

1 MR. BERNSTEIN: Where?

2 THE COURT: In this court.

3 MR. BERNSTEIN: Well, I've never been served to
4 file an answer in response. People have been emailing
5 me things but that's not service. I'm used to
6 service, a dude shows up at the door, hands me the
7 package I take it, I get 20 days or whatever the
8 number is, I file my answer in response. So, I've
9 been waiting for that. He has no documents serving me
10 anything other than that one which appears bogus
11 because they gave it to some unknown party down the
12 street. Now, so we never got that.

13 THE COURT: Okay. I'd like to hear from your
14 wife. Do you want to, um any additional arguments?

15 MS. BERNSTEIN: Yes, I'd like to have an answer
16 file an answer when I get served. I've never received
17 anything.

18 THE COURT: Okay so you both are maintaining the
19 position that you have never been served in this
20 lawsuit. Is that right?

21 MR. BERNSTEIN: Correct.

22 THE COURT: Okay then my focus and it's obvious
23 to me that you've never answered the lawsuit?

24 MR. BERNSTEIN: Correct.

25 THE COURT: Alright. So, if he proves to me and

1 shows me the document showing that you've been
2 served, I'm entering a default.

3 MR. BERNSTEIN: Okay.

4 THE COURT: Okay, let's go. Mr. Sweetapple
5 that's the only thing you need to respond to, sir.
6 All the other Philips accusations and all this other
7 stuff.

8 MR. SWEETAPPLE: They have, they have Your
9 Honor, they have appeared for themselves and as
10 guardians of any minor children and the return shows
11 that Mr. Bernstein was served so we also as an
12 abundance of caution served unknown tenants which is
13 all they really are. They have no ownership, there's 
14 been no settlement, there's been no payment they're
15 just squatting in this property. And he did make the
16 one point that we are also addressing, Your Honor,
17 that's valid and that is that I did go back and look
18 at the situation with Mr. Tesher. The Bernstein
19 Family Realty was dissolved and it shows a corporate
20 registered agent so to the extent that Mr. Tesher may
21 not have had authority to accept, we are going to go
22 ahead and re-serve the registered agent of record and
23 then obviously move for default based on the fact
24 that they're not paying their fees and they're not
25 even in existence.