plain language of the Shirley Bernstein Trust, and the statement provided by Spallina to the Sheriff of Palm Beach County [**Exhibit 4**], the proceeds of the sale of the condominium were distributed to, among others, the children of Pam Simon and Ted Bernstein. Ted Bernstein directed this wrongful distribution, then lied to the Palm Beach County Sheriff about it, saying the Trust allowed it.

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Donald Tescher, Spallina's law partner and the attorney for the Personal Representatives of the Estate (who were Mr. Tescher and Mr. Spallina), wrote on January 14, 2014 that the proceeds should not have been distributed to Pam Simon or Ted Bernstein or their respective children. A copy of the January 14, 2014 letter is attached hereto as **Exhibit "9."** (See paragraph 2.) As a result of that wrongful distribution, Donald Tescher resigned from any further representation in all matters relating to the estates and trusts of Simon Bernstein and Shirley Bernstein. (See paragraph 2 on page 2 of the letter.) That letter also makes reference to the correspondence in January of 2013, where there was a fraudulent modification to the language of the Trust. (See section II, above.)

V. Missing Personal Property from the Estate of Simon Bernstein

Shortly after the death of Simon Bernstein, an appraisal of the personal property was prepared. A copy of this appraisal is attached hereto as **Exhibit "10."** Sometime later, a new appraisal was submitted. Numerous items of personal property have simply disappeared during the time that Tescher and Spallina were Personal Representatives of the Estate. A copy of the new appraisal is attached hereto as **Exhibit "11."** Additionally, the jewelry insurance Declarations Page and Schedule of Items is attached as **Exhibit "12."**

VI. Spallina Pleads Guilty to Violating Federal Securities Laws

On September 16, 2015, Mr. Spallina pled guilty to an insider trading crime in the U.S. District Court for the District of New Jersey and has now voluntarily given up his law license. See Consent Decree and Final Judgment attached hereto as Composite **Exhibit "13."**

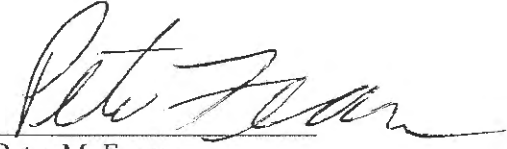
Thereafter, on December 15, 2015, Mr. Spallina stated under oath that he had not been found guilty of any crime. This was a false statement under oath. See transcript attached as **Exhibit "14."** This testimony also violates paragraph 12 of the Consent Decree.

All of the foregoing is submitted in order to bring this to the attention of law enforcement. Thank you.

Very truly yours,

PETER M. FEAMAN, P.A.

By: _____


Peter M. Feaman

PMF/mk
Enclosures