

**FROM THE DESK OF: ELIOT IVAN BERNSTEIN**

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November 10, 2017

The Honorable Rosemarie Scher  
North County Courthouse  
3188 PGA Boulevard, Room 2728  
Palm Beach Gardens, FL 33410

**Re:** Ted Bernstein, as Trustee v, Alexandra Bernstein, et al.  
Case No.: 502014CP003698XXXXNBIH

**In Re:** Estate of Simon Bernstein  
CaseNo.:2012CP004391

Dear Judge Scher:

I have filed with court in the above cases an “**URGENT EMERGENCY MOTION TO POSTPONE AND RESCHEDULE NOVEMBER 15, 2017 HEARING PER NOVEMBER 06, 2017 AMENDED ORDER SPECIALLY SETTING HEARINGS.**” I may have

inadvertently violated your previous order limiting a filings page limits and if so to make any amend to the pleadings or the process to have them properly docketed according to your limiting order. The pleading in both cases listed above is four pages long with a 7 page service list and two pages of exhibit holders for exhibits that were filed separate.<sup>1</sup> The two exhibits attached to the filings are identical and lengthy, Exhibit 1 is 78 pages and is an 11 page Affidavit of Candice Bernstein with the Exhibit 2 a series of medical reports that are essential to the Court understanding the medical danger to my life of attending hearings and filing responses or pleadings at this time and the need for an extension. Exhibit 2 is 1474 pages and is composed of

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<sup>1</sup> In the Simon Bernstein Probate Case the ECF system allowed them to be filed as Exhibits with checkbox titled “exhibit” but in the Shirley Trust case it appears the case is filed in the Civil court for this Inter-vivos Shirley trust and there was no checkbox for “exhibit” like in the Probate Court system and so I checked them under “notices.”

a “MOTION FOR RELIEF FROM SUMMARY JUDGMENT ORDER PURSUANT TO FED. R. CIV. P. 60(b), 60(b)(3) and FED R. CIV. P. 60(a)” filed in Judge Blakey’s court on November 09, 2017 in the USDC Northern District Illinois and it seeks to void an order issued in that case removing me the case based on claims by Alan Rose and Ted Bernstein that I was a not a beneficiary and did not have standing in my father’s estate, which led to my removal based on Collateral Estoppel from alleged orders issued in this Court claiming that I was not. The filing is 31 pages and there are 35 exhibits compromising the rest of the filing.

However, as you are aware, you have issued orders in my father’s estate subsequent to my removal from the federal action that confirm the truth and fact that I am a beneficiary and do have standing in my father’s estate and yet neither Ted Bernstein or his co-counsel Alan Rose and Adam Simon, the Intervenor in that action, Brian O’Connell who is also PR of Simon’s Estate or his counsel James Stamos have notified the Federal Court and/or Judge Blakey of this fact that refutes their prior claims to his court that were based on wholly fraudulent and misleading pleadings that led to my removal on Summary Judgment. The 60B exhibit fully explains the ongoing fraud in that court and in this court. Judge Blakey appears to have just copied and pasted claims made in their Summary Judgment papers that misrepresented the facts of my standing and beneficial interests in the case and many other facts, in order to cause my removal from the case and deny me due process through their fraud upon the court.

I have reviewed your prior Order regarding page limits after filing these two pleadings with the Court and the limit being 10 pages and I am confused to if this meant the pleading page limit or the pleading plus exhibits had to be under 10 pages to seek approval. I further reviewed several other pleadings of various other parties that were filed after the limiting Order was issued and discovered that several of them were in excess of the page limit imposed if exhibits were included in the count and could not find letters seeking approval of those filings. I did find that you did strike several pleadings of mine as being over the page limit but when I looked at those filings they were under the page limit imposed if exhibits were not counted and yet were stricken. If you could clarify this issue with me that would be greatly appreciated and if it does include exhibits that need approval first then we should audit the record as it appears only my filings that exceeded the page limit with exhibits were stricken and this would appear to be a bias

against me. If those should have been allowed to be filed then I would seek your approval to have them reinserted into the record or I can refile them again with your approval.

Finally, since these filings done on 11/9/15 are regarding serious life threatening issues regarding the upcoming hearings and my ability to participate I request that you accept the filings as they are or allow me to amend them to fit whatever page limit I must reduce them to, which I am not sure how to do since the exhibits are essential to the pleadings but I do not want to violate your order and will comply with whatever you deem necessary.

I apologize for any misunderstanding and hope that you can understand that I have been under intense medical care and heavily medicated for over two months as the pleadings show and has I have previously explained and pled with the Court.

Thank you in advance for your time, effort and consideration of these matters.

Respectfully Submitted,  
**/s/Eliot Ivan Bernstein**  
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ec: All parties on attached service list

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