

## Timeline of Events Simon Estate and Causes

### YEAR 1 - 9/13/12 to 9/13/13

1. Simon Bernstein died 9/13/2012
2. Ted Bernstein filed PBSO Complaint of Murder and Ordered Coroner Investigation 9/13/2012
3. Ted Bernstein and his counsel Spallina and Tescher who claimed to be Personal Representatives and Trustees of Simon and Shirley Bernstein Estates and Trusts refused to release any dispositive documents to Eliot Bernstein Family.
4. Eliot Bernstein forced to retain counsel Christine Yates to get estate and trusts documents.
5. 1/11/2013 Documents sent to Yates
6. Discovery of 6 Forged Documents for six separate individuals in Estates, including a Post Mortem forgery of Simon Bernstein and a forged Eliot Bernstein document leads to filing in Court's to contest Estates and Trusts in May 06, 2013.
7. It takes the Court's until exactly 1 year to the date of his death, 9/13/2013 to hold a hearing. At the hearing admissions of forgery by the law firm of Spallina & Tescher are made leading to a later arrest and conviction of their notary public for forgery and fraud. Judge Martin Colin states to Ted, Spallina and Donald Tescher that he should read them their Miranda's once they confess to the forgeries. Shirley Bernstein's Estate is reopened at hearing as it was closed using forged documents.
8. Eliot Bernstein family posits complaints of Multiple Crimes with PBSO for crimes discovered in Estates and Trusts of Simon and Shirley Bernstein. Also goes to Governor who later finds notary frauds.
9. Spallina and Tescher state they are unaware of any further document tampering by their offices.
- 10.

### YEAR 2 – 9/13/13 to 9/13/14

11. Spallina and Tescher allowed by Colin to continue as CO-PR and CO-Trustees of Simon Estate and Trust and Ted as PR and Trustee of Shirley Estate and Trust despite their offices committing direct fraud upon the court and Eliot Bernstein family, blaming it on their Notary Public who claimed Depo Prevara made her commit the crimes.
12. On or about February 11, 2014 Spallina then admits to Palm Beach Sheriff that he Fraudulently Altered Shirley's Trust and sent it to Eliot Bernstein family's attorney Christine Yates that altered the Beneficiaries of Shirley's Trust to include the children of Ted and Pam Bernstein who with their children were considered predeceased in her trust on the day she died and the trust became IRREVOCABLE.
13. Spallina also states to PBSO that the only beneficiaries of Shirley's Trust can be Eliot, Jill and Lisa and their children as Ted and Pam were considered predeceased.
14. Spallina and Tescher then Resign from All Bernstein related matters and file their Resignation with the Courts.
15. After resignation they fraudulently appoint Ted Bernstein as Successor Trustee to Simon's Trust despite the language of the Amended Trust that they authored that Precludes Ted from being a Successor found in the Amended Trust @  
Ted Bernstein cannot be Trustee of Simon Trust as Trust Language Precludes him as predeceased for ALL Purposes of Trust.

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Article III E.1

"Notwithstanding the foregoing, for all purposes of this Trust and the dispositions made hereunder, my children, TED S. BERNSTEIN, PAMELA B. SIMON, ELIOT BERNSTEIN, JILL IANTONI and LISA S. FRIEDSTEIN, shall be deemed to have predeceased me as I have adequately provided for them during my lifetime.

and

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C. Appointment of Successor Trustee.

A successor Trustee appointed under this subparagraph shall not be a Related or Subordinate Party of the trust. The appointment will be by a written document executed by such person in the presence of two witnesses and acknowledged before a notary public delivered to the appointed Trustee and to me if I am living and not Disabled or in a valid last Will. Notwithstanding the foregoing, a designation under this Subparagraph of a successor trustee to a corporate or entity trustee shall be limited to a corporate or entity trustee authorized to serve as such under Florida law with assets under trust management of no less than one billion dollars.

16. Delays occur to get new PR and Trustees for Estate of Simon as Ted is denied to become Successor PR of Simon Estate by Colin and is illegitimately made Successor of Simon Trust, as the language of the trust above clearly shows. The appointment was made by Tescher and Spallina, Ted's attorneys, close friends and business partners after they admitted their law firm committed fraud and resigned, this was their last act in efforts to have Ted cover for their crimes as a fiduciary.
17. Curator is brought in by Order on March 11, 2014 in Simon's Estate.
18. Federal Lawsuit filed for Insurance Policy that was part of the Estate of Simon being cashed in Illinois outside of Estate Administration, the Creditor of the Estate of Simon, William Stansbury, is court ordered to pay for the litigation that in the end has the Policy become a part of the Estate of Simon and paid in part to Estate of Simon despite Ted and his counsel's claim that it was not part of the Estate of Simon.
19. Curator refuses to continue to become PR and new PR is necessary. 7/25/14 Brian O'Connell happens to show up in court that day and Colin appoints him as Successor PR in Simon Estate and claims he likes Brian who always shows up with young women for him.
20. Motions to Remove Colin are filed with Colin who denies, then 4<sup>th</sup> DCA and then Supreme Court on Appeal and then new complaints are filed that Colin initially denies.

YEAR 3 – 9/13/2014 to 9/13/2015

21. May 18, 2015 Colin denies Mandatory Disqualification on May 19, 2015 he Sua Sponte recuses himself.
22. June 15, 2015 Coates Sua Sponte Recuses himself at first hearing after receiving all files knowing of Conflicts he has.
23. July 30, 2015 1<sup>st</sup> Hearing with John Phillips for Status Hearing whereby Alan Rose first claims EIB is not a beneficiary of Simon and Shirley Estates and Trusts.  
20150914 Filing # 32030300 E-Filed 09/14/2015 05:18:25 PM "TRUSTEE'S OMNIBUS STATUS REPORT AND REQUEST FOR CASE MANAGEMENT CONFERENCE"

<http://iviewit.tv/Simon%20and%20Shirley%20Estate/EXHIBIT%2021%20-%2020150914%20Trustees%20Omnibus%20Status%20Report%20and%20Request%20for%20Case%20Management%20Conference.pdf>

“Introduction - The overarching issue in these cases is Eliot Bernstein. He is not named as a beneficiary of anything; yet he alone has derailed these proceedings for more than two years and has harassed and attacked the prior judges, fiduciaries and their counsel.”

YEAR 4 – 9/13/2015 to 9/13/2016

24. 12/15/2015 Phillips holds validity hearing and determines documents presented by Rose are valid.
25. 4/4/16 Order for Guardian Ad Litem in only Shirley Trust case
26. Rose claims Phillips issued Orders claiming Eliot was not a beneficiary of Simon and Shirley Estates and Trusts and Eliot is barred from hearings in both Simon and Shirley Estate cases despite no Orders for other cases. Based on Rose erroneous claims that Eliot’s children are Beneficiaries of Shirley Trust, Shirley Estate and Simon Estate and claims that a GAL was appointed for all cases when it was not, Eliot is refused due process rights to participate in hearings, settlements etc and GAL makes appearances in the Simon Estate and approves of Settlements etc. when she has no legal rights to act on anyone’s behalf in Simon Estate.
  - a. Further, Guardian is appointed for Eliot Bernstein’s minor children while one is actually an adult, again led by false claims by Rose and his client Ted Bernstein, the Uncle to Josh Bernstein who was an adult at the time and whereby Ted Bernstein knew he was an adult as they share the same Birthday and despite knowledge of this and no Adult Guardianship hearing or competency hearing for the adult child Josh, the GAL acts illegally on his behalf.
  - b.
- 27.

YEAR 5 – 9/13/2016 to 9/13/2017

28. 11/22/16 Rosemarie Scher hearings on 2/16/17 and 3/2/17 determines from testimony in Court that Eliot is a beneficiary of Simon Estate and issues ruling determining Eliot is a beneficiary with standing despite prior claims by Rose and O’Connell who both state under oath at hearing that Eliot is a beneficiary despite their prior claims to court that he was not. Scher allows Eliot to again participate in Simon Estate.  
From Transcript Pages 34-35

20 CROSS (BRIAN O'CONNELL)

21 BY MR. ELIOT BERNSTEIN:

22 Q. Mr. O'Connell, am I a devisee of the will  
23 of Simon?

24 MR. ROSE: Objection, outside the scope of  
25 direct.

1 THE COURT: That is true. Sustained.

2 That was not discussed.

3 BY MR. ELIOT BERNSTEIN:

4 Q. Do I have standing in the Simon estate  
5 case --

6 MR. ROSE: Objection, calls for a legal  
7 conclusion.

8 BY MR. ELIOT BERNSTEIN:

9 Q. -- in your opinion?

10 MR. ELIOT BERNSTEIN: Well, he is a  
11 fiduciary.

12 THE COURT: He was asked regarding his  
13 thoughts regarding a claimant, so I will allow  
14 it. Overruled.

15 THE WITNESS: You have standing in certain  
16 actions by virtue of your being a beneficiary  
17 of the tangible personal property.

18 BY MR. ELIOT BERNSTEIN:

19 Q. Okay, so beneficiary?

20 A. Right.

21 Q. Okay. Thank you. Which will go to the  
22 bigger point of the fraud going on here, by the  
23 way.

March 02, 2017 Transcript p138

13:51:55 10 | THE COURT: You don't have to. You have  
11 | standing. You are sitting there. I have  
12 | allowed it. I have allowed it. You are a  
13 | tangible beneficiary whatever assets remain  
14 | outside of the Simon trust. I think everyone  
13:52:08 15 | is on the same page. If it's a dollar or if  
16 | it's ten dollars, that's where you have -- now,  
17 | I have no idea the dollar figures in any of  
18 | this.

29. All Orders issued with GAL acting as beneficiary in Simon Estate for Eliot's children as beneficiaries will have to be vacated as void and there are many as the grandchildren are not beneficiaries and consents on settlements etc were given by them to deals in the estate.

YEAR 6 – 9/13/2017 to 9/13/2018

30. Eliot fell ill and had several near death falls from vasal vagal syncope due to BP medicine and he has been recovering since but BP at 220/120 since no BP medicines work without causing fainting.

YEAR 7 – 9/13/2018 to 9/13/2019