

Re: CASE NUMBERS - #1 (13097087), #2 (13097087) & #3 (12121312)

documents and the additional crimes involved in using a dead man's identity to Fraud a Court and Fraud Beneficiaries of the Estate must be investigated as part of these proceedings before the whole case against everyone is attempted to be closed, after review of Moran's crimes only. The language in the Report could possibly exonerate others without any investigation of them or the evidence submitted against them tested and this exoneration would be based on materially false statements made in the Report. All of these crimes are related to the same nexus of events to steal approximately \$40,000,000.00 of assets and involve a much larger group of people accused of many other crimes. Thus, the Report needs to be reviewed now by independent reviewers detailing the specifics of each crime and each suspect investigated by Miller and who and what this blanket exoneration is meant for and what crimes are being referenced as it is wholly unclear in the report. I have asked for this detail in my Letter of December 03, 2013 to Det. Miller and other correspondences he admittedly did not review and he has refused to respond formally and in writing as requested to my Letter so that no mistakes or misunderstanding are made and my rights not interfered with further.

Detective Miller failed to note many crimes in his Report although he had absolute evidence of the crimes, including Judge Colin's statements in Court at a September 13, 2013 Hearing whereby he stated that he had enough evidence at that time to read the Attorneys at Law and my brother their Miranda rights, twice. These warnings coming after Judge Colin learned of the Fraud in and upon his Court, Identity Theft of a Dead Person, Fraud committed against Beneficiaries and more. These crimes committed NOT BY MORAN but instead, by OFFICERS OF HIS COURT, Spallina, Tescher, Mark Manceri and my brother Theodore. Judge Colin did not issue this warning to Moran for her crimes and she was not even present at that hearing and he directed his claim he had enough to read them their Miranda's directly and specifically to Tescher, Spallina, Manceri and Theodore for the larger Fraud discovered in the hearing. Judge Colin when asked by Manceri if he meant him as well being read his rights, was on the second warning excluded by Judge Colin. However, after reviewing the Transcript of the September 13, 2013 hearing I prepared my Motion to Clarify and Set Straight the Record as evidenced already herein, evidenced to Det Miller that there were many false and misleading statements made to the Court by Manceri, Spallina and Theodore, involving even more criminal acts, including inferring the Waivers were not Forged when directly confronted by Judge Colin and none of them came clean in efforts to further conceal the crimes they were involved in.

Tescher and Spallina further intentionally and with scienter failed to notify the Court that they were filing documents with a dead Personal Representative as if alive, instead of just notifying the Court he was dead and electing a new Personal Representative/Executor. Tescher and Spallina concealed my Father's death from the Court as they need him alive for their larger fraud to work, as my father needed to be alive when he closed the Estate of my Mother so that he could then allegedly change the Beneficiaries of her Estate while alive. The problem was that my father was dead and her

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Re: CASE NUMBERS - #1 (13097087), #2 (13097087) & #3 (12121312)

Estate was not factually closed while he was alive and no changes were made by my Father while alive and so these cleverly architected frauds was made to appear that he closed the Estate while alive and that he then made the Beneficiary changes to her Estate while alive. Thus, why all the documents that were submitted for investigation that were used in this scheme have a mass of legal problems and defects in their creation and execution and appear fraudulent and legally deficient.

Spallina and Tescher then attempted fraudulently to change the Beneficiaries of the Estate of my Mother and my Father with other documents in the series that were filed POST MORTEM in my Father's Estate. These documents are being challenged for a number of legal and criminal grounds in the creation of them and docketing of them with the Court by Spallina and Tescher, including but not limited to, an ALLEGED Will and an ALLEGED Amended and Restated Trust. These documents alleged to change the Beneficiaries were signed only days before my Father died and while under extreme emotional and physical duress and were not posited with the Court until after his death⁴. Did Detective Miller investigate these documents and all those involved in the creation and execution of them? This to needs to be clarified in particular in the review of his work and the possible correcting of his Report so that one may not think these crimes were investigated when they were not and obstruct justice of them being investigated and prosecuted properly in the future.

The entire series of documents, those of Moran and some done by others, were all filed illegally by Tescher and Spallina with the Court under Judge Colin and Judge David E French and were used to seize Dominion and Control of the Estates illegally and then begin a series of other alleged crimes to loot the Estates. These crimes, include but are not limited to, allegations of Theft of Assets (a new report has been filed with PBSO), Insurance Fraud (involving Spallina and Moran), Fraud on a US District Court (Case No. 13 cv 3643 NORTHERN DISTRICT COURT ILLINOIS EASTERN DIVISION), Real Estate Fraud, Fraud on the Del Ray Beach Probate Court, Fraud and more.

That the following email exchange between two Attorneys at Law, Marc R. Garber, Esq. of Philadelphia and Christine Yates, Esq. of Florida regarding the activities of Spallina and Tescher in these matters, which was presented to Det. Miller, certainly should have been cause to further investigate these attorneys and contact the authors of the letters regarding their claims. Yet, again it does not appear anything was done with

⁴ Another Notary is being investigated currently with Governor Rick Scott's Notary Public Division, a one Lindsay Baxley on documents Moran was also a witness to with along with Spallina, including an ALLEGED Will and an ALLEGED Amended and Restated Trust, which have been challenged on several other grounds for violations of Probate Rules and Statutes and Law. Det. Miller was given this evidence and it needs to be clearly stated in his report if he reviewed these documents and investigated those involved with these documents and if so, who, how and when and get it clearly stated in the Report.

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Re: CASE NUMBERS - #1 (13097087), #2 (13097087) & #3 (12124312)

the information by Detective Miller despite it coming from OUTSTANDING members of the legal community.

From: marcgarber@gmail.com
To: cty@trippscott.com
Subject: RE: Bernstein - E/O Shirley Bernstein & E/O Leon Bernstein: FW: Bernstein - E/O Shirley Bernstein & E/O Leon Bernstein: Status
Date: Thu, 13 Jun 2013 11:02:40 -0400

Christine:

I had difficulty sleeping, as I was sorting through our conversation. What troubles me has troubled me in prior situations. Spallina is not the first "bully lawyering" situation I have seen or heard about. "If you scream loud enough and pound the table hard and often, the other side will cave". It troubles me that many times this approach works. Sometimes it becomes a fee and time matter, other situations result in the good lawyer becoming tired of dealing with "hard headed" uncompromising opponent. I have heard some people actually seek out a bully lawyer for these reasons. The reasons include the fact that they win using this approach. Further, and as you implied, with all the time you expended, Spallina gave us very little, in terms of everything; from documents to involvement in the administration.

It truly troubles me that Spallina continues to spin his web of deceit, and I believe this conduct is further circumstantial evidence that "something is very wrong". I am very glad Eliot filed whatever he filed and I do hope he prevails. I also hope Spallina is removed and perhaps punished for all he is doing. It also troubles me that once he learns of your withdrawal, Spallina will celebrate his victory. If I was licensed in Florida, I would take this on pro bono. Simply out of principal, and I would make certain a probate judge learns of Spallina's behavior. Unfortunately, I am not a Florida lawyer. If Eliot is able to get his motions before a probate judge, I hope he asks and you agree to testify as to how Spallina treated you. A judge may take real notice of that testimony.

Thanks,
Marc

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From: Christine Yates [mailto:cty@TrippScott.com]
Sent: Friday, June 7, 2013 11:57 AM
To: 'Eliot Ivan Bernstein'; 'Eliot Ivan Bernstein'
Cc: Ibis A. Hernandez

Subject: Bernstein - E/O Shirley Bernstein & E/O Leon Bernstein: Status

Eliot and Candace, first I am glad that you are feeling better Eliot.

I have made no progress with Spallina in regards to obtaining documents and in my last call with him and Mark Manceri, Mr. Spallina reiterated his position that the mortgage on the property you are currently residing in was what your father wanted, and that any information regarding the trust of your father would have to be addressed to your brother as trustee.

At this time, in order to receive the information you want, I believe you will need to institute legal proceedings against the estate and trust. Since a new course of action will need to be undertaken, at this time, I will be withdrawing as counsel for your children, and believe that you should now hire separate litigation counsel for them. I will be happy to assist your new counsel in providing them with any information and thank you for the opportunity you gave me to assist you.

110 SE Sixth Street, Suite 1500
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Christine T. Yates
Director
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cty@trippscott.com

Detective Miller also forced me to file separate cases now for other crimes ongoing and this seems bizarre since they are all related to this complaint and we would not want someone to claim in a new case that the crimes were already investigated and dismissed by Miller and thus deprive me of due process and procedure. Again, why we need to be crystal clear on what crimes were investigated, who was investigated and what his specific determinations were for each before anyone is sentenced for anything. These matters must also be clarified for the State Attorney, as their prosecution is based in part

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INCIDENT REVIEW COVER PAGE

Date: February 5, 2014 Investigative Case #: IR14-025

On January 9, 2014 the Palm Beach County Sheriff's Office initiated an Incident Review into a complaint which occurred on July 15, 2013. Based on the facts of the complaint, and any additional information obtained, this complaint was closed without additional investigation needed.

ALLEGED VIOLATION:

Rule & Regulation #: Rule X Proficiency

COMPLAINANT:

Complainant's Name: Elliot Bernstein

EMPLOYEE:

Involved Employee: Detective Ryan W Miller ID#: 7704

Assignment: 5070-Special Invest

INVESTIGATOR:

Assigned Investigator: Sergeant Sean Bozdech

FINAL DISPOSITION OF INVESTIGATION: Incident Review

FINAL DISCIPLINARY ACTION TAKEN BY AGENCY: No Action

Pending any additional information this incident is considered closed.

A handwritten signature in black ink that reads 'Mark B. Alexander'.

Captain Mark Alexander
Division of Internal Affairs

Re: CASE NUMBERS - #1 (13097087), #2 (13097087) & #3 (12121312)

on the statements made in Miller's report and it is unclear at this time if they have investigated any other crimes or people involved in the other alleged crimes, other than those of Moran. The SA might not have investigated these other crimes and the perpetrators of them based on what was claimed by Miller when he stated he saw no evidence of other crimes, a claim made despite his having ABSOLUTE PRIMA FACIE EVIDENCE of other crimes committed by other people. I will be asking the State Attorney to clarify as well for the record just who and what they investigated and if it was only Moran's crimes so that we may be clear on what and who is being prosecuted and what and who are being exonerated specifically.

This clarification is further necessary as Detective Miller refused to review certain emails sent to him regarding evidence against Spallina and Moran, including but not limited to, a FALSE INSURANCE CLAIM they filed together and where the carrier DENIED the claim outright. In this Insurance Fraud Spallina claimed that he was the "Trustee" of a lost and missing insurance trust for my Father that he claimed in several correspondences that he had never seen or possessed. Whether or not the insurance fraud is under PBSO jurisdiction or not, it presents dramatic new evidence of FRAUD that both Spallina and Moran are directly involved in, regarding the same nexus of events and is absolute cause for further investigation of not only Moran but everyone else complained of in my complaints.

The insurance fraud also exposes my brother Theodore in Fraud, as once the claim was DENIED by the carrier, my brother Theodore then filed with a Federal Court a Breach of Contract suit claiming he was now "Trustee" of the lost and missing trust, not Spallina who filed the claim as "Trustee." In fact, my brother was suing on a claim denied by the carrier with Spallina as Trustee, again both of them acting in unauthorized fiduciary capacities in efforts to convert assets of the estates illegally, where my brother Theodore and sister Pamela would be excluded from the benefits if they were paid to the Estate of my father and so they executed this fraudulent scheme. No executed trust or executed copies of the trust were attached to the lawsuit as they are claimed to be wholly missing and Theodore failed to notify the Court that Spallina was not the Trustee when he claimed to be, suppressing this information. In fact, Jackson National Insurance company in their counter complaint claimed that Theodore was advised by counsel prior to filing this baseless suit that he had no basis or authority to file it. A further claim by the carrier in response to questions asked by Theodore in pleadings further illustrates something is rotten in Rotterdam, they state to every question, "ANSWER: Jackson objects to the requests because an executed copy of the Trust has not been produced, and thus to the extent any finding is subsequently made that the Trust was not established and/or is not valid, it will not have been a proper party plaintiff to this suit, including propounding these requests. Regardless, even if the Trust is established, Ted Bernstein, upon information and belief, is not the proper trustee of the Trust, and therefore he does

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Re: CASE NUMBERS - #1 (13097087), #2 (13097087) & #3 (12121312)

not have standing to pursue this matter on behalf of the Trust, including propounding these requests.”

I provided information to Det. Miller that documents were also illegally removed from the Estate of my Father on the night he died by Rachel Walker and given to my brother who had no legal authority to remove documents from the Estate. These documents were witnessed by others and Walker and contained a mass of Estate Documents and where now claims are made that there are missing insurance contracts and trusts and again cause for further investigation. That again, this crime attempts to abscond with an insurance policy where Theodore and Pamela would directly benefit to the detriment of other beneficiaries of the estate and was orchestrated without notice of certain beneficiaries and others with interests in the Estate and Policy. When there is no beneficiary under Florida law the proceeds are paid to the estate of the insured and not to a trust that does not exist and were no one could be proven to be Trustee, neither my brother Theodore or Spallina and despite what they claim they think the beneficiaries are, which include themselves, without a document and legal beneficiary the law is clear and why the Insurance Carrier apparently denied the claim in the first place. I believe the carrier may have also begun investigation of these claims.

Suddenly, the story of the one off crime of Moran made by herself for a variety of conflicting reasons she claimed to Det. Miller and others becomes wholly worthless, as she and others are now involved in other alleged crimes where solid evidence exists making all of this ripe for further investigation. Further investigation is also warranted in light of the perjurious statements and false official statements made by Moran, Spallina and Theodore, which indicate a need to find out the truth and base nothing further on anything they may say or do without fully investigating the voracity and truth of their claims. Yet, despite all this information Det Miller did nothing investigative regarding all of this, even after learning of Fraud and Forgery he just accepted their statements as to what happened and did not seize or subpoena original records of Tescher and Spallina, take depositions or even contact witnesses I provided. Witnesses that include but are not limited to, a medical psychological professional of Simon's he was seeing relating to the problems he was having with his children, Simon's close personal friends and other injured victims of these crimes and instead Detective Miller just took the accused parties word and account of events and put it straight into the flawed Report with absolutely no fact checking. Further, Det Miller never came back to me to re-interview me to allow me to contest or refute or clarify the assertions made by those he interviewed prior to completing his Report.

This would seem the exact opposite of what procedural law and good investigative work would require, as when there is smoke there is fire and where there is PERJURY and FALSE STATEMENTS there is more. So why the rush to pin one crime on Moran and rush to a possible injustice to the victims of the real crimes occurring and

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Re: CASE NUMBERS - #1 (13097087), #2 (13097087) & #3 (12121312)

refusal to look at or document evidence showing so much more crime by others? Again, we must make sure we know exactly what Det Miller investigated and what he did not and whom and how he investigated each crime and insure the SA is clear on this as well before sentencing of Moran. These are all reasons the sentencing should be delayed of Moran while these matters are further investigated now by your office and internal affairs and we determine exactly what crimes were investigated and who was investigated for them and then clarify and correct any inaccuracies in the Report.

Therefore, I would like all of these issues addressed herein and in my December 03, 2013 letter in writing by your offices, in specific and before any sentencing is done of anyone, unless the sentencing is specifically and only for the crimes alleged against Moran, which are a fraction of the total crimes alleged in the big picture. If only Moran and her crimes are involved in the investigation and sentencing then we can begin the process of filing separate complaints or new complaints for all the other crimes that were alleged and evidenced to Detective Miller but that apparently he failed to investigate.

Also in seeking to have a phone meeting with Detective Miller regarding my Letter of December 03, 2013 and more, I asked to have a lawyer present on the call who had some questions and to insure accuracy of what was transpiring and he refused to allow me to bring them into the call and stated I was not allowed that privilege as a Victim. When asked what statutes or procedures he was making this decision on, he grew angry me and I asked to speak then to his superiors, which then elevated to your office and I would like to know why I cannot have a lawyer present with me when meeting with PBSO as the Victim of a crime.

Finally, I would like Detective Miller's Report reviewed and conducted by all new fresh investigators, as I fear that the conversations with Judge Martin Colin may have influenced the course of the investigations already. I have just pled for the Disqualification of Judge Colin in the case, as the FORGERY, FRAUDULENT NOTARIZATIONS, FRAUD ON THE COURT and FRAUD ON THE BENEFICIARIES were all committed IN AND UPON HIS COURT, by OFFICERS OF HIS COURT, that he is responsible for and centrally involved in and at minimum he and his Court officials will be fact and material witnesses, which conflict him from further adjudicating the case. Further, Judge Colin may have incentive to bury this all up instead of opening it all up to the questions of how and why and who committed these crimes and did anyone at the Court help them, etc., as this will certainly be a high profile case that took place under his nose. These adverse interests and conflicts should have caused his own voluntary disqualification once he knew that Officers of his Court had committed the crimes. Yet, he continued not only to handle the case but allow the Attorneys at Law to continue to file pleadings and move the Court and this is in opposite of Judicial Cannons and Law that require him to report this illegal activity of Officers of His Court to all the proper authorities. This failure to report the crimes or do anything about them

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Re: CASE NUMBERS - #1 (13097087), #2 (13097087) & #3 (12121312)

at all, even after he had enough evidence to Warn Miranda right readings to the Attorneys at Law may impart a desire to Cover Up the matters before the matters are exposed that may negatively affect his Court. The failure to report these crimes and demand further investigation may also need to be investigated but either way Judge Colin and his Court are now centrally involved in the crimes, whether intentionally or not and that will have to be investigated and litigated out further.

**II. COMPLAINT #2 - WRONGLY ASSIGNED CASE NUMBER
13097087 - THEFT OF ASSETS WORTH BETWEEN \$600,000-
900,000.**

That on December 23, 2013 on the advice of Detective Miller I filed a new criminal complaint for Theft of Assets from the Estates, including approximately \$600,000.00 of Jewelry, a Bentley automobile and more that were all not included on the inventory of my Father and Mother and just disappeared into others possession with no accounting. This complaint was supposed to be issued a separate case number as requested by Detective Miller but it appears it may have fallen under the first complaint above and calls have been made to Deputy Sam Raineri #5189 to clarify how he input the case and if there is a new number, as nobody has contacted me in several weeks. You can see that if we had sentenced Moran the other week when it was first scheduled we would be back here to investigate the new crimes she and others are alleged to have done and would then have to reopen these matters to see if Detective Miller had investigated them or not, as it appears he only investigated the limited crimes of Moran.

**III. COMPLAINT #3 - CASE NUMBER 12121312 WRONGLY
DOCKETED COMPLAINT THAT SHOULD HAVE BEEN FILED AS
ALLEGED ATTEMPTED MURDER OF SIMON BERNSTEIN THROUGH
POISONING.**

That on the morning of my Father's death, only hours later, PBSO officers were called to my Father's house by my brother Theodore who controlled the process for an alleged possible poisoning of my Father, which he and my sisters, Lisa, Jill and Walker all gave accounts that they thought he was murdered by his companion Maritza Puccio Rivera. The morning my Father died on September 13, 2012, when I arrived at the hospital after being contacted by the hospital to return immediately because my Father who was listed as stable when we left him hours earlier was having seizures and being resuscitated, I was refused entry to the ICU. The hospital had sealed off his room and blocked the entry way because someone claimed to them that Simon had been murdered

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Re: CASE NUMBERS - #1 (13097087), #2 (13097087) & #3 (12121312)

by poisoning, allegedly by Puccio. Puccio had been sleeping in the room with my Father that night and by the time I arrived she had already been escorted out to the waiting room and was denied access to him as he laid dying. I was allowed in after several minutes waiting while my Father lay dying until security that was dispatched arrived but it was already too late despite best efforts to revive him.

Threats were made to Puccio by my brother at the hospital (and all this information was given to Det. Miller) that she better be gone from my Father's home or else and when I arrived at his home she was frantically packing afraid of my siblings and the threats made to her and left in the middle of the night without most of her personal possessions. Truly, this all seemed surreal at the time, especially where Puccio had no interests in the Estate that we know of and thus a motive seemed lacking. During the interview by PBSO at the home, claims were made by Walker and Theodore that they thought Puccio was drugging him and switching pills with unknown substances with his regular medication and may have poisoned him through this ploy. The detective then counted one bottle's contents out of thirty or so that were brought out of the house to him of pain medication in front of Walker, Theodore and I. He stated after counting them that he determined that the number of pills in the container appeared correct and so he did not think anything looked to suspect. Walker protested with him that there were other bottles of pills that he was not inspecting and none of the other bottles were inspected and amazingly and to my surprise none of it was booked into evidence to check to see if the pills in the bottles were actually what was claimed to be in them.

This incident was listed in the Official Report as a call for a "395.3025(7)(a)⁵ and/or 456.057(7)(a)⁶ Medical information" and I am wholly unclear how either of these

⁵ Title XXIX PUBLIC HEALTH Chapter 395 HOSPITAL LICENSING AND REGULATION 395.3025 Patient and personnel records; copies; examination.—

(7)(a) If the content of any record of patient treatment is provided under this section, the recipient, if other than the patient or the patient's representative, may use such information only for the purpose provided and may not further disclose any information to any other person or entity, unless expressly permitted by the written consent of the patient. A general authorization for the release of medical information is not sufficient for this purpose. The content of such patient treatment record is confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

⁶ Title XXXII REGULATION OF PROFESSIONS AND OCCUPATIONS Chapter 456 HEALTH PROFESSIONS AND OCCUPATIONS: GENERAL PROVISIONS SECTION 057 Ownership and control of patient records report or copies of records to be furnished.

(7)(a) Except as otherwise provided in this section and in s. 440.13(4)(c), such records may not be furnished to, and the medical condition of a patient may not be discussed with, any person other than the patient or the patient's legal representative or other health care practitioners and providers involved in the care or treatment of the patient, except upon written authorization of the patient. However, such records may be furnished without written authorization under the following circumstances:

1. To any person, firm, or corporation that has procured or furnished such examination or treatment with the patient's consent.

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Re: CASE NUMBERS - #1 (13097087), #2 (13097087) & #3 (12121312)

applies to what the Officers responded to. I was amazed by the lack of care and securing of evidence in the matter and my brother informed me that his friends would take care of these matters at the higher up levels at PBSO later and this was just an initial intake. I repeatedly asked Theodore and Spallina in the following weeks what was going on with the PBSO investigation and the Coroner's examination that Theodore also instigated and controlled. Detective Miller informed me that a Coroner's report was available and when I read it I found that it too did not make sense and appeared factually incorrect. I have contacted the Coroner directly regarding the information in his report and to determine if in addition to a drug toxicology, a poison toxicology was done considering the allegations made to PBSO and others of poisoning of my Father. Despite repeated requests from the Coroner for information he has not responded yet and this is further cause to not rush to justice in the Moran case.

IV. REQUESTS TO PBSO REGARDING THE THREE SEPARATE CASES

Captain Miller you asked that I put in writing a list of what I wanted accomplished in the review of these cases by your offices to make sure everything went by the book. First off, I would like a written response to my formal written Letter dated December 03, 2013 addressed by a non-conflicted party that was not involved at all in the prior investigation that may have been comprised for a number of reason described herein and in my previous Letter. I would like each crime listed that was alleged and reviewed and what materials were reviewed and who was reviewed and how determinations were made and if additional information is required or if it is being dismissed as part of the Moran et al. case. I would like to know, where it is legally possible, what was done and why no witnesses or other victims I provided to Detective Miller were contacted at all, despite his Reports claims that he interviewed Witnesses and Victims. It appears that the only people Det Miller interviewed were the people allegedly involved in the crimes, which most of his report appears based on their statements as truth despite evidence of

2. When compulsory physical examination is made pursuant to Rule 1.360, Florida Rules of Civil Procedure, in which case copies of the medical records shall be furnished to both the defendant and the plaintiff.
3. In any civil or criminal action, unless otherwise prohibited by law, upon the issuance of a subpoena from a court of competent jurisdiction and proper notice to the patient or the patient's legal representative by the party seeking such records.
4. For statistical and scientific research, provided the information is abstracted in such a way as to protect the identity of the patient or provided written permission is received from the patient or the patient's legal representative.
5. To a regional poison control center for purposes of treating a poison episode under evaluation, case management of poison cases, or compliance with data collection and reporting requirements of s. 395.1027 and the professional organization that certifies poison control centers in accordance with federal law.

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Re: CASE NUMBERS - #1 (13097087), #2 (13097087) & #3 (12121312)

perjury and false statements. Did any of the interviewed subjects have Attorneys at Law present and if so whom? I would like to know immediately if I have to file separate complaints for all the crimes, including the new crimes discovered after his Report was completed and explanation as to why they are being separated when they involve the same people and nexus of events described in my initial complaint and subsequent information submitted. I would like to know exactly which emails and correspondences Detective Miller did not review as he stated and why he did not review them and why his Report indicates that read them all and tested the evidences contained therein. I would like a log of all his conversation date and times with Judge Martin Colin and Judge David French and for now a list of date and times he contacted anyone regarding the case. I would like to know how the interviews were conducted, were sworn statements made, was anything signed by any of those questioned or witnesses and victims he contacted, were requests for documents made of anyone and any other pertinent information that your offices can legally give me as a Victim. Do I have to FOIA any of this information and if so who do I contact?

I have provided Det. Miller my Court filings regarding these events and have listed them below to evidence that hosts of other criminal acts are being committed and ongoing, including violations of virtually all Probate Rules and Statutes and Law. As I mentioned yesterday, information is flowing in from various sources and ongoing legal actions in the matters, all involving these same suspects and I am gaining information in the Courts and with each piece we have discovered new and evolving crimes that will all inter relate with the crimes I alleged to PBSO and so rushing to justice will inevitably lead to reinvestigation of these matters and who and what was investigated and how it was deflected, so getting it right this time around and specifically identifying the crimes investigated will save us all time later and prevent possible errors in prosecution and loss of rights.

PRIOR MOTIONS AND PETITIONS FILED IN THE STATE AND FEDERAL COURTS

- i. That on May 6, 2013 Petitioner filed an "EMERGENCY PETITION TO: FREEZE ESTATE ASSETS, APPOINT NEW PERSONAL REPRESENTATIVES, INVESTIGATE FORGED AND FRAUDULENT DOCUMENTS SUBMITTED TO THIS COURT AND OTHER INTERESTED PARTIES, RESCIND SIGNATURE OF ELIOT BERNSTEIN IN ESTATE OF SIMON/SHIRLEY BERNSTEIN AND MORE." Filed in both estates.
 - www.iviewit.tv/20130506PetitionFreezeEstates.pdf 15th Judicial Florida Probate Court and
 - www.iviewit.tv/20130512MotionRehearReopenObstruction.pdf US District Court Southern District of New York, Most Honorable Shira A. Scheindlin. Pages 156-582 reference estate matters in Simon and Shirley as it relates to RICO allegations.

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Re: CASE NUMBERS - #1 (13097087), #2 (13097087) & #3 (12121312)

-
-
- ii. That on May 29, 2013, Petitioner filed a "RENEWED EMERGENCY PETITION" in the estates of Shirley and Simon.
- www.iviewit.tv/20130529RenewedEmergencyPetitionShirley.pdf
- iii. That on June 26, 2013, Docket #39 Petitioner filed in both estates a "MOTION TO: CONSIDER IN ORDINARY COURSE THE EMERGENCY PETITION TO FREEZE ESTATE ASSETS, APPOINT NEW PERSONAL REPRESENTATIVES, INVESTIGATE FORGED AND FRAUDULENT DOCUMENTS SUBMITTED TO THIS COURT AND OTHER INTERESTED PARTIES, RESCIND SIGNATURE OF ELIOT BERNSTEIN IN ESTATE OF SHIRLEY BERNSTEIN AND MORE FILED BY PETITIONER."
- www.iviewit.tv/20130626MotionReconsiderOrdinaryCourseShirley.pdf
- iv. That on July 15, 2013, Petitioner filed a "MOTION TO RESPOND TO THE PETITIONS BY THE RESPONDENTS" in both estates.
- www.iviewit.tv/20130714MotionRespondPetitionShirley.pdf
- v. That on July 24, 2013, Petitioner filed a "MOTION TO REMOVE PERSONAL REPRESENTATIVES" for insurance fraud and more in both estates.
- www.iviewit.tv/20130724ShirleyMotionRemovePR.pdf
- vi. That on August 28, 2013, Petitioner filed a "NOTICE OF MOTION FOR: INTERIM DISTRIBUTION FOR BENEFICIARIES NECESSARY LIVING EXPENSES, FAMILY ALLOWANCE, LEGAL COUNSEL EXPENSES TO BE PAID BY PERSONAL REPRESENTATIVES AND REIMBURSEMENT TO BENEFICIARIES SCHOOL TRUST FUNDS" in both estates.
- www.iviewit.tv/20130828MotionFamilyAllowanceSHIRLEY.pdf
- vii. That on September 04, 2013, ELIOT filed Docket #TBD, in the estate of Simon, a "NOTICE OF EMERGENCY MOTION TO FREEZE ESTATES OF SIMON BERNSTEIN DUE TO ADMITTED AND ACKNOWLEDGED NOTARY PUBLIC FORGERY, FRAUD AND MORE BY THE LAW FIRM OF TESCHER & SPALLINA, P.A., ROBERT SPALLINA AND DONALD TESCHER ACTING AS ALLEGED PERSONAL REPRESENTATIVES AND THEIR LEGAL ASSISTANT AND NOTARY PUBLIC, KIMBERLY MORAN: MOTION FOR INTERIM DISTRIBUTION DUE TO EXTORTION BY ALLEGED PERSONAL REPRESENTATIVES AND OTHERS; MOTION TO STRIKE THE MOTION OF SPALLINA TO REOPEN THE ESTATE OF SHIRLEY; CONTINUED MOTION FOR REMOVAL OF ALLEGED PERSONAL REPRESENTATIVES AND ALLEGED SUCCESSOR TRUSTEE." Hereby incorporated by reference in entirety herein.
- www.iviewit.tv/20130904MotionFreezeEstatesSHIRLEYDueToAdmittedNotaryFraud.pdf
- viii. That on September 21, 2013 Petitioner filed in the IN THE UNITED STATES DISTRICT

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Re: CASE NUMBERS - #1 (13097087), #2 (13097087) & #3 (12121312)

COURT FOR THE NORTHERN DISTRICT COURT ILLINOIS EASTERN DIVISION,
Case No. 13-cv-03643, an Answer and Cross Claim titled "ELIOT IVAN BERNSTEIN
("ELIOT") (1) ANSWER TO JACKSON NATIONAL LIFE INSURANCE
COMPANY ("JACKSON") ANSWER AND COUNTER-CLAIM AND THIRD-
PARTY COMPLAINT FOR INTERPLEADER AND (2) CROSS CLAIM."

* www.iviewit.tv/20130921/AnswerJacksonSimonIstateHeritage.pdf

- ix. That on October 10, 2013 Petitioner filed in Shirley's estate case Motions titled,
- (I) MOTION TO ORDER ALL DOCUMENTS BOTH CERTIFIED AND VERIFIED REGARDING ESTATES OF SHIRLEY AND SIMON (SIMON'S DOCUMENT ARE REQUESTED AS IT RELATES TO SHIRLEY'S ALLEGED CHANGES IN BENEFICIARIES) BE SENT TO ELIOT AND HIS CHILDREN IMMEDIATELY IN PREPARATION FOR THE EVIDENTIARY HEARING ORDERED BY THIS COURT
 - (II) MOTION TO FOLLOW UP ON SEPTEMBER 13, 2013 HEARING AND CLARIFY AND SET STRAIGHT THE RECORD
 - (III) MOTION TO COMPEL FOR IMMEDIATE, EMERGENCY RELIEF!!!, INTERIM DISTRIBUTIONS AND FAMILY ALLOWANCE FOR ELIOT, CANDICE & THEIR THREE MINOR CHILDREN DUE TO ADMITTED AND ACKNOWLEDGED FRAUD BY FIDUCIARIES OF THE ESTATE OF SHIRLEY AND ALLEGED CONTINUED EXTORTION
 - (IV) MOTION TO CORRECT AND DETERMINE THE BENEFICIARIES OF THE ESTATE BASED ON PRIOR CLOSING OF THE ESTATE THROUGH FRAUD ON THE COURT BY USING FRAUDULENT DOCUMENTS SIGNED BY SIMON WHILE HE WAS DEAD AND POSITED BY SIMON IN THIS COURT WHEN HE WAS DEAD AS PART OF A LARGER FRAUD ON THE ESTATE BENEFICIARIES
 - (V) MOTION TO ASSIGN NEW PERSONAL REPRESENTATIVES AND ESTATE COUNSEL TO THE ESTATE OF SHIRLEY FOR BREACHES OF FIDUCIARY DUTIES AND TRUST, VIOLATIONS OF PROFESSIONAL ETHICS, VIOLATIONS OF LAW, INCLUDING BUT NOT LIMITED TO ADMITTED AND ACKNOWLEDGED FRAUD, ADMITTED AND ACKNOWLEDGED FRAUD ON THE COURT, ALLEGED FORGERY, INSURANCE FRAUD, REAL PROPERTY FRAUD AND MORE
 - (VI) MOTION FOR GUARDIAN AD LITUM FOR THE CHILDREN OF TED, P. SIMON, JANTONI AND FRIEDSTEIN AND ASSIGN A TRUSTEE AD LITUM FOR TED FOR CONFLICTS OF INTEREST, CONVERSION AND MORE
 - (VII) MOTION TO RECONSIDER AND RESCIND ORDER ISSUED BY THIS COURT "ORDER ON NOTICE OF EMERGENCY MOTION TO FREEZE ASSETS" ON SEPTEMBER 24TH FOR ERRORS AND MORE AND
 - (VIII) MOTION TO RECONSIDER AND RESCIND ORDER ISSUED BY THIS

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Re: CASE NUMBERS - #1 (13097087), #2 (13097087) & #3 (12121312)

COURT "AGREED ORDER TO REOPEN THE ESTATE AND APPOINT
SUCCESSOR PERSONAL REPRESENTATIVES" ON SEPTEMBER 24TH
FOR ERRORS AND MORE

- www.iviewit.tv/2013/10/10/MotionCompelFreezeYouHaveTheRighttoRemainSilent.pdf
- x. That on October 10, 2013 Petitioner filed in Simon's estate, a "PETITION TO DETERMINE AND RELEASE TITLE OF EXEMPT PROPERTY."
- www.iviewit.tv/2013/10/10/PETITIONDETERMINERELEASETITLEOFEXEMPTPROPERTY.JOSHUA.KJA.pdf
- xi. That on December 08, 2013 Petitioner filed in the IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT COURT ILLINOIS EASTERN DIVISION, Case No. 13-cv-03643, a motion titled, "(1) MOTION TO STRIKE PLEADINGS AND REMOVE ADAM SIMON FROM LEGAL REPRESENTATION IN THIS LAWSUIT OTHER THAN AS DEFENDANT FOR FRAUD ON THE COURT AND ABUSE OF PROCESS AND (2) MOTION TO REMOVE ADAM SIMON FROM LEGAL REPRESENTATION ON BEHALF OF ANY PARTIES IN THIS LAWSUIT OTHER THAN AS A DEFENDANT PRO SE or REPRESENTED BY INDEPENDENT NON-CONFLICTED COUNSEL."
- www.iviewit.tv/2013/12/08/MotionStrikePleadingAdamSimonForFraudOnCourt.pdf
- xii. That on December 10, 2013 Petitioner filed in the estate of Shirley, an Objection titled "BENEFICIARY AND INTERESTED PARTY ELIOT BERNSTEIN OBJECTIONS TO SUCCESSOR PERSONAL REPRESENTATIVE'S OBJECTIONS TO FIRST SET OF INTERROGATORIES AND FIRST REQUEST FOR PRODUCTION OF DOCUMENTS AND THINGS PROPOUNDED BY ELIOT BERNSTEIN"
- www.iviewit.tv/2013/12/10/PetitionerObjectionToObjectionsToDiscovery.pdf
- xiii. That on December 10, 2013 Petitioner filed in the estate of Shirley, a "MOTION TO TAX ATTORNEY'S FEES AND COSTS AND IMPOSE SANCTIONS."
- www.iviewit.tv/2013/12/10/TaxAttorneyFees.pdf
- xiv. That on December 17, 2013 Petitioner filed in the estate of Simon, a "OBJECTION TO MOTION TO STRIKE PETITION TO DETERMINE AND RELEASE TITLE OF EXEMPT PROPERTY"
- www.iviewit.tv/2013/12/17/ObjectionToMotionReKIAFrench.pdf

2. That the following Motions and Petitions were filed by Petitioner in the courts that remain unheard other than limited items by this Court, including Motions for all of the following,

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Re: CASE NUMBERS - #1 (13097087), #2 (13097087) & #3 (12121312)

- i. MOTION TO FREEZE ESTATE ASSETS,
- ii. MOTION TO APPOINT NEW PERSONAL REPRESENTATIVES,
- iii. MOTION TO INVESTIGATE FORGED AND FRAUDULENT DOCUMENTS SUBMITTED TO THIS COURT AND OTHER INTERESTED PARTIES,
- iv. MOTION TO RESCIND SIGNATURE OF ELIOT BERNSTEIN IN ESTATE OF SHIRLEY BERNSTEIN,
- v. MOTION TO RESPOND TO THE PETITIONS BY THE RESPONDENTS,
- vi. SECOND MOTION TO REMOVE PERSONAL REPRESENTATIVES,
- vii. MOTION FOR INTERIM DISTRIBUTION FOR BENEFICIARIES NECESSARY LIVING EXPENSES,
- viii. MOTION FOR FAMILY ALLOWANCE,
- ix. MOTION FOR LEGAL COUNSEL EXPENSES TO BE PAID BY PERSONAL REPRESENTATIVES,
- x. MOTION FOR REIMBURSEMENT TO BENEFICIARIES SCHOOL TRUST FUNDS.
- xi. SECOND MOTION TO FREEZE ESTATES OF SIMON BERNSTEIN DUE TO ADMITTED AND ACKNOWLEDGED NOTARY PUBLIC FORGERY, FRAUD AND MORE BY THE LAW FIRM OF TESCHER & SPALLINA, P.A., ROBERT SPALLINA AND DONALD TESCHER ACTING AS ALLEGED PERSONAL REPRESENTATIVES AND THEIR LEGAL ASSISTANT AND NOTARY PUBLIC, KIMBERLY MORAN,
- xii. MOTION FOR INTERIM DISTRIBUTION DUE TO EXTORTION BY ALLEGED PERSONAL REPRESENTATIVES AND OTHERS,
- xiii. MOTION TO STRIKE THE MOTION OF SPALLINA TO REOPEN THE ESTATE OF SHIRLEY;
- xiv. CONTINUED MOTION FOR REMOVAL OF ALLEGED PERSONAL REPRESENTATIVES AND ALLEGED SUCCESSOR TRUSTEE."
- xv. MOTION TO ORDER ALL DOCUMENTS BOTH CERTIFIED AND VERIFIED REGARDING ESTATES OF SHIRLEY AND SIMON (SIMON'S DOCUMENT ARE REQUESTED AS IT RELATES TO SHIRLEY'S ALLEGED CHANGES IN BENEFICIARIES) BE SENT TO ELIOT AND HIS CHILDREN IMMEDIATELY IN PREPARATION FOR THE EVIDENTIARY HEARING ORDERED BY THIS COURT
- xvi. MOTION TO FOLLOW UP ON SEPTEMBER 13, 2013 HEARING AND CLARIFY AND SET STRAIGHT THE RECORD
- xvii. MOTION TO COMPEL FOR IMMEDIATE, EMERGENCY RELIEF!!!, INTERIM DISTRIBUTIONS AND FAMILY ALLOWANCE FOR ELIOT, CANDICE & THEIR THREE MINOR CHILDREN DUE TO ADMITTED AND ACKNOWLEDGED FRAUD BY FIDUCIARIES OF THE ESTATE OF SHIRLEY AND ALLEGED CONTINUED EXTORTION
- xviii. MOTION TO CORRECT AND DETERMINE THE BENEFICIARIES OF THE ESTATE BASED ON PRIOR CLOSING OF THE ESTATE THROUGH FRAUD ON THE COURT BY USING FRAUDULENT DOCUMENTS SIGNED BY SIMON WHILE HE WAS DEAD AND POSITED BY SIMON IN THIS COURT WHEN HE WAS DEAD AS PART OF A LARGER FRAUD ON THE ESTATE BENEFICIARIES
- xix. MOTION TO ASSIGN NEW PERSONAL REPRESENTATIVES AND ESTATE COUNSEL TO THE ESTATE OF SHIRLEY FOR BREACHES OF FIDUCIARY DUTIES AND TRUST, VIOLATIONS OF PROFESSIONAL ETHICS, VIOLATIONS OF LAW, INCLUDING BUT NOT LIMITED TO ADMITTED AND ACKNOWLEDGED FRAUD, ADMITTED AND ACKNOWLEDGED FRAUD ON THE COURT, ALLEGED FORGERY, INSURANCE FRAUD, REAL PROPERTY FRAUD AND MORE
- xx. MOTION FOR GUARDIAN AD LITUM FOR THE CHILDREN OF TED, P. SIMON, LANTONI AND FRIEDSTEIN AND ASSIGN A TRUSTEE AD LITUM FOR TED FOR

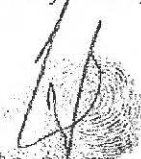
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Re: CASE NUMBERS - #1 (13097087), #2 (13097087) & #3 (12121312)

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- xxi. CONFLICTS OF INTEREST, CONVERSION AND MORE
MOTION TO RECONSIDER AND RESCIND ORDER ISSUED BY THIS COURT
"ORDER ON NOTICE OF EMERGENCY MOTION TO FREEZE ASSETS" ON
SEPTEMBER 24TH FOR ERRORS AND MORE AND
 - xxii. MOTION TO RECONSIDER AND RESCIND ORDER ISSUED BY THIS COURT
"AGREED ORDER TO REOPEN THE ESTATE AND APPOINT SUCCESSOR
PERSONAL REPRESENTATIVES" ON SEPTEMBER 24TH FOR ERRORS AND
MORE
 - xxiii. BENEFICIARY AND INTERESTED PARTY ELIOT BERNSTEIN OBJECTIONS TO
SUCCESSOR PERSONAL REPRESENTATIVE'S OBJECTIONS TO FIRST SET OF
INTERROGATORIES AND FIRST REQUEST FOR PRODUCTION OF DOCUMENTS
AND THINGS PROPOUNDED BY ELIOT BERNSTEIN
 - xxiv. MOTION TO TAX ATTORNEY'S FEES AND COSTS AND IMPOSE SANCTIONS
 - xxv. OBJECTION TO MOTION TO STRIKE PETITION TO DETERMINE AND RELEASE
TITLE OF EXEMPT PROPERTY

NOTE: All pleading listed in items (i-xiv) above filed in each of the state and federal courts listed above are hereby incorporated by reference in entirety, including but not limited to inclusion of, ALL motions, petitions, orders, etc. in each case, as they all relate to the same nexus of events in the Estates of both Simon and Shirley.

That I will close stating that much of what is occurring may revolve around Trillion Dollar Intellectual Properties that me and my father owned in technologies that I invented and that I allege were stolen by local Attorneys at Law and others. That recent news information regarding a New York Supreme Court Whistleblower Lawsuit on Public Office Corruption, filed by an Attorney Regulatory Expert, Christine C. Anderson, which my RICO and ANTITRUST action was LEGALLY RELATED to by Federal Judge Shira Scheindlin, were all interfered with through a bizarre series of crimes that intended to Obstruct Justice in our cases. Obstruction by Members of the Courts and prosecutorial offices and Disciplinary Departments of New York, who actually had what was referred to as a Cleaner, a one Naomi Goldstein who is alleged to have whitewashed complaints and coordinated efforts to block due process rights of countless victims of the system. The recent articles imply that other states were also infected. My RICO alleges the main perpetrators were Attorneys of Law from Boca Raton and that part of the crimes included putting a bomb in my family's minivan in Del Ray Beach in efforts to murder my family and graphic images can be found at www.iviewit.tv my homepage. Several of these same Law Firms now appear to be involved in my parents estates and may have much to do with any interference in state investigatory agencies. I am suing the Florida Bar, Members of the Florida Supreme Court, members of the Fifteenth Judicial were the Probate is occurring and more and so any Investigators should be screened for conflicts in advance of handling these matters.



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Captain Carol Gregg
Palm Beach County Sheriff's Office
Financial Crimes Unit

Page 27 of 36
Tuesday, January 7, 2014

Re: CASE NUMBERS - #1 (13097087), #2 (13097087) & #3 (12121312)

Based on the information of the below news articles, we (the legally related cases to Anderson who were also Victims of this Obstruction in our cases and violations of our privacy rights are looking at filing appeals to rehear our entire cases due to these explosive new facts. These facts also include that former Chairman of the New York Senate Judiciary Committee and head of the New York Democratic Party, Senator John Sampson, who Anderson and I and several other related cases testified before at Judiciary Committee hearings on Public Office corruption and where it is now learned that he was threatened and took bribes to cover up the corruption. We are waiting for further information regarding the Sampson matters and other matters relevant in the articles below. Therefore, the idea of official corruption in these matters is a very real possibility, especially again where key players in my RICO are now involved in the Estates of my parents.

Breaking News

INDICTMENTS COMING! US SENATOR JOHN SAMPSON FORMER HEAD OF THE NEW YORK DEMOCRATIC PARTY AND CHAIRMAN OF THE NEW YORK SENATE JUDICIARY COMMITTEE WAS THREATENED & BRIBED TO COVER UP NY & FEDERAL CORRUPTION!!

UPDATE - INDICTMENTS COMING : Iviewit Breaking News: NY Supreme Court Ethics Oversight Bosses Alleged MISUSE of Joint Terrorism Task Force Resources & Funds & Violations of Patriot Acts Against Civilian Targets for Personal Gain... US Senator John Sampson Threatened & Bribeed to Cover Up NY & Federal Corruption!!

<http://www.free-press-release.com/news-iviewit-breaking-indictments-coming-us-senator-john-sampson-threatened-bribed-to-cover-up-ny-federal-corruption-1369140092.html>

Wednesday, May 15, 2013
Expose Corrupt Courts

INSIDER SAYS NY STATE OFFICIALS BRIEFED ON JUDICIAL CORRUPTION INDICTMENTS

BREAKING NEWS: A New York State Court administrative insider says that top state officials have been briefed by the feds on pending federal corruption indictments that will include New York state court employees....

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And late this morning, a Washington, D.C. source confirmed the information, adding that the target of one federal corruption indictment will include at least one sitting New York State judge and other individuals- all with ties to major banks.....

<http://exposecorruptcourts.blogspot.com/2013/05/insider-says-ny-state-officials-briefed.html>

UPDATE: SENATOR JOHN SAMPSON, FORMER NEW YORK SENATE JUDICIARY CHAIR THREATENED AND BRIBED TO COVER UP OFFICIAL CORRUPTION

FRIDAY, MAY 17, 2013

Washington, D.C. Insider Says Senator John Sampson Covered-Up Court Corruption

BREAKING NEWS: Washington, D.C. insider says NYS Senator John Sampson covered-up evidence of widespread corruption in New York Surrogate's Courts.

Source says Sampson was first threatened, but then successfully bribed, to bury evidence involving countless state and federal crimes involving billions of dollars.

Syracuse, Rochester, Albany, White Plains, Brooklyn and Manhattan Surrogate's Courts are said to top the list of areas involved.

It was revealed on Wednesday that a New York State Court administrative insider said that top state officials had been briefed by the feds on pending federal corruption indictments that would include employees of New York's Office of Court Administration (a/ka/ "OCA"). Most court employees, including judges, are employed by OCA.

It was further confirmed by the Washington, D.C. source that judges, with ties to banks, would be among those charged.

<http://ethicsgate.blogspot.com/2013/05/washington-dc-insider-says-senator-john.html>

VIEWIT BREAKING NEWS: NY SUPREME COURT ETHICS OVERSIGHT BOSSES ALLEGED MISUSE OF JOINT TERRORISM TASK FORCE RESOURCES & FUNDS & VIOLATIONS OF

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Captain Carol Gregg
Palm Beach County Sheriff's Office
Financial Crimes Unit

Page 29 of 36
Tuesday, January 7, 2014

Re: CASE NUMBERS - #1 (13097087), #2 (13097087) & #3 (12121312)

**PATRIOT ACTS AGAINST CIVILIAN TARGETS FOR PERSONAL
GAIN..**

May 14, 2013

See Full Story at:

<http://www.free-press-release.com/news-iviewit-breaking-news-ny-supreme-court-ethics-oversight-bosses-alleged-misuse-of-joint-terrorism-task-force-resources-funds-violations-of-patriot-1368533731.html>

and

<http://ethicsgate.blogspot.com/2013/04/formal-complaint-filed-against-nys.html>

**FORMAL COMPLAINT FILED AGAINST NYS EMPLOYEES FOR
ILLEGAL WIRETAPPING...THE WIDESPREAD ILLEGAL
WIRETAPPING INCLUDED TARGETED NEW YORK STATE
JUDGES AND ATTORNEYS.....**

<http://ethicsgate.blogspot.com/2013/04/formal-complaint-filed-against-nys.html>


SELECT QUOTES FROM THAT NEWS STORY AND LETTER TO THE DOJ

April 3, 2013

Robert Moosy, Jr., Section Chief
Criminal Section, Civil Rights Division
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530
via facsimile # 202-514-6588

RE: Formal Complaint Against New York State Employees Involving Constitutional Violations, including widespread illegal wiretapping.

Dear Mr. Moosy,


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Re: CASE NUMBERS - #1 (13097087), #2 (13097087) & #3 (12121312)

In researching and reporting on various acts of corruption in and about the New York State Court System, specific reviewed evidence supports allegations that over a ten-year-plus period of time, certain NYS employees participated in the widespread practice of illegal wiretapping, inter alia. As these individuals were in supervisory positions at "ethics oversight" committees, the illegal wiretapping largely concerned attorneys and judges, but their actions also targeted other individuals who had some type of dealings with those judicial and attorney "ethics" committees.

The NY state-employed individuals herein complained of include New York State admitted attorneys Thomas Joseph Cahill, Alan Wayne Friedberg, Sherry Kruger Cohen, David Spokony and Naomi Freyda Goldstein.

At some point in time shortly after 9/11, and by methods not addressed here, these individuals improperly utilized access to, and devices of, the lawful operations of the Joint Terrorism Task Force (the "JTTF"). These individuals completely violated the provisions of FISA, ECPA and the Patriot Act for their own personal and political agendas. Specifically, these NY state employees essentially commenced "black bag operations," including illegal wiretapping, against whomever they chose- and without legitimate or lawful purpose.

To be clear, any lawful act involving the important work of the JTTF is to be applauded. The herein complaint simply addresses the unlawful access- and use- of JTTF related operations for the personal and political whims of those who improperly acted under the color of law. Indeed, illegally utilizing JTTF resources is not only illegal, it is a complete insult to those involved in such important work.

In fact, hard-working and good-intentioned prosecutors and investigators (federal and state) are also victims here, as they were guided and primed with knowingly false information.

Operations involving lawful activity- and especially as part of the important work of the JTTF and related agencies- are not at issue here. This complaint concerns the illegal use and abuse of such lawful operations for personal and political gain, and all such activity while acting under the color of law. This un-checked access to highly-skilled operatives found undeserving protection for some connected wrong-doers, and the complete destruction of others- on a whim, including the pre-prosecution priming of falsehoods ("set-ups"). The aftermath of such abuse for such an extended period of time is staggering.

It is believed that most of the 1.5 million-plus items in evidence now under seal in Federal District Court for the Eastern District of New York, case #09cr405 (EDNY)

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Re: CASE NUMBERS - #1 (13097087), #2 (13097087) & #3 (12121312)

supports the fact, over a ten-year-plus period of time, of the illegal wiretapping of New York State judges, attorneys, and related targets, as directed by state employees.

To be sure, the defendant in #09cr405, Frederick Celani, is a felon who is now regarded by many as a conman. Notwithstanding the individual (Celani), the evidence is clear that Celani once supervised lawful "black bag operations," and, further, that certain NYS employees illegally utilized access to such operations for their own illegal purposes. (Simple reference is made to another felon, the respected former Chief Judge of the New York State Court of Appeals, Sol Wachtler, who many believe was victimized by political pre-priming prosecution.)

In early February, 2013, I personally reviewed, by appropriate FOIL request to a NYS Court Administrative Agency, over 1000 documents related to the herein complaint. Those documents, and other evidence, fully support Celani's claim of his once-lawful supervisory role in such JTTF operations, and his extended involvement with those herein named. (The names of specific targeted judges and attorneys are available.)

One sworn affidavit, by an attorney, confirms the various illegal activity of Manhattan's attorney "ethics" committee, the Departmental Disciplinary Committee (the "DDC"), which includes allowing cover law firm operations to engage in the practice of law without a law license. Specifically, evidence (attorney affidavits, etc.) supports the claim that Naomi Goldstein, and other DDC employees supervised the protection of the unlicensed practice of law. The evidence also shows that Ms. Goldstein knowingly permitted the unlicensed practice of law, over a five-year-plus period of time, for the purpose of gaining access to, and information from, hundreds of litigants.

Evidence also supports the widespread illegal use of "black bag operations" by the NYS employees for a wide-range of objectives: to target or protect a certain judge or attorney, to set-up anyone who had been deemed to be a target, or to simply achieve a certain goal. The illegal activity is believed to not only have involved attorneys and judges throughout all of the New York State, including all 4 court-designated ethics "departments," but also in matters beyond the borders of New York.

Other evidence points to varying and widespread illegal activity, and knowledge of such activity, by these and other NYS employees- all of startling proportions.

For example:

- The "set-up" of numerous individuals for an alleged plot to bomb a Riverdale, NY Synagogue. These individuals are currently incarcerated. The trial judge, U.S. District Court Judge Colleen McMahon, who publicly expressed concerns over the case, saying,

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"I have never heard anything like the facts of this case. I don't think any other judge has ever heard anything like the facts of this case." (2nd Circuit 11cr2763)

- The concerted effort to fix numerous cases where confirmed associates of organized crime had made physical threats upon litigants and/or witnesses, and/or had financial interests in the outcome of certain court cases.

- The judicial and attorney protection/operations, to gain control, of the \$250 million-plus Thomas Carvel estate matters, and the pre-prosecution priming of the \$150 million-plus Brooke Astor estate.

- The thwarting of new evidence involving a mid 1990's "set-up" of an individual, who spent over 4 years in prison because he would not remain silent about evidence he had involving financial irregularities and child molestation by a CEO of a prominent Westchester, NY non-profit organization. (Hon. John F. Keenan)

- The wire-tapping and ISP capture, etc., of DDC attorney, Christine C. Anderson, who had filed a lawsuit after being assaulted by a supervisor, Sherry Cohen, and after complaining that certain evidence in ethics case files had been improperly destroyed. (See SDNY case #07cv9599 - Hon. Shira A. Scheindlin, U.S.D.J.)

- The eToys litigation and bankruptcy, and associates of Marc Dreier, involving over \$500 million and the protection by the DDC of certain attorneys, one who was found to have lied to a federal judge over 15 times.

- The "set-up" and "chilling" of effective legal counsel of a disabled woman by a powerful CEO and his law firms, resulting in her having no contact with her children for over 6 years.

- The wrongful detention for 4 years, prompted by influential NY law firms, of an early whistleblower of the massive Wall Street financial irregularities involving Bear Sterns and where protected attorney-client conversations were recorded and distributed.

- The blocking of attorney accountability in the \$1.25 billion Swiss Bank Holocaust Survivor settlement where one involved NY admitted attorney was ultimately disbarred in New Jersey. Only then, and after 10 years, did the DDC follow with disbarment. (Gizella Weisshaus v. Fagan)

Additional information will be posted on www.Reform2013.com

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Captain Carol Gregg
Palm Beach County Sheriff's Office
Financial Crimes Unit

Page 33 of 36
Tuesday, January 7, 2014

Re: CASE NUMBERS - #1 (13097087), #2 (13097087) & #3 (12121312)

The allegations of widespread wiretapping by New York's so-called "ethics" committees were relayed to New York Governor Andrew M. Cuomo on February 15, 2013, and to the DDC Chairman Mr. Roy R. L. Reardon, Esq., who confirmed, on March 27, 2013, his knowledge of the allegations. (Previously, on March 25, 2013, I had written to DDC Deputy Chief Counsel Naomi Goldstein, copying Mr. Reardon, of my hope that she would simply tell the truth about the improper activity, inter alia.)

New York judges and lawyers, and obviously the public, deserve immediate action to address the widespread corruption in and about New York's so-called "ethics" oversight entities.

Please take immediate action regarding this troubling issue, and so as to continue the DOJ's efforts to help all New Yorkers restore their faith in their government.

cc:

U.S. Attorney Loretta E. Lynch via facsimile 718-254-6479 and 631-715-7922
U.S. DOJ Civil Rights Section via facsimile 202-307-1379, 202-514-0212
The Hon. Arthur D. Spatt, via facsimile 631-712-5626
The Hon. Colleen McMahon via facsimile 212-805-6326
Hon. Shira A. Scheindlin via facsimile 212-805-7920
Assistant U.S. Attorney Demetri Jones via facsimile 631-715-7922
Assistant U.S. Attorney Perry Carbone via facsimile 914-993-1980
Assistant U.S. Attorney Brendan McGuire via 212-637-2615 and 212-637-0016
FBI SSA Robert Hennigan via facsimile 212-384-4073 and 212-384-4074
Pending SEC Chair Mary Jo White via facsimile 212-909-6836
Posted by Ethics Gate at 5:53 AM

**NY SUPREME COURT BOSSES ILLEGALLY WIRETAPPING
JUDGES CHAMBERS & HOMES. CHRISTINE ANDERSON
WHISTLEBLOWER ILLEGALLY TARGETED FOR 24/7/365
SURVEILLANCE IN RELATED CASE TO IVIEWIT ELIOT
BERNSTEIN RICO...**

FOR IMMEDIATE RELEASE

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Captain Carol Gregg
Palm Beach County Sheriff's Office
Financial Crimes Unit

Page 34 of 36
Tuesday, January 7, 2014

Re: CASE NUMBERS - #1 (13097087), #2 (13097087) & #3 (12121312)

(Free-Press-Release.com) May 14, 2013 -- According to news reports, yes, the heads of the NY Supreme Court Ethics Department have been accused of derailing Justice by targeting victims and misusing Government Resources against private citizens with no other motive than Obstruction of Justice in court and regulatory actions against them or their cronies.

World Renowned Inventor Eliot Bernstein files NEW RICO RELATED CRIMINAL ALLEGATIONS against Law Firms Proskauer Rose, Foley & Lardner, Greenberg Traurig and more. Allegations that Bernstein was a target of these criminals cloaked as ATTORNEY AT LAW ETHICS BOSSES at the NY Supreme Court were presented to Federal Judge Shira A. Scheindlin. That evidence was presented that Bernstein's father may have been a target and murdered for his efforts to notify the authorities and more!!!

READ ALL ABOUT IT @

<http://www.iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20130512%20FINAL%20Motion%20to%20Rehear%20and%20Reopen%20Obstruction%20of%20Justice165555%20WITH%20EXHIBITS.pdf>

PREVIOUS PRESS RELEASES RELATING TO JUDGES ILLEGALLY WIRETAPPED

That on Tuesday, February 19, 2013, ECC released the story,

ETHICSGATE UPDATE FAXED TO EVERY U.S. SENATOR THE ULTIMATE VIOLATION OF TRUST IS THE CORRUPTION OF ETHICS OVERSIGHT EXCLUSIVE UPDATE:

<http://exposecorruptcourts.blogspot.com/2013/02/ethicsgate-update-faxed-to-every-us.html>

That on August 24, 2007 Expose Corrupt Courts released the following story,

"JUSTICE DEPARTMENT WIDENS "PATENTGATE" PROBE BURIED BY ETHICS CHIEF THOMAS J. CAHILL..."

<http://exposecorruptcourts.blogspot.com/2007/08/justice-dept-widens-patentgate-probe.html>

Captain Gregg, thank you for your prompt consideration of these requests and feel free to call me or email regarding any information you may need from me to get all of this clarified.


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Captain Carol Gregg
Palm Beach County Sheriff's Office
Financial Crimes Unit

Page 35 of 36
Tuesday, January 7, 2014

Re: CASE NUMBERS - #1 (13097087), #2 (13097087) & #3 (12121312)

Respectfully Yours,



Eliot T. Bernstein
Founder & Inventor

Iviewit Holdings, Inc. - DL
Iviewit Holdings, Inc. - DL
Iviewit Holdings, Inc. - FL
Iviewit Technologies, Inc. - DL
Uview.com, Inc. - DL
Iviewit.com, Inc. - FL
Iviewit.com, Inc. - DL
I.C., Inc. - FL
Iviewit.com LLC - DL
Iviewit LLC - DL
Iviewit Corporation - FL
Iviewit, Inc. - FL
Iviewit, Inc. - DL
Iviewit Corporation

cc/ec: Honorable Shira A. Scheindlin
Florida State Attorneys
Marc R. Garber, Esq.
Caroline Prochotska Rogers, Esq.
Michele Mulrooney, Esq.
Christine Yates, Esq.

Enclosure(s)/Attachment(s)/URL's

All Uniform Resource Locators (URL's) and the contents of those URL's are incorporated in entirety by reference herein and therefore must be included in your hard copy file WITH ALL EXHIBITS, as part of this correspondence and as further evidentiary material to be Investigated. Due to allegations alleged by New York State Supreme Court Whistleblower Christine C. Anderson and similar claims in the Iviewit RICO & ANTITRUST Lawsuit regarding Document Destruction and

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Captain Carol Gregg
Palm Beach County Sheriff's Office
Financial Crimes Unit


Page 36 of 36
Tuesday, January 7, 2014

Re: CASE NUMBERS - #1 (13097087), #2 (13097087) & #3 (12121312)

Tampering with Official Complaints and Records, PRINT all referenced URL's and their corresponding exhibits and attach them to your hard copy file, as this is now necessary to ensure fair and impartial review.

In order to confirm that NO DOCUMENT DESTRUCTION OR ALTERCATIONS have occurred, once complete forward a copy of this correspondence with all exhibits and materials included to, Eliot I. Bernstein at the address listed herein. This will insure that all parties are reviewing the same documentation and no additional illegal activity is taking place. If you, for any reason, are incapable of providing this confirmation copy, please put your reasons for failure to comply in writing and send that to Eliot I. Bernstein at the address listed herein. Note, that this is a request only for a copy of this Correspondence and the referenced materials and NOT a request for any Case Investigation information, which may be protected by law.

cmb/eib



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Eliot Ivan Bernstein

Subject: FW: UPDATE CASE NO. TBD - URGENT INFORMATION RE KIMBERLY MORAN ARREST and SENTENCING HEARING
Attachments: 20131203 Letter to Sheriff and State Attorney Regarding Moran Arrest and other crimes.pdf

From: Eliot Ivan Bernstein [mailto:iviewit@iviewit.tv]
Sent: Tuesday, December 3, 2013 4:17 PM
To: Michael Rachel @ Florida - State Attorney (15th Judicial Circuit) (mrachel@sa15.state.fl.us); Jean Francis @ Florida - State Attorney (15th Judicial Circuit) (jfrancis@sa15.org)
Cc: Detective Ryan Miller #7704 ~ Special Investigations Division / Financial Crimes Unit @ Palm Beach County Sheriff's Office (millerr@pbso.org); Caroline Prochotska Rogers Esq. (caroline@cprogers.com); Michele M. Mulrooney ~ Partner @ Venable LLP (mmulrooney@Venable.com); Andrew R. Dietz @ Rock It Cargo USA
Subject: UPDATE CASE NO. TBD - URGENT INFORMATION RE KIMBERLY MORAN ARREST and SENTENCING HEARING

Dear Michael, Jean and Det Miller,

I just was notified that the attachment to my earlier email below was truncated when converted to Adobe PDF in my rush to get it over to you before the hearing. Please replace that document with the one attached herein, which should have 20 pages. Sorry for any troubles, as I have been having tremendous email problems over the last several weeks due to a continued server attack, per my ISP, therefore please confirm receipt of this email and the entire attachment. Thank you and I look forward to speaking with all of you soon regarding these matters.

Eliot

Dear Jean,

I was just informed yesterday by your office that you have a hearing scheduled to charge Kimberly Moran tomorrow and I did not get a time and place as of this time. After speaking with you I expressed concerns that the wrong charges may be filed and that new evidence shows perjury in the official statements you are relying on for prosecution of Moran, which leads to a need for further investigation, not immediate prosecution. I have attached a draft letter I was sending to the Sheriff's office regarding the new crimes and misstatements in the Sheriff's arrest report that must be clarified and corrected so that Moran is charged with the exact crimes she committed and confessed to. I asked Det. Miller to have your offices call several weeks ago and he stated you would call me as you needed me and so I was awaiting a time to discuss the case with your offices for the first time and expose the new evidence and crimes alleged. I did not expect the call to be two days before the sentencing hearing and this leaves me rushing to get you this information that I was working on for Detective Miller and your offices. Due to this short notice of the hearing and the need to assess if she is being charged according to all the new evidence, I would like to have the hearing postponed until after we can meet to discuss these new issues. The new evidence shows both Moran and her employer have also perjured themselves in statements made in official proceedings to several different agencies and indicate far more serious crimes than those confessed to already. I have left several messages for Michael Rachel to call me back but I wanted you and him to have this document attached so that we may discuss it more in detail when he calls back and come to a decision regarding the hearing and the charges being filed and if they should be modified after further investigation. As a victim I feel that I deserve a chance to explain these matters before the prosecution of Moran for what I believe is the wrong crime as I will explain further when we speak why the crime being prosecuted for may in fact not be the crime admitted and confessed to. Since I have not been given ample time to review these new evidences and crimes with your offices or the Sheriff's

office matters that directly affect me and my family I ask that we not rush to prosecution. The document enclosed is a draft and due to our limited time I am sending it hurriedly without some of the exhibits installed yet and I will get you those as I finish them, if you would like any of the missing documents referenced in advance of that time please feel free to send me a request and I will email them over.

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Eliot I. Bernstein
Direct Dial: (561) 245-8588 (o)
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Sent Via Email:

Tuesday, December 3, 2013

Detective Ryan Miller
Palm Beach County Sheriff's Office
Financial Crimes Unit
17901 US Highway 441
Boca Raton, FL 33498-6445

and

Jean Francis
Florida - State Attorney (15th Judicial Circuit)
401 North Dixie Highway
West Palm Beach, FL 33401

and

Michael Rachel
Florida - State Attorney (15th Judicial Circuit)
401 North Dixie Highway
West Palm Beach, FL 33401

**RE: CASE # 13097087 - RESPONSE TO SHERIFF'S ARREST REPORT FOR
KIMBERLY MORAN**

Dear Detective Ryan Miller, Jean Francis and Michael Rachel,

I received and reviewed a copy of your official report attached herein and there are several issues that need correction in light of new and damning evidence of other crimes, committed by other parties, all involved in preparing fraudulent documents in the estates of my parents and then looting the estates with the use of the forged and fraudulent documents. **These new crimes and documents are in addition to the crimes already admitted to by Moran of forgery, fraud and notary fraud in the six Waivers initially complained about that you arrested her for already.** Since these are new crimes than those originally complained about against Moran, I would like to file new criminal complaints for each crime committed by each of the new individuals alleged to have committed or participated in each crime herein, for the crimes that fall under the Sheriff's office jurisdiction. I would also like to reopen the Moran investigation based on new evidence of perjury in her statements to your office, the Governor Rick Scott's office and Judge Martin Colin and where there is perjury there is more to the story that must be investigated.

Re: CASE # 13097087 - RESPONSE TO SHERIFF'S ARREST REPORT FOR KIMBERLY MORAN

As for waiting for Judge Colin to file charges for the crimes identified by him in his court committed by Spallina, Tescher, Manceri and my brother Ted, as you requested after talking with the Judge, this leaves me feeling uncomfortable. I cannot wait for Judge Colin to file charges, as there are statutes of limitation issues as a victim for each crime that could interfere with my rights later, if Judge Colin fails to file criminal complaints as required by Judicial Canons and Law for the crimes he discovered and exposed. Therefore, I must file the criminal complaints myself to protect my rights for every crime discovered by Judge Colin and the new crimes alleged herein. In the alternative, if you still want to wait for those crimes discovered by Colin to be filed by Colin with your agency for prosecution, can you have your legal departments contact me in writing and explain how this will not cause me a loss of my rights in any way?

In a recent Court Order, dated, November 14, 2013, Judge Colin stated, "The Court has determined that it will take no action regarding the form of the pleadings or other documents that were submitted to the Court to close the Estate while Simon Bernstein was serving as Personal Representative." Judge Colin thus ruled that all documents that were submitted by my father when he was "serving" as Personal Representative have no further process after his review. However, the documents signed and filed in the estate of my mother with Colin, filed illegally POST MORTEM in my father's name, when my father could not be "serving" as Personal Representative, as he was dead at the time they were filed, are still actionable and in need of further investigation and prosecution.

The documents still actionable in Colin's court that were submitted POST MORTEM while Simon WAS NOT "SERVING," include but are not limited to, the Moran Forged and Fraudulent Waivers, the Petition of Discharge (Full Waiver) and other documents filed POST MORTEM for my father in my mother's estate, all are alleged FORGED and FRAUDULENT. These POST MORTEM documents which were filed not just in my mother's estate but also in my father's estate (not handled by Colin), include some done by Moran, others that were not and all of these must now all be investigated for FORGERY AND FRAUD, as these documents all combine to facilitate a host of other crimes.

A pattern and practice of criminal fraud is further evidenced when the Attorneys at Law, Robert Spallina and Donald Tescher, then illegally file a multitude of fraudulent documents over a period of four months with the courts, after my father is dead, with documents he allegedly was signing in the present. These attorneys failed to notify either of the probate courts that the man closing the estate and making significant beneficiary changes in the present, my father, was dead at the time he was doing so. The estate of my mother was closed and discharged by my deceased father by these attorneys as if he

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Re: CASE # 13097087 - RESPONSE TO SHERIFF'S ARREST REPORT FOR KIMBERLY MORAN

were alive, which violates a vast number of laws and attorney ethical codes that now are cause for further investigation of not only Moran but the Attorneys at Law involved.

Judge Colin after learning of this crime perpetrated on his court, warned Attorneys at Law, Spallina, Tescher, Manceri and my brother Ted, that they should be read their Miranda Warnings, when he discovered the estate was closed illegally by a dead person at the September 13, 2013 hearing. I have provided copies of that hearing to you in prior submissions in the Moran case.

Even if Judge Colin presses charges with the Sheriff's department for the additional and new felony crimes that he discovered in his courtroom at the hearing against the Attorneys at Law and my brother Ted, this decision would have no bearing on the other documents and other crimes I am asking you to now investigate that are not before him. The other documents not before Colin, include but are not limited to, an alleged Will and Amended Trust Agreement that attempt to change beneficiaries of the estates of both my mother and father. The alleged beneficiary changes took place also are POST MORTEM, the documents used to make the changes are all legally deficient and are also alleged forged and fraudulent, all filed for my father POST MORTEM in my mother's estate, when he was not "acting" legally as Personal Representative.

In light of all these other documents, the Moran stories told regarding the Waivers being a one off event do not hold up and there is further evidence of perjury in her statements to various official agencies. Below, I have compiled a list of questions relating to your arrest report regarding Moran.

1. From the Sheriff's report you claimed,

DOCUMENTS RETURNED. THEY WERE FINALLY RETURNED IN AUGUST AND OCTOBER OF 2012.

- a. Moran claims that the Waivers were not all returned until October 2012, where one was not returned until a few weeks AFTER Simon's death because factually Jill Iantoni NEVER signed and returned her Waiver while Simon was alive and she sent it to Moran in October 2012 and he died in September 2012. This fact is materially important to the investigation because it materially effects statements made on Simon's "Petition to Discharge" – EXHIBIT 2 – SIMON'S PETITION TO DISCHARGE. In the Petition to Discharge, Simon claims under penalty of perjury that he has all the Waiver's and yet he never has them all while alive as Moran's statement proves. The Petition to Discharge was allegedly signed on April 09, 2012 with an alleged Waiver of Simon, yet Tescher and Spallina file neither document with the court until months later in October 2012, after Simon was deceased, which Judge Colin even

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Re: CASE # 13097087 - RESPONSE TO SHERIFF'S ARREST REPORT FOR KIMBERLY MORAN

question in the hearing how this closing of an estate could be legally possible with a dead personal representative.

12 THE COURT: So you agree that in Shirley's
13 estate it was closed January of this year,
14 there was an order of discharge, I see that.
15 Is that true?

16 MR. ELIOT BERNSTEIN: I don't know.

17 THE COURT: Do you know that that's true?

18 MR. ELIOT BERNSTEIN: Yes, I believe.

19 THE COURT: So final disposition and the
20 order got entered that Simon, your father --

21 MR. ELIOT BERNSTEIN: Yes, sir.

22 THE COURT: -- he came to court and said I
23 want to be discharged, my wife's estate is
24 closed and fully administered.

25 MR. ELIOT BERNSTEIN: No. I think it
00025

1 happened after --

2 THE COURT: No, I'm looking at it.

3 MR. ELIOT BERNSTEIN: What date did that
4 happen?

5 THE COURT: January 3, 2013.

6 MR. ELIOT BERNSTEIN: He was dead.
Page 14

In Re_ The Estate of Shirley Bernstein.txt

7 MR. MANCERI: That's when the order was
8 signed, yes, your Honor.

9 THE COURT: He filed it, physically came
10 to court.

11 MR. ELIOT BERNSTEIN: Oh.

12 THE COURT: So let me see when he actually
13 filed it and signed the paperwork. November.

14 What date did your dad die?

15 MR. ELIOT BERNSTEIN: September. It's

16 hard to get through. He does a lot of things
17 when he's dead.

Re: CASE # 13097087 - RESPONSE TO SHERIFF'S ARREST REPORT FOR KIMBERLY MORAN

18 THE COURT: I have all of these waivers by
19 Simon in November. He tells me Simon was dead
20 at the time.

21 MR. MANCERI: Simon was dead at the time,
22 your Honor. The waivers that you're talking
23 about are waivers from the beneficiaries, I
24 believe.

25 THE COURT: No, it's waivers of
00026
1 accountings.

2 MR. MANCERI: Right, by the beneficiaries.

3 THE COURT: Discharge waiver of service of
4 discharge by Simon, Simon asked that he not
5 have to serve the petition for discharge.

6 MR. MANCERI: Right, that was in his
7 petition. When was the petition served?

8 THE COURT: November 21st.

9 MR. SPALLINA: Yeah, it was after his date
10 of death.

11 THE COURT: Well, how could that happen
12 legally? How could Simon --

13 MR. MANCERI: Who signed that?

14 THE COURT: -- ask to close and not serve
15 a petition after he's dead?

- b. The Petition for Discharge was filed with the court as if Simon were alive in October 2012, as if Simon were making the statements in the present at that time in October when he was deceased, further made under penalty of perjury, is full of perjurious statements made by Simon if signed at any time. For instance, in the Petition to Discharge it states that at the time Simon signed the Petition in April 2012, he possessed all the signed Waivers from his children. Obviously and without doubt this claim of Simon's cannot be true according to the statements made by Moran to the Sheriff's department, whereby she claims first to have sent them out to the children in May 2012, so how could he claim to have them all back in April 2012? Further, Moran claimed she did not receive the Waivers all back until October 2012, after Simon was deceased and therefore Simon never had all the Waivers in his possession at any time while he was alive making his sworn statement false unequivocally. Thus, how could Simon who died on September 13, 2012, claim in a sworn official document signed under penalty of perjury filed with the court, to

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Re: CASE # 13097087 - RESPONSE TO SHERIFF'S ARREST REPORT FOR KIMBERLY MORAN

- have had all the Waivers in his possession at any time while he was alive, if Jill's Waiver was not returned to Moran until October 2012? This makes the Petition to Discharge also suspect as yet, another fraudulent and possibly forged document in the chain of documents used to attempt to seize dominion and control of the estates in order to fraudulently change the beneficiaries of Simon and Shirley's estates and convert the assets through a series of frauds that have followed.
- c. Note that almost all of the statements made by Simon in the Petition to Discharge made under penalty of perjury and supposedly signed on April 09, 2012 (the same day Moran admits to forging his name on the other Waiver), are factually perjurious and untrue at the time allegedly signed or filed by Simon. So either Simon was committing fraud and perjury in the document or it is a fraudulent document forged for him POST MORTEM.
 - d. The Waivers and Petition to Discharge were filed with the Court in October 2012 through January 2013 as part of a series of alleged fraudulent documents to close the estate of Shirley, with Simon allegedly filing these documents with the court and acting as the Personal Representative & Trustee while he was deceased. The documents were filed by Tescher & Spallina with the court as if Simon were alive in order to perpetrate a Fraud on the Court through Identity Theft and more, as was learned in the September 13, 2013 hearing. Tescher and Spallina filed documents for several months POST MORTEM on Simon's behalf and never notified the court that Simon was deceased. These crimes were evidenced in the September 13, 2013 hearing, where Judge Colin first warned the lawyers and my brother that he should read them their Miranda warnings for the crimes he had prima facie evidence had taken place in his court by them, crimes separate and distinct from those of Moran and using a variety of different documents.

16 MR. MANCERI: Your Honor, what happened
17 was is the documents were submitted with the
18 waivers originally, and this goes to
19 Mr. Bernstein's fraud allegation. As you know,
20 your Honor, you have a rule that you have to
21 have your waivers notarized. And the original
22 waivers that were submitted were not notarized,
23 so they were kicked back by the clerk. They
24 were then notarized by a staff person from
25 Tescher and Spallina admittedly in error. They
00027

Page 15
1 should not have been notarized in the absentia
2 of the people who purportedly signed them. And

Re: CASE # 13097087 - RESPONSE TO SHERIFF'S ARREST REPORT FOR KIMBERLY
MORAN

3 I'll give you the names of the other siblings,
4 that would be Pamela, Lisa, Jill, and Ted
5 Bernstein.

6 THE COURT: So let me tell you because I'm
7 going to stop all of you folks because I think
8 you need to be read your Miranda warnings.

9 MR. MANCERI: I need to be read my Miranda
10 warnings?

11 THE COURT: Everyone of you might have to
12 be.

13 MR. MANCERI: Okay.

14 THE COURT: Because I'm looking at a
15 formal document filed here April 9, 2012,
16 signed by Simon Bernstein, a signature for him.

17 MR. MANCERI: April 9th, right.

18 THE COURT: April 9th, signed by him, and
19 notarized on that same date by Kimberly. It's
20 a waiver and it's not filed with The Court
21 until November 19th, so the filing of it, and
22 it says to The Court on November 19th, the
23 undersigned, Simon Bernstein, does this, this,
24 and this. Signed and notarized on April 9,
25 2012. The notary said that she witnessed Simon
00028

1 sign it then, and then for some reason it's not
2 filed with The Court until after his date of
3 death with no notice that he was dead at the
4 time that this was filed.

5 MR. MANCERI: Okay.

6 THE COURT: All right, so stop, that's
7 enough to give you Miranda warnings. Not you
8 personally --

9 MR. MANCERI: Okay.

10 THE COURT: Are you involved? Just tell
11 me yes or no.

12 MR. SPALLINA: I'm sorry?

13 THE COURT: Are you involved in the

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