

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

**IN RE:**

**Case No.**

**502011CP000653XXXXNBIH**

**ESTATE OF SHIRLEY BERNSTEIN,**

**Deceased.**

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

**IN RE:**

**Case No.**

**502012CP004391XXXXSB**

**ESTATE OF SIMON BERNSTEIN,**

**Deceased.**

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**IN THE CIRCUIT COURT OF THE  
15th JUDICIAL CIRCUIT, IN AND FOR  
PALM BEACH COUNTY**

**TED BERNSTEIN, as Trustee  
of the Shirley Bernstein Trust Agreement  
dated May 20, 2008, as amended,**

**JUDGE: ROSEMARIE SCHER**

**Plaintiff,**

**CASE NO.:**

**502014CP003698XXXXNB**

**DIVISION: IH**

**v.**

**ALEXANDRA BERNSTEIN et al.,**

**Defendants.**

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**Nov 29, 2016 Hearing Status Conference**  
**LISTING OF OPEN ISSUES AND PENDING FILINGS**

**Before Any Hearings in Any Cases of Simon and Shirley Bernstein Estates and Trusts**

1. **30 Day Extension - Stay: Motions to Vacate Orders of Judge Phillips and Judge Colin issued in Fraud**; All Present Motions by Ted Bernstein and Alan Rose should be Stayed until Motions to Vacate in Fraud are filed; Orders at Minimum to be Vacated include but are not limited to the "Validity Trial" "Final Judgment"; Orders on "Standing"; Orders on "Guardianship" and other. Alan Rose and Ted Bernstein have made numerous False and Fraudulent filings and Representations, for example, now before this Court, where Diana Lewis was Never Appointed in the Shirley Estate or Simon Estate case, nor the Simon Trust case and where No Order exists appointing Diana Lewis for such cases she has acted in; Frauds are complex and will take detailed time to complete while also having to complete Appeals to 4th DCA and action is ongoing in the Federal Court Illinois Insurance Case; thus extension of time needed. Fraud will be shown Directly as it relates to "Standing" issues, and "Construction" / Determination of Beneficiaries. "Standing" presently removed at a Non-Evidentiary UMC Hearing filed upon False and Fraudulent representations by Alan Rose; Orders must be vacated.

Motions by Eliot Bernstein addressing Fraud and related items which have not been heard, not fully heard or need to be re-heard include May 2013 "Emergency Motion" Injunction and others in each of the Estate and Trust Cases. Eliot Bernstein has a neurologist medical doctor order to not undergo stress through December 15, 2016 due to possible life threatening injuries that could result and during evaluations by Cardiologist and ENT regarding course of treatment.

2. **Document Production - Discovery Compliance** : Neither PR O'Connell nor Ted Bernstein as "Trustee" have Complied with Feb. 2014 Order of Judge Colin for Tescher and Spallina to Produce ALL Documents; No Originals have been Produced in Any Case; Failure to Obtain Compliance is basis to Remove Fiduciaries; Falsely represented at "Validity Trial" by Attorney Alan Rose for Ted Bernstein that No Production Order Exists, ALL ORIGINALS must be produced or located of all TS records as otherwise it is Contempt of Court and they should be hauled in for further Show Cause to Court.
3. **Depositions of Alan Rose, Brian O'Connell, Joy Foglietta, Ted Bernstein and Steven Lessnee at Minimum on Chain of Custody of Operative Documents and "Originals" -**
4. **Full Accountings Produced** : No Estates or Trusts should be Closed and No hearings regarding dispositions in any cases regarding any assets Heard until all accountings are in and all objections heard.
5. **Stay - Restrain ANY Distribution of Any Asset Pending Further Hearings:** Simon Bernstein Home Sale must be reviewed entirely based on the evidence of further fraud on the court and beneficiaries. Fraudulent Lions Head Land Trust Transfer of Lions Head Lane Home Vacated; information must be reported to proper authorities, involving Pino, Tescher, Spallina, Rose, Ted. Discovery, depositions, halt further asset transfers
6. **Trust Cases should be heard according to Civil Procedures; Rules for Complex Case Management should be employed**
7. **Motions for Removal of Fiduciaries to then be Heard ( Outstanding Motions already filed by Eliot Bernstein, PR O'Connell, etc: Eliot Bernstein to Supplement existing unheard Motions.**
8. **Fraud Hearings - Spallina admissions in Dec 15, 2016 Hearing, Huhem home sale, Tangible Personal Property, etc.**

Shirley Estate

1. Shirley's Entire Inventory of assets is missing and there were millions upon millions in Personal Properties that are unaccounted for. Inventories and Accounting have been challenged by multiple parties.
  - a. Shirley's accounting is challenged and came 5 years late and starts five years late.
2. Eliot is a beneficiary with standing, Alan Rose misleading court no construction hearings in any cases.
3. Diana Lewis is not appointed Guardian in Shirley estate case but yet was given information and gave consent in this case to attempt to reclose Shirley's Estate on behalf of Eliot children, this is reportable and sanctionable.
4. Case to proceed after Fraud hearings, Discovery and Depositions above

### **Shirley Trust**

1. Alan Rose and Ted Bernstein must produce the alleged Simon Bernstein Trusts Dated 9/13/12 with Eliot as Trustee of 3 Children's Trusts dated same or else jurisdiction is stricken and all orders void and hearings were sham in further fraud and cover up;
2. Eliot clearly has "Standing" in the Shirley Trust case;
3. Case to proceed after Fraud hearings, Discovery and Depositions above

### **Simon Estate**

1. Eliot clearly has "Standing" in the Shirley Trust case;
2. Case to proceed after Fraud Hearings, Discovery and Depositions above;

### **Simon Trust**

1. Eliot clearly has Standing.
2. Case to proceed after Fraud hearings, Discovery and Depositions above;

**Dated: November 28th, 2016**

By: /S/ Eliot Ivan Bernstein  
Pro Se  
2753 NW 34th Street

Boca Raton, FL 33434  
561.245.8588  
iviewit@iviewit.tv

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished to counsel of record and the proper parties on the attached Service List via the Court's e-portal system or Email Service on this 28th day of November, 2016.

By: /S/ Eliot Ivan Bernstein  
Pro Se  
2753 NW 34th Street  
Boca Raton, FL 33434  
561.245.8588  
iviewit@iviewit.tv

**SERVICE LIST**

Pamela Beth Simon 950 N. Michigan Avenue Apartment 2603 Chicago, IL 60611 psimon@stpcorp.com	Alan B. Rose, Esq. Page, Mrachek, Fitzgerald & Rose, P.A. 505 South Flagler Drive, Suite 600 West Palm Beach, Florida 33401 (561) 355-6991 arose@pm-law.com and arose@mrachek-law.com mchandler@mrachek-law.com	John J. Pankauski, Esq. Pankauski Law Firm PLLC 120 South Olive Avenue 7th Floor West Palm Beach, FL 33401 (561) 514-0900 courtfilings@pankauskilawfirm .com john@pankauskilawfirm.com
Robert L. Spallina, Esq., Tescher & Spallina, P.A. Boca Village Corporate Center I	Lisa Friedstein 2142 Churchill Lane Highland Park, IL 60035 Lisa@friedsteins.com	Irwin J. Block, Esq. The Law Office of Irwin J. Block PL 700 South Federal Highway

4855 Technology Way Suite 720 Boca Raton, FL 33431 rspallina@tescherspallina.com kmoran@tescherspallina.com ddustin@tescherspallina.com	lisa.friedstein@gmail.com lisa@friedsteins.com	Suite 200 Boca Raton, Florida 33432 ijb@ijblegal.com martin@kolawyers.com
Mark R. Manceri, Esq., and Mark R. Manceri, P.A., 2929 East Commercial Boulevard Suite 702 Fort Lauderdale, FL 33308 mrmlaw@comcast.net mrmlaw1@gmail.com	Donald Tescher, Esq., Tescher & Spallina, P.A. Boca Village Corporate Center I 4855 Technology Way Suite 720 Boca Raton, FL 33431 dtescher@tescherspallina.com dtescher@tescherspallina.com ddustin@tescherspallina.com kmoran@tescherspallina.com	Jill Iantoni 2101 Magnolia Lane Highland Park, IL 60035 jilliantoni@gmail.com
Peter Feaman, Esquire Peter M. Feaman, P.A. 3615 Boynton Beach Blvd. Boynton Beach, FL 33436 pfeaman@feamanlaw.com service@feamanlaw.com mkoskey@feamanlaw.com	Kimberly Moran kmoran@tescherspallina.com	Julia Iantoni, a Minor c/o Guy and Jill Iantoni, Her Parents and Natural Guardians 210 I Magnolia Lane Highland Park, IL 60035 jilliantoni@gmail.com
Carley & Max Friedstein, Minors c/o Jeffrey and Lisa Friedstein Parents and Natural Guardians 2142 Churchill Lane Highland Park, IL 6003 Lisa@friedsteins.com	Lindsay Baxley aka Lindsay Giles lindsay@lifeinsuranceconcepts.com	Brian M. O'Connell, Esq. Joielle A. Foglietta, Esq. Ciklin Lubitz Martens & O'Connell 515 N. Flagler Dr., 20th Floor West Palm Beach, FL 33401 561-832-5900-Telephone 561-833-4209 - Facsimile Email: boconnell@ciklinlubitz.com; ifoglietta@ciklinlubitz.com; service@ciklinlubitz.com;

lisa.friedstein@gmail.com		slobdell@ciklinliibitz.com
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### SERVICE LIST

<p>John P. Morrissey, Esq.  330 Clematis Street, Suite 213  West Palm Beach, FL 33401  (561) 833-0766-Telephone  (561) 833-0867 -Facsimile  Email: John P. Morrissey  (iohn@jrmoiTisseylaw.com)</p>	<p>Lisa Friedstein  2142 Churchill Lane Highland Park, IL 60035  lisa@friedsteins.com</p>
<p>Peter M. Feaman, Esq.  Peter M. Feaman, P.A.  3695 West Boynton Beach Blvd., Suite 9  Boynton Beach, FL 33436  (561) 734-5552 -Telephone  (561) 734-5554 -Facsimile  Email: service@feamanlaw.com:  mkoskey@feamanlaw.com</p>	<p>Jill Iantoni  2101 Magnolia Lane Highland Park, IL 60035  jilliantoni@gmail.com</p>
<p>Gary R. Shendell, Esq.  Kenneth S. Pollock, Esq.  Shendell &amp; Pollock, P.L.  2700 N. Military Trail,  Suite 150  Boca Raton, FL 33431  (561)241-2323 - Telephone (561)241-2330-Facsimile  Email: gary@shendellpollock.com  ken@shendellpollock.com  estella@shendellpollock.com  britt@shendellpollock.com  grs@shendellpollock.com</p>	<p>Counter Defendant  Robert Spallina, Esq.  Donald Tescher, Esq.  Tescher &amp; Spallina  925 South Federal Hwy., Suite 500  Boca Raton, Florida 33432</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: boconnell@ciklinlubitz.com;  ifoglietta@ciklinlubitz.com;  service@ciklinlubitz.com;  slobdell@ciklinliibitz.com</p>	<p>Counter Defendant  John J. Pankauski, Esq.  Pankauski Law Firm PLLC  120 South Olive Avenue  7th Floor  West Palm Beach, FL 33401  courtfilings@pankauskilawfirm.com  john@pankauskilawfirm.com</p>
Counter Defendant	Counter Defendant

<p>Mark R. Manceri, Esq., and  Mark R. Manceri, P.A.,  2929 East Commercial Boulevard  Suite 702  Fort Lauderdale, FL 33308  mrmlaw@comcast.net</p>	<p>Donald Tescher, Esq.,  Tescher &amp; Spallina, P.A.  Wells Fargo Plaza  925 South Federal Hwy Suite 500  Boca Raton, Florida 33432  dtescher@tescherspallina.com</p>
<p>Theodore Stuart Bernstein  880 Berkeley  Boca Raton, FL 33487  tbernstein@lifeinsuranceconcepts.com</p>	<p>Counter Defendant  TESCHER &amp; SPALLINA, P.A..  Wells Fargo Plaza  925 South Federal Hwy Suite 500  Boca Raton, Florida 33432  dtescher@tescherspallina.com</p>
<p>Theodore Stuart Bernstein  Life Insurance Concepts, Inc.  950 Peninsula Corporate Circle  Suite 3010  Boca Raton, FL 33487  tbernstein@lifeinsuranceconcepts.com</p>	<p>Counter Defendant  Alan B. Rose, Esq.  PAGE, MRACHEK, FITZGERALD, ROSE,  KONOPKA, THOMAS &amp; WEISS, P.A.  505 South Flagler Drive, Suite 600  West Palm Beach, Florida 33401  561-355-6991  arose@pm-law.com  arose@mrachek-law.com</p>
<p>Pamela Beth Simon  950 N. Michigan Avenue  Apartment 2603  Chicago, IL 60611  psimon@stpcorp.com</p>	<p>Counter Defendant  L. Louis Mrachek, Esq.  PAGE, MRACHEK, FITZGERALD, ROSE,  KONOPKA, THOMAS &amp; WEISS, P.A.  505 South Flagler Drive, Suite 600  West Palm Beach, Florida 33401  561-355-6991  lmrachek@mrachek-law.com</p>
<p>Jill Iantoni  2101 Magnolia Lane  Highland Park, IL 60035  jilliantoni@gmail.com</p>	<p>Counter Defendant  Pankauski Law Firm PLLC  120 South Olive Avenue  7th Floor  West Palm Beach, FL 33401</p>
<p>Lisa Sue Friedstein  2142 Churchill Lane  Highland Park, IL 60035  lisa.friedstein@gmail.com  lisa@friedsteins.com</p>	<p>Dennis McNamara  Executive Vice President and General Counsel  Oppenheimer &amp; Co. Inc.  Corporate Headquarters  125 Broad Street  New York, NY 10004  800-221-5588  Dennis.mcnamara@opco.com  info@opco.com</p>

Dennis G. Bedley Chairman of the Board, Director and Chief Executive Officer Legacy Bank of Florida Glades Twin Plaza 2300 Glades Road Suite 120 West – Executive Office Boca Raton, FL 33431 info@legacybankfl.com DBedley@LegacyBankFL.com	Hunt Worth, Esq. President Oppenheimer Trust Company of Delaware 405 Silverside Road Wilmington, DE 19809 302-792-3500 hunt.worth@opco.com
James Dimon Chairman of the Board and Chief Executive Officer JP Morgan Chase & CO. 270 Park Ave. New York, NY 10017-2070 Jamie.dimon@jpmchase.com	Neil Wolfson President & Chief Executive Officer Wilmington Trust Company 1100 North Market Street Wilmington, DE 19890-0001 nwolfson@wilmingtontrust.com
William McCabe Oppenheimer & Co., Inc. 85 Broad St Fl 25 New York, NY 10004 William.McCabe@opco.com	STP Enterprises, Inc. 303 East Wacker Drive Suite 210 Chicago IL 60601-5210 psimon@stpcorp.com
Charles D. Rubin Managing Partner Gutter Chaves Josepher Rubin Forman Fleisher Miller PA Boca Corporate Center 2101 NW Corporate Blvd., Suite 107 Boca Raton, FL 33431-7343 crubin@floridatx.com	Ralph S. Janvey Krage & Janvey, L.L.P. Federal Court Appointed Receiver Stanford Financial Group 2100 Ross Ave, Dallas, TX 75201 rjanvey@kjllp.com
Kimberly Moran Tescher & Spallina, P.A. Wells Fargo Plaza 925 South Federal Hwy Suite 500 Boca Raton, Florida 33432 kmoran@tescherspallina.com	Lindsay Baxley aka Lindsay Giles Life Insurance Concepts 950 Peninsula Corporate Circle Suite 3010 Boca Raton, FL 33487 lindsay@lifeinsuranceconcepts.com
Gerald R. Lewin CBIZ MHM, LLC 1675 N Military Trail Fifth Floor Boca Raton, FL 33486	CBIZ MHM, LLC General Counsel 6480 Rockside Woods Blvd. South Suite 330 Cleveland, OH 44131 ATTN: General Counsel generalcounsel@cbiz.com

	(216)447-9000
Albert Gortz, Esq. Proskauer Rose LLP One Boca Place 2255 Glades Road Suite 421 Atrium Boca Raton, FL 33431-7360 agortz@proskauer.com	Heritage Union Life Insurance Company A member of WiltonRe Group of Companies 187 Danbury Road Wilton, CT 06897 cstroup@wiltonre.com
Estate of Simon Bernstein Brian M O'Connell Pa 515 N Flagler Drive West Palm Beach, FL 33401 boconnell@ciklinlubitz.com	Counter Defendant Steven Lessne, Esq. Gray Robinson, PA 225 NE Mizner Blvd #500 Boca Raton, FL 33432 steven.lessne@gray-robinson.com
Byrd F. "Biff" Marshall, Jr. President & Managing Director Gray Robinson, PA 225 NE Mizner Blvd #500 Boca Raton, FL 33432 biff.marshall@gray-robinson.com	Steven A. Lessne, Esq. Gunster, Yoakley & Stewart, P.A. 777 South Flagler Drive, Suite 500 East West Palm Beach, FL 33401 Telephone: (561) 650-0545 Facsimile: (561) 655-5677 E-Mail Designations: slessne@gunster.com jhoppel@gunster.com eservice@gunster.com
T&S Registered Agents, LLC Wells Fargo Plaza 925 South Federal Hwy Suite 500 Boca Raton, Florida 33432 dtescher@tescherspallina.com	David Lanciotti Executive VP and General Counsel LaSalle National Trust NA CHICAGO TITLE LAND TRUST COMPANY, as Successor 10 South LaSalle Street Suite 2750 Chicago, IL 60603 David.Lanciotti@ctt.com
Joseph M. Leccese Chairman Proskauer Rose LLP Eleven Times Square New York, NY 10036 jleccese@proskauer.com	Brian Moynihan Chairman of the Board and Chief Executive Officer 100 N Tryon St #170, Charlotte, NC 28202 Phone:(980) 335-3561
ADR & MEDIATIONS SERVICES, LLC Diana Lewis	

2765 Tecumseh Drive West Palm Beach, FL 33409 (561) 758-3017 Telephone Email: dzlewis@aol.com (Fla. Bar No. 351350)	
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# SERVICE LIST

Pamela Beth Simon 950 N. Michigan Avenue Apartment 2603 Chicago, IL 60611 psimon@stpcorp.com	Alan B. Rose, Esq. Page, Mrachek, Fitzgerald & Rose, P.A. 505 South Flagler Drive, Suite 600 West Palm Beach, Florida 33401 (561) 355-6991 arose@pm-law.com and arose@mrachek-law.com mchandler@mrachek-law.com	John J. Pankauski, Esq. Pankauski Law Firm PLLC 120 South Olive Avenue 7th Floor West Palm Beach, FL 33401 (561) 514-0900 courtfilings@pankauskilawfirm.com john@pankauskilawfirm.com
Robert L. Spallina, Esq., Tescher & Spallina, P.A. Boca Village Corporate Center I 4855 Technology Way Suite 720 Boca Raton, FL 33431 rspallina@tescherspallina.com kmoran@tescherspallina.com ddustin@tescherspallina.com	Lisa Friedstein 2142 Churchill Lane Highland Park, IL 60035 Lisa@friedsteins.com lisa.friedstein@gmail.com lisa@friedsteins.com	Irwin J. Block, Esq. The Law Office of Irwin J. Block PL 700 South Federal Highway Suite 200 Boca Raton, Florida 33432 ijb@ijblegal.com martin@kolawyers.com
Mark R. Manceri, Esq., and	Donald Tescher, Esq., Tescher & Spallina, P.A.	Jill Iantoni 2101 Magnolia Lane

<p>Mark R. Manceri, P.A., 2929 East Commercial Boulevard Suite 702 Fort Lauderdale, FL 33308 mrmlaw@comcast.net mrmlaw1@gmail.com</p>	<p>Boca Village Corporate Center I 4855 Technology Way Suite 720 Boca Raton, FL 33431 dtescher@tescherspallina.com dtescher@tescherspallina.com ddustin@tescherspallina.com kmoran@tescherspallina.com</p>	<p>Highland Park, IL 60035 jilliantoni@gmail.com</p>
<p>Peter Feaman, Esquire Peter M. Feaman, P.A. 3615 Boynton Beach Blvd. Boynton Beach, FL 33436 pfeaman@feamanlaw.com service@feamanlaw.com mkoskey@feamanlaw.com m</p>	<p>Kimberly Moran kmoran@tescherspallina.com</p>	<p>Julia Iantoni, a Minor c/o Guy and Jill Iantoni, Her Parents and Natural Guardians 210 I Magnolia Lane Highland Park, IL 60035 jilliantoni@gmail.com</p>
<p>Carley &amp; Max Friedstein, Minors c/o Jeffrey and Lisa Friedstein Parents and Natural Guardians 2142 Churchill Lane Highland Park, IL 6003 Lisa@friedsteins.com lisa.friedstein@gmail.com</p>	<p>Lindsay Baxley aka Lindsay Giles lindsay@lifeinsuranceconcepts. com</p>	