

**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.**

**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.**

**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.

/

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

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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
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