

IN THE CIRCUIT COURT OF THE 15<sup>TH</sup> JUDICIAL CIRCUIT IN AND FOR PALM BEACH COUNTY, FLORIDA

**File Number: 502012 CP 004391 XXXX NB  
Division: Probate "IH"**

IN RE: ESTATE OF  
SIMON L BERNSTEIN,  
Deceased.

**Judge Keever-Agrama**

**Date of Hearing  
10.11.2019  
At 10:00 AM**

**Updated Righteous Crossmotion  
Filed Oct 02, 2019  
Mandated by Selfrighteous  
Amended Motion**

**UPDATED ENCLOSURE A1-A4 [Selfrighteous] AMENDED MOTION TO DIRECT PAYMENT FOR BENEFIT OF ELIOT IVAN BERNSTEIN BE PAID INTO COURT REGISTRY FILED ON AUGUST 1, 2019 [DE 869]**

With *all due respect* to **Judge Keever-Agrama** under *penalties of perjuries since day one*, Pro Se Attorney-in-fact Eliot Ivan Bernstein ("EIB") is forced to state the TRUTH in a few paragraphs duly required and thus supported by the *righteous LKJESQ Memorandum of Law* ("LKJMOL") that *is for Free Use in All Cases in All Courts (A1-A4)* only because:

"The *point is*: judicial discretion for universal belief in righteous<sup>1</sup> activities of *daily living* ("ADLs") *leaves Courts with no choice but mandatory-error-correction* using the *newly invented everlasting legal lightbulb* ("NIELL"). It *ends* selfish beliefs in self-righteous ADLs causing irreversible injuries<sup>2</sup> in evil governments<sup>3</sup> as the *Savior of the guilty*.<sup>4</sup> It *continues* due process of law until *evidence is used*<sup>5</sup> to *make* injurers<sup>6</sup> give Mandatory Restitution<sup>7</sup> making their injureds whole<sup>8</sup> to "establish Justice [by laws correctly applied]"<sup>9</sup> (Preamble, Cons). It *helps* politically-sick-people STOP digging their own graves as threats to their own countries and *upgrade* into politically-unsick-people in billions making 100% commonsense.<sup>10</sup>

**A      Opening Statements**

1      The *point is* that the buck *has to STOP* with the injurers ("Justice") because injurers began passing the buck still enjoying the wealth stolen from the injureds ("Injustice") to make the injurers restitute their injureds as an effective deterrent required by the *NIELL*.<sup>4</sup>

2      *Zealous* Attorney<sup>6</sup> Alan Rose, Esq for Ted Bernstein ("Ted") *will* likewise also keep getting paid legal fees to keep destituting EIB in this **[Selfrighteous] AMENDED MOTION TO DIRECT PAYMENT FOR BENEFIT OF ELIOT IVAN BERNSTEIN BE PAID INTO**

**COURT REGISTRY FILED ON AUGUST 1, 2019 [DE 869] SAME AS IN THE  
[Selfrighteous] MOTION TO STRIKE ELIOT BERNSTEIN'S FILINGS AND TO BAR  
ELIOT BERNSTEIN FROM OBJECTING TO ESTATE ADMINISTRATION FILED ON  
JUNE 14, 2019 [DE 859] concealing Ted's appointment as successor Trustee to Simon's Trust as  
a *legal nullity* since day one.**

3 Today on Oct 1, 2019 at 03:05 PM, Brett C Barner, Esq., as Counsel for Ciklin Lubitz ("Ciklin"), filed Notice (Add On) of Specially Set Hearing (30 minutes Permitted) that "he will call up for hearing...[to be] heard on...Ciklin Lubitz' Joinder in Ted S Bernstein's Motion to Strike Bernstein's Filings and to Bar Eliot Bernstein from Objecting to Estate Administration filed on June 14, 2019 [DE 859 **BUT NOT IN THE SUBJECT MOTION** TO DIRECT PAYMENT FOR BENEFIT OF **THE SAME** ELIOT IVAN BERNSTEIN BE PAID INTO COURT REGISTRY FILED ON AUGUST 1, 2019 [DE 869]]", *knowing that* Ciklin, Lubitz & O'Connell ("CLO") **attorney Brian O'Connell Esq PR** is a **convicted Florida attorney with 0% credibility** since he was *found guilty* of Breaches of Fiduciary Duties and Negligence in the Biven lawsuit on claims of financial breaches<sup>a</sup> *same as claims made in the Estate of Simon Bernstein.*

## **B Righteous Crossmotion**

4 EIB's "right to insist upon the highest level of judicial honesty and integrity [with no lies ...]"<sup>4</sup> will keep forcing EIB to keep helping this Court to begin to protect itself *from* law firms whose lawyers, who are still lucky as not yet caught thus not yet been **convicted same as**

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<sup>a</sup> "... Attorney Greg Coleman, past president of The Florida Bar, wrote to the work group in June to alert it to "inappropriate, improper and illegal activities of a *very small number of Florida attorneys*" practicing in the guardianship arena. ¶ "Unfortunately, the way guardianship statutes and rules are currently constituted *allows for a window of exploitation by bad attorneys and bad guardians for their own personal monetary gain*," said Coleman, who was not associated with the Bivins guardianship or any of the relating litigation. ¶ *Coleman said everything is moving in the right direction for seniors.* "The issue has the (Florida Supreme) Court's attention, I can tell you," he said. *"It is not something that is being ignored or swept under the rug."* <https://tinyurl.com/y6ej9gqb>

their partners who were not that lucky have been **convicted**; and thus to also begin to protect itself **from** their clients as well.

5 This “AMENDED MOTION TO DIRECT PAYMENT FOR BENEFIT OF ELIOT IVAN BERNSTEIN BE PAID INTO COURT REGISTRY FILED ON AUGUST 1, 2019 [DE 869]” is **masterminded** by duly licensed **zealous** attorney<sup>6</sup> Alan Rose Esq with 0% credibility.

6 The **prior** PRs in the Estate of Simon, Donald Tescher & Robert Spallina (“DTRS”) were also removed as **zealous** attorneys for fraud and forgery in the Estates and Trusts of Simon and Shirley Bernstein, even disbarred later after being convicted on insider trading.

7 Florida attorneys’ breaches of fiduciary and legal duties are judicially confirmed that the self-righteous money-making industry shall go on as before because Courts shall still fail to prove that **absolute judicial immunity created judicial rights** to make injurers’ lies on oath prevail over injureds’ truths on oath **but for which** injurers will not win and injureds will not lose, knowing that injurers include **zealous** attorneys.<sup>6</sup>

8 **Even if** Courts prove that **absolute judicial immunity created judicial rights** to make injurers’ lies on oath **prevail over** injureds’ truths on oath **but for which** injurers will not win and injureds will not lose, the **NIELL in public service shall keep going viral ending the seminal judicial scam illegitimately fathered** by the self-righteous Legal Maxim: “The law **admits no proof** against that [**injurers’ innocence**] which it presumes [**as the seminal judicial scam**],”<sup>10</sup> **knowing that** injurers include **zealous** attorneys<sup>6</sup> and Florida attorneys’ breaches of fiduciary duties and legal duties acting as **Zealous** Attorneys<sup>6</sup> are judicially confirmed and published by the media<sup>b</sup> because:

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<sup>b</sup> “... Attorney Greg Coleman, past president of The Florida Bar, wrote to the work group in June to alert it to “inappropriate, improper and illegal activities of a **very small number of Florida attorneys**” practicing in the guardianship arena. ¶ “Unfortunately, the way guardianship statutes and rules are

“Jurisdiction exists that rights [to insist upon the highest level of judicial honesty and integrity with no lies...]<sup>4</sup> may be maintained. Rights are not maintained that jurisdiction may exist.” ***Matter of Berkowitz v Arbib & Houlberg***, 1922, Ct App, **J. Cardozo**, 230 NY 261, 274.

9        ***But for a truly true, correct and complete*** forensic audit and report by a duly licensed attorney at law and accountant (“***Truthful*** Forensic Audit Report”) helped by attached timeline of events prepared by the injured EIB (**E1 to E6**) ***duly ordered by this Court***, the Court ***is again destined to again fail to protect its own “highest level of honesty and integrity [with no lies to make righteousness prevail over self-righteousness as every Judge’s absolute judicial duty with absolute judicial immunity for truly true, correct and complete finality in every criminal, civil, tort and other case]....***<sup>4</sup> as it did in all its prior Orders involving the Bernsteins.

10        Knowing that ***zealous*** attorneys’ motions ***will keep ordering*** Hon Judge to be bound by ***self-righteous judicial tradition to see, hear and speak no judicial evil still being done using duly documented self-righteous legal filings to keep committing Justicide, judicial discretion*** for universal belief in righteous<sup>1</sup> ***ADLs leaves Courts with no choice but mandatory-error-correction*** using the ***NIELL***:

- .1 Because it ***ends*** selfish beliefs in self-righteous ***ADLs*** causing irreversible injuries<sup>2</sup> in evil governments<sup>3</sup> as the ***Savior of the guilty***;<sup>4</sup>
- .2 Because it ***continues*** due process of law until ***evidence is used***<sup>5</sup> to ***make*** injurers<sup>6</sup> give Mandatory Restitution<sup>7</sup> making their injureds whole<sup>8</sup> to “establish Justice [by laws correctly applied]”<sup>9</sup> (Preamble, Cons); and
- .3 Because it ***helps*** politically-sick-people STOP digging their own graves as threats to their own countries and ***upgrade*** into politically-unsick-people in billions making 100% commonsense.<sup>10</sup>

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currently constituted ***allows for a window of exploitation by bad attorneys and bad guardians for their own personal monetary gain***,” said Coleman, who was not associated with the Bivins guardianship or any of the relating litigation. ¶ ***Coleman said everything is moving in the right direction for seniors***. “The issue has the (Florida Supreme) Court’s attention, I can tell you,” he said. ***“It is not something that is being ignored or swept under the rug.”*** <https://tinyurl.com/y6ej9gqb>

11 Knowing since day one of the death of Simon Bernstein, *if not since even before that date while the grand scheme was being masterminded by Ted, criminally aided and abetted by his army of Zealous* Attorneys,<sup>6</sup> that the injureds in this case include, but are not limited to, EIB, his wife, his three sons and their friends and extended family members who are still being deprived of their money-making, non-moneymaking and other social ADLs (“All Lives’ ADLs”), the *NEILL* requires that the injurers give *restitution to end destitution* caused by the injuries they will still keep causing and make their injureds whole for the entire period of time of the injureds’ lives that have been deprived of All Lives’ ADLs aka *destitution*, supported by the self-proving obvious facts that they are still being forced to invest their 24/7 time to keep revealing to the Court what Zealous Attorneys will still keep concealing from the Court since day one.

### C Righteous Conclusion

WHEREFORE may it please Judge Keever-Agrama to please take judicial notice of the foregoing self-damning facts, deny the selfrighteous Motion, grant the righteous Crossmotion, Order, Wait for and Study a *Truthful* Forensic Audit Report, and only then pass its *first* legally valid and enforceable decision, order and/or judgment with “no lies”<sup>4</sup> (“Valid DOJ”) mandated by the *NIELL* to *vacate* as void all prior legally unenforceable thus void DOJs (“Void DOJs”), *end* committing still ongoing Justicide, *begin* to resurrect Justice since day one, *Order* restitution ad *insure* that *all Zealous* Attorneys, who submitted papers to this Court which deliberately withheld information to keep inveigling the Court into making decisions *it should not have made when uninveigled are* duly held in Contempt of Court and the papers together with all the pertinent facts as evidence thereof *are duly submitted* to the Grievance Committee for appropriate *action*,<sup>4</sup> *knowing that*:

A *Action by the Grievance Committee is appropriate only when it protects all courts from all zealous attorneys-in-fact and attorneys-at-law alike to let them hold all politically-sick-people in Contempt of Court if and when they even try to foil truthful local and global marketing of the righteous NIELL;*

**B** All Courts have to be safe havens for righteous ADLs and thus unsafe havens for self-righteous ADLs, always but for which due process of law will not end with no time limit, period, case closed; and

**C** Until then, *Zealous* Attorneys shall keep deliberately withholding information to keep inveigling the Courts with no fear from the Courts *still conspiring* with *Zealous* Attorneys as before?

Dated: Oct 2, 2019

Respectfully Submitted by,

/s/Eliot Ivan Bernstein

**PRO SE**

Eliot Ivan Bernstein  
2753 NW 34th St  
Boca Raton, FL 33434  
561-245-8588

**IViewIt@GMail.Com**

**Encs** **UPDATED LKJMLOL A1 to A4 + E1 to E6**  
**Copies to Service Lists**

#### **CERTIFICATE OF SERVICE**

I CERTIFY that a copy of the foregoing has been furnished to parties listed on attached Service List by E-mail Electronic Transmission and/or Court ECF; this 2<sup>nd</sup> day of Oct, 2019.

/s/Eliot Ivan Bernstein

**PRO SE**

Eliot Ivan Bernstein  
2753 NW 34th St  
Boca Raton, FL 33434  
561-245-8588

**IViewIt@GMail.Com**

#### **SERVICE LIST**

**File Number: 502012 CP 004391 XXXX NB**

#	Law Firm / Attorney	Address/Emails	Party Represented
---	---------------------	----------------	-------------------

		Boca Village Corporate Center I 4855 Technology Way Suite 720 Boca Raton, FL 33431 (561) 997-7008 dtescher@tescherlaw.com, dtescher@tescherspallina.com, ddustin@tescherlaw.com, rspallina@comcast.net, rspallina@tescherspallina.com	Estate Simon Bernstein, CO-PR Robert Spallina, CO-PR Donald Tescher, Tescher & Spallina, PA, Robert Spallina (Personally & Professionally), Donald Tescher (Personally & Professionally), Ted Bernstein
1	Tescher & Spallina, PA / Donald R. Tescher, Robert L. Spallina		
2	Shendell & Pollock, P.L. / Gary R. Shendell, Esq., Kenneth S. Pollock, Esq., Matthew A. Tornincasa, Esq., Mimi K. McAndrews, Esq.	2700 N. Military Trail Suite 150 Boca Raton, FL 33431 +1 (561) 241-2323 ken@shendellpollock.com, gary@shendellpollock.com, estella@shendellpollock.com, grs@shehndellpollock.com, mimi@shendellpollock.com, britt@shendellpollock.com, matt@shendellpollock.com, robyne@shendellpollock.com	Tescher & Spallina, PA
3	The Law Office of Irwin J. Block PL / Irwin J. Block, Esq.	700 South Federal Highway Suite 200 Boca Raton, Florida 33432 +1 (561) 910-3071 ijb@ijblegal.com	Donald Tescher, Limited Appearance
4	Mark R. Manceri, P.A. / Mark R. Manceri, Esq. - Bar Number: 444560	1600 S Federal Hwy Ste 900 Pompano Beach, FL 33062-7520 954-491-7099 mrmlaw@comcast.net, mrmlaw1@gmail.com	Co-PR Robert Spallina, CO-PR Donald Tescher, Bernstein Family Realty (BFR), Ted Bernstein, Mark R. Manceri, Esq. (Professionally & Personally)
5	Mrachek, Fitzgerald, Rose, Konopka, Thomas & Weiss, P.A. / Page, Mrachek, Fitzgerald & Rose, P.A. / Alan B. Rose, Esq.	505 South Flagler Drive Suite 600 West Palm Beach, Florida 33401 +1 (561) 355-6991 arose@mrachek-law.com, arose@pm-law.com, mchandler@mrachek-law.com, abourget@mrachek-law.com	Ted Bernstein (Individually & as Successor Trustee to Simon Trust), Attorney Alan B. Rose, Esq. (Personally & Professionally), Page, Mrachek, Fitzgerald & Rose, P.A.

		120 South Olive Avenue 7th Floor West Palm Beach, FL 33401 +1 (561) 514-0900 john@pankauskilawfirm.com, courtfilings@pankauskilawfirm.com, Michelle@Pankauskilawfirm.com	Ted Bernstein, Attorney John Pankauski, Esq. (Personally & Professionally), Pankauski Law Firm PLLC
6	Pankauski Law Firm PLLC / John J. Pankauski, Esq.	625 No. Flagler Drive Suite 401 West Palm Beach, FL 33401 +1 (561) 651-4004 bbrown@matbrolaw.com, pmatwiczyk@matbrolaw.com, attorneys@matbrolaw.com, bhenry@matbrolaw.com	Estate Simon Bernstein as Curator
7	Matwiczyk & Brown, LLP / Benjamin Brown, Esq. (Deceased)	515 N Flagler Dr 20th Floor West Palm Beach, FL 33401 +1 (561) 832-5900 boconnell@ciklinlubitz.com, jfoglietta@ciklinlubitz.com, CAnderson@ciklinlubitz.com,	Estate Simon Bernstein, Brian O'Connell PR
8	Ciklin Lubitz Martens & O'Connell / Brian M. O'Connell, Esq. PA, Joielle "Joy" A. Foglietta Esq., Ashley Crispin Ackal, Esq.	420 Royal Palm Way Suite 300 Palm Beach, FL 33480 +1 (561) 355-0403 boconnell@ocalawyers.com, service@OCAlawyers.com, acrispinackal@ocalawyers.com, secondaryservice@OCAlawyers.com, jfoglietta@ocalawyers.com, dreed@OCAlawyers.com	Estate Simon Bernstein, Brian O'Connell PR
9	O'Connell & Crispin Ackal, PLLC / Brian M. O'Connell, Esq. PA, Joielle "Joy" A. Foglietta Esq., Ashley Crispin Ackal, Esq.	Mirasol Town Square 11360 Jog Road, Suite 104 Palm Beach Gardens, FL 33418 +1 (561) 296-7771 bhenry@barnerlaw.com, bbarner@barnerlaw.com, service@barnerlaw.com	Estate Simon Bernstein, Brian O'Connell PR
10	Barner & Barner, P.A. / Thornton "Brad" Henry, Esq., Brett C. Barner, Esq.	Ciklin Lubitz fka Ciklin Lubitz Martens & O'Connell	

		3695 W. Boynton Beach Blvd. Suite 9 Boynton Beach, FL 33436 +1 (561) 734-5552 pfeaman@feamanlaw.com, mkoskey@feamanlaw.com, service@feamanlaw.com, nguffey@feamanlaw.com	
11	Peter M. Feaman, P.A. / Peter M. Feaman, Esq., Nancy Guffey, Esq.		William E. Stansbury
12	Golden Cowan, P.A. / William Henry Glasko, Esq.	17345 S. Dixie Highway Miami, FL 33157 +1 (305) 809-7913 EService@PalmettoBayLaw.com, Tmealy@gcprobatelaw.com, bill@PalmettoBayLaw.com	Lisa Friedstein, Jill Iantoni, Julia Iantoni, Max Friedstein, Carly Friedstein
13	Perlman, Bajandas, Yevoli & Albright, P.L. / Paul D. Turner, Esq. (FL Bar No. 113743) Miguel Armenteros, Jr., Esq. (FL Bar No. 14929)	200 S Andrews Avenue Suite 600 Fort Lauderdale, FL 33301 +1 (954) 566-7117 pturner@pbyalaw.com, miguel@pbyalaw.com, rking@pbyalaw.com, eservicemia@pbyalaw.com, mzucker@pbyalaw.com, eserviceftl@pbyalaw.com	Joshua Ennio Zander Bernstein
14	Marc J. Soss, Esq.	2070 Ringling Blvd Sarasota, FL 34237  P.O. Box 110127 Lakewood Ranch, FL 34211 +1 (941) 928-0310 mjs@fl-estateplanning.com	Joshua Ennio Zander Bernstein
15	ADR & MEDIATIONS SERVICES, LLC / Diana Lewis Fla. Bar No. 351350 - GAL	2765 Tecumseh Drive West Palm Beach, FL 33409 (561) 758-3017 dzlewis@aol.com	Joshua, Jacob & Daniel Bernstein
16	John P. Morrissey, P.A. / John Patrick Morrissey, Esq. (FL Bar No. 993727)	330 Clematis Street Suite 213 West Palm Beach, FL 33401 +1 (561) 833-0866 john@jmorrisseylaw.com	Alexandra Bernstein, Eric Bernstein, Michael Bernstein, Molly Simon

		2500 N Military Trl Ste 312 Boca Raton, FL 33431-6324	
17	Huth, Pratt & Milhauser f.k.a. Huth & Pratt / Brandan J. Pratt, Esq. (FL Bar No. 0745)	Office: 561-392-1800 Cell: 561-392-1800 Fax: 561-392-3535 bpratt@hpmlawyers.com	Eliot Bernstein
18	Roth & Duncan, P.A. / David Roth, Esq. (FL Bar No. 116023)	515 N Flagler Dr Ste 325 West Palm Beach, FL 33401-4349 +1 (561) 655-5529 droth@rothduncan.com	Kimberly Francis Moran (Personally & Professionally)
19	Matrix Mediation / Ronald Alvarez, Rodney G Romano	1655 Palm Beach Lakes Boulevard Suite 700 and Suite 710 West Palm Beach, Florida 33401 (800) 379.2580 ron@matrixmediation.com, tamara@matrixmediation.com, eservicematrixmediation@gmail.com ,	Eliot Bernstein 2753 NW 34th St Boca Raton, FL 33434 561-245-8588 iviewit@iviewit.tv, iviewit@gmail.com, tourcandy@gmail.com
20	Pro Se		
21	Unrepresented		Jacob Noah Archie Bernstein 2753 NW 34th St Boca Raton, FL 33434 561-245-8588 telenetjake@gmail.com
22	Unrepresented		Daniel Elijah Abe Ottimo Bernstein c/o Eliot & Candice Bernstein 2753 NW 34th St Boca Raton, FL 33434 561-245-8588 iviewit@iviewit.tv, tourcandy@gmail.com

		Joshua Ennio Zander Bernstein 2753 NW 34th St Boca Raton, FL 33434 561-245-8588 telenetjosh@gmail.com Matthew Logan
23	Unrepresented	
24	Unrepresented	
25	Unrepresented	Pamela Beth Simon, Molly Simon 950 North Michigan Avenue Suite 2603 Chicago, IL 60611 +1 (312) 819-7474 x Ext. 414 psimon@stpcorp.com, molly.simon1203@gmail.com
26	Unrepresented	Jill Iantoni 2101 Magnolia Lane Highland Park, IL 60035 +1 (312) 804-2318 jilliantoni@gmail.com
27	Unrepresented	Lisa Friedstein, Carly Friedstein, Max Friedstein 2142 Churchill Lane Highland Park, IL 60035 +1 (847) 877-4633 lisa@friedsteins.com, lisa.friedstein@gmail.com, mscarly@gmail.com, khoolmax@gmail.com
28	Unrepresented	Michael Bernstein, Eric Bernstein, Alexandra Bernstein 880 Berkley Street Boca Raton, FL 33487 alb07c@gmail.com, mchl_bernstein@yahoo.com, edb07fsu@gmail.com
29	Unrepresented	Lindsay Baxley aka Lindsay Giles (Personally & Professionally)
30	Unrepresented	Kimberly Francis Moran (Personally & Professionally)

## ADDITIONAL SERVICE LIST AS GOOD NEWS BY MEDIA

1. **ErnieAnastos@ErnieAnastos.Com** WNYW New York Channel 5 TV News Anchor
2. **K.Hignett@Newsweek.Com** to update prior Judge Goodman News in Newsweek.
3. **NCW@NIC.IN** for National Commission on Women to Begin to Protect All Women
4. **IAWS.Secretariat@GMail.Com** for curative legal steps by Dr Anagha Tambe
5. **AzadFoundation@GMail.com** for curative legal steps by Secy Ms Meenu Vadera
6. **info.india@icrw.org** for curative legal steps by Int'l Center for Research on Women
7. **WRI.Delhi@LawyersCollective.Org** for curative legal steps by Lawyers Collective
8. **Angala1@VSNL.Net** for curative legal steps by Angala
9. **AasraHelpLine@Yahoo.Com** for curative legal steps by Aasra
10. **FoundersOffice@YourStory.Com** for curative legal steps by Ms Shradha Sharma
11. **ContactUS@CareIndia.Org** for Sustainable Development by curative legal steps
12. **dgmadmin@pti.in** Press Trust of India (PTI) Head Office New Delhi
13. **guild@cwa-union.org** The NewsGuild-CWA Washington DC 202-434-7177
14. **info@nyguild.org** The NewsGuild of New York 1500 Broadway NY 212-575-1580
15. **NYTNews@NYTimes.Com** The New York Times 844-NYTNEWS (844-698-6397).
16. **Syndication@WashPost.Com** The Washington Post Washington, DC 20071
17. **RVezza@StarLedger.Com** Richard Vezza, Editor & Publisher 973-836-4906
18. **JJLetters@JJJournal.Com** The Jersey Journal Secaucus, NJ 07094 201-217-2500  
  **MPalka@Jacksonville.Com** Editor Mary Kelli Palka (904) 359-4107
19. **News@WPBF.Com** ABC25WPBF NEWS 561-624-6397
20. **Press@NOW.Org** for NOW Misleadership to *Upgrade into Leadership Instead*
21. **Syndications@INToday.Com** with Aaj Tak, Delhi Aaj Tak, India Today TV, etc.
22. **Info@WeAreUltraViolate.Org** for Misleadership to *Upgrade into Leadership Instead*.
23. **DeanLoren@GMail.Com** who needs to help TRUTH go viral on American Voice Radio.
24. **RLean@alm.com**
25. **Peter.Kang@Law360.Com**
26. **Samantha.Smink@WPTV.Com**
27. **DrSam@AAAPG.Net**
28. **IViewIt@IViewIt.TV**
29. **Dovalle@miamiherald.com**
30. **Johnnydiaz@sunsentinel.com**
31. **Jpacenti@pbpost.com**
32. **Dcala001@fiu.edu**
33. **Daysidosage@hotmail.com**
34. **Johntanasychuk@sunsentinel.com**
35. **News@mysuncoast.com**
36. **Jerry.iannelli@miaminewtimes.com**
37. **Jflechas@miamiherald.com**
38. **Jtavss@wplg.com**
39. **Khall@mcclatchydc.com**
40. **Ngameztorres@elnuevoherald.com**
41. **Adelgardo@elnuevoherald.com**

- 42. Molivercraviootto@elnuevoherald.com
- 43. Dneal@miamiherald.com
- 44. Jessica.lipscomb@miaminewtimes.com
- 45. Jganz@nydailynews.com
- 46. Tswift@wplg.com
- 47. Soneill@pbpost.com
- 48. Cherrera@miamiherald.com
- 49. Brad@thehatchinstitute.org
- 50. Support@globenewswire.com
- 51. Jhjp@dcqualitytrust.org
- 52. Nytnews@nytimes.com
- 53. Jdolan@miamiherald.com
- 54. Jweaver@miamiherald.com
- 55. Dlandsberg@miamiherald.com
- 56. Mpinzur@miamiherald.com
- 57. Jducassi@miamiherald.com
- 58. Breinhard@miamiherald.com
- 59. Info@narcity.com
- 60. Deanna.paul@washpost.com
- 61. Jfernandez@local10.com
- 62. Imargol@wplg.com
- 63. Aviteri@wplg.com
- 64. Jweinsier@wplg.com
- 65. Mfwright@wplg.com
- 66. Rpalumbo@wplg.com
- 67. Sanwer@local10.com
- 68. Nbc6investigators@nbc6.com
- 69. Mburgos@wsvn.com
- 70. Dchristensen@floridabulldog.org
- 71. Ihuriash@sunsentinel.com
- 72. Wkroustan@sunsentinel.com
- 73. Hockeimerh@ballardspahr.com
- 74. Patrickclarkewriter@mail.com
- 75. Jbrown@miamiherald.com
- 76. Miami.fbi.gov
- 77. Tips.fbi.gov

**ENCLOSURES**

**UPDATED *LKJMLOL* A1-A4**

**and**

**E1-E6**