

IN THE CIRCUIT COURT OF THE 15TH JUDICIAL CIRCUIT, IN AND FOR
PALM BEACH COUNTY, FLORIDA

CASE NO.: 50-2018-CA-002317

WALTER E. SAHM and Charles Revard
As Guardian of PATRICIA SAHM,

Plaintiffs,

EMERGENCY MOTION:

**Affidavit in Support
MANDATORY DISQUALIFICATION**

-against-

BERNSTEIN FAMILY REALTY, LLC and
ALL UNKNOWN TENANTS. Et al

Defendants.

**AFFIDAVIT OF JOSHUA BERNSTEIN INDIVIDUAL AND AS BFR, LLC
MEMBER FOR EMERGENCY MOTION:**

COMES NOW Joshua Bernstein individually as a party defendant and as a
Member of BFR, LLC also a party defendant who makes this Affidavit in Support
of an Emergency motion for Mandatory Disqualification of Judge Parnofelio and
shows this Court as follows:

1. I am Joshua Bernstein and I make this affidavit individually as a party defendant and as BFR, LLC Member where BFR, LLC is a party Defendant to support an emergency motion for mandatory Disqualification of Judge Parnofelio under FS Sec 38.10 and Florida Rule filed by my attorney Eric Cvelbar.
2. This is a first time initial motion for mandatory Disqualification of Judge Parnofelio.
3. I state that I have a reasonable and objective fear that neither I individually nor BFR, LLC can have a fair trial before Judge Parnofelio.
4. I am not a lawyer but understand enough about Court cases and what fairness is and have seen enough in this case to have a reasonable and objective fear that a fair trial can not be had before Judge Parnofelio.
5. This is based on his Ex parte conduct on September 29, 2025 with attorney Robert Sweetapple to substantively change the parties in a Certificate of Sale in foreclosure in relation to the home at 2753 NW 34th Street, Boca Raton, FL 33434 where I have lived since 2008 and assert Homestead rights under the Florida Constitution.
6. I know enough to know this action by Judge Parnofelio denied me and the company BFR, LLC any opportunity to be heard on substantive changes to the Certificate of Sale and denied any defenses we have as the Final

Judgment is improperly in the name of deceased Walter Sahm and other motions were denied without a hearing which shows reasonable fear that a fair trial can not be had.

7. This fear is further grounded in that I have made a Limited appearance as I was never properly served in the action and my motion for lack of jurisdiction was never heard but Judge Parnofelio has improperly issued an Omnibus motion closing any further matters on foreclosure which denied due process and also because my company BFR, LLC has an Appeal pending under 4D2025-1033 yet the Judge is acting ex parte to close up everything and take substantial equity from my company and myself knowing Witnesses were missing and now we find other exhibits that are not in the record.
8. This ex parte conduct on September 29, 2025 comes after his September 17, 2025 Omnibus Order which again denied motions without an evidentiary hearing and not being heard and threatens me and BFR, LLC and my family and even our attorney with criminal sanctions for simply trying to assert our rights where missing witnesses like William Stansbury, Notaries, former CBS I Team reporter who video interviewed Pat Sahm, Sr., Robert Sweetapple, UPS store worker, Kevin Hall, the Weppenens and others have not been heard when there was a direct income stream that should have paid

off the Note years ago and myself and family are losing the home and equity without proper hearings and process.

9. I am aware that substantive objections were filed to the Certificate of Sale and Amended Certificate on October 6, 2025 and no Order for an evidentiary hearing has been issued yet when Mr. Sweetapple acted ex parte with Judge Parnofelio he acted the very same day less than 24 hours.
10. Judge Parnofelio also created an extortionate atmosphere with our prior attorney Inger Garcia by issuing a Charging Lien in her favor without a hearing after finding her in fraud but then not hearing her evidence and testimony that we as defendants are innocent parties.
11. After the March 6, 2025 Order on Appeal by BFR, LLC our attorney Inger Garcia was afraid to take any action to advance our rights because of improper threats of criminal action for trying to advance defenses and now as of September 17, 2025 Judge Parnofelio is again threatening myself and family and even our new attorney Eric Cvelbar with criminal action simply for exercising rights under law and the US and Florida Constitution.
12. There should have been evidentiary hearings and the extortionate atmosphere caused by Judge Parnofelio compromises the truth seeking process.

13. I reasonably believe Judge Parnofelio is hostile to the truth seeking process and due process for myself and company and have a reasonable fear that a fair trial can not be had before him.
14. I believe my entire family and company has this same reasonable fear that a fair trial can not be had before Judge Parnofelio who simply wants to rush this case in favor of Mr. Sweetapple showing prejudice and bias.
15. Judge Parnofelio doing ex parte conduct on September 28, 2025 shows reasonable bias and prejudice giving me a reasonable fear a fair trial can not be had for myself, my family or BFR, LLC and I support the other grounds raised by our attorney Eric Cvelbar in the motion.

VERIFICATION

I, Joshua Bernstein, a party to the action and Member of BFR, LLC, under FS § 92.525 state that I have read the foregoing Affidavit in support for Mandatory Disqualification of Judge Parnofiello and that the facts stated therein are true to the best of my own knowledge except any matter stated upon information and belief and as to those matters to the best of my knowledge and belief, I believe the same to be true.

Respectfully submitted,

Dated: October 8, 2025



Joshua Bernstein, Individual and BFR LLC Member
2753 NW 34th Street
Boca Raton, Fl 33434