

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 retribute 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

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**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

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#### **SERVICE LIST**

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**ENCLOSURES**  
**UPDATED *LKJMLOL* A1-A4**  
**and**  
**E1-E6**