

Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Tuesday, March 8, 2016 6:19 PM
To: Eliot Ivan Bernstein
Cc: Lessne, Steven; O'Connell, Brian M.; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.; John P. Morrissey Esq. @ John P. Morrissey, P.A.; Foglietta, Joy A; Lisa S. Friedstein; Jill Iantoni; Pam Simon
Subject: RE: Appointment of a Guardian ad Litem
Attachments: Simon Bernstein Will dtd 07-25-2012 conformed copy - original in courthouse.pdf; Simon L. Bernstein Amended and Restated Trust Agreement dtd 7-25-2012 - duplicate original.pdf

Your requests are unreasonable and not required by the Court.

As to the Trusts, they were created by the Will and Trust of Simon, additional copies of which are attached even though you have been provided copies of these on numerous occasions. As to the trusts to be created per Simon's wishes, I believe you refused to allow the trusts to be funded with an interim distribution and you do not serve as trustee. I am not sure if these trusts have been created yet, but in any event, that is a matter of little consequence to the person serving as Guardian because he or she could oversee the setting up of any such trust if needed. There are no additional trust documents beyond what is attached.

You have not proposed any names; have not indicated a desire to confer; and appear to be in stall and delay mode. As I recall, you have yet to agree with Oppenheimer on a replacement trustee, and that has been ongoing for a very long time.

I assume you are against Diana Lewis, and have proposed no one else, so we will proceed to submit a list in compliance with the Court's March 1st Order.

From: Eliot Ivan Bernstein [mailto:iviewit@iviewit.tv]
Sent: Monday, March 07, 2016 9:23 PM
To: Alan Rose; 'Eliot Ivan Bernstein'; tourcandy@gmail.com
Cc: Candice Schwager @ Schwager Law Firm; Barbara Stone; Kevin R. Hall; agortz@proskauer.com; Alan Rose; attorneys@matbrolaw.com; bhenry@matbrolaw.com; 'Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell'; 'Byrd F. "Biff" Marshall Jr. ~ President & Managing Director @ Gray Robinson, PA'; 'Charles D. Rubin ~ Managing Partner @ Gutter Chaves Josepher Rubin Forman Fleisher Miller PA'; 'Chris Stroup ~ Chairman of the Board of Directors and Chief Executive Officer @ Heritage Union Life / WiltonRe'; 'David Lanciotti ~ Executive Vice President and General Counsel @ LaSalle National Trust, NA / Chicago Title Land Trust Company'; ddustin@tescherspallina.com; 'Dennis G. Bedley ~ Chairman of the Board, Director and Chief Executive Officer @ Legacy Bank of Florida'; 'Dennis McNamara ~ Executive Vice President and General Counsel @ Oppenheimer & Co. Inc.'; 'Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A.'; 'Gary R. Shendell'; 'Gary R. Shendell'; 'Gary R. Shendell'; 'General Counsel at CBIZ MHM, LLC'; 'Gerald "Jerry" R. Lewin ~ Managing Director @ CBIZ MHM, LLC'; 'Hunt Worth ~ President @ Oppenheimer Trust Company'; 'James Dimon ~ Chairman of the Board and Chief Executive Officer @ JP Morgan Chase & CO.'; 'Janet Craig, CTFA ~ Senior Vice President & Compliance Officer @ Oppenheimer Trust Company'; 'Jill Iantoni'; 'John J. Pankauski'; 'John J. Pankauski'; 'John P. Morrissey Esq. @ John P. Morrissey, P.A.'; john@pankauskilawfirm.com; 'Joseph M Leccese ~ Chairman of the Firm @ Proskauer Rose LLP'; 'Kenneth S. Pollock'; 'Kenneth S. Pollock'; 'Kenneth S. Pollock'; 'Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A.'; Louis Mrachek; 'Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts'; 'Lisa S. Friedstein'; 'Mark R. Manceri, Esquire @ Mark R. Manceri, P.A.'; mrmlaw1@gmail.com; 'Neil Wolfson ~ President & Chief Executive Officer @ Wilmington Trust Company'; 'Pamela Beth Simon'; 'Peter Feaman'; 'Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.';

pmatwiczky@matbrolaw.com; 'Ralph S. Janvey ~ Federal Court Appointed Receiver @ Stanford Financial Group'; 'Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A.'; service@feamanlaw.com; 'Steven A. Lessne ~ Shareholder @ GrayRobinson, P.A. '; 'Steven A. Lessne Esq.'; 'Steven A. Lessne Esq.'; 'Steven A. Lessne Esq. @ Gunster, Yoakley & Stewart, P.A.'; 'William M. Pearson'; 'William McCabe Esq. @ Oppenheimer Trust Company'; Marie Chandler; Anderson, Charlene; 'Jill M. Iantoni'; Joielle "Joy" A. Foglietta, Esquire @ Ciklin Lubitz Martens & O'Connell; 'Andrew Dietz @ Rock-It Cargo USA, Inc.'; 'Caroline Prochotska Rogers Esq.'; 'Marc R. Garber Esq.'; 'Marc R. Garber Esq. @ Flaster Greenberg P.C.'; 'Michele M. Mulrooney ~ Partner @ Venable LLP'

Subject: RE: Appointment of a Guardian ad Litem

Alan,

We would like to propose several options as candidates for the improperly obtained GAL and object to your proposed suggestion of Diana Lewis. The problem we have in getting a candidate is however that we will need a copy of the three trusts for Joshua, Jacob and Daniel that were created under the Simon Trust allegedly and dated on the day he died Sept 13, 2012 in order for anyone to properly review and determine if they want to take on such role. We have tried to have our attorney, Candice Schwager, who is also a Guardian obtain the documents that I am sued under as Trustee and my children are sued under as alleged beneficiaries and you have refused her these documents that your client Ted is liable for delivering or failing to do so to the alleged Trustee, me (who has never seen or signed any such trust) and the alleged Beneficiaries, my children (who have never received copies), along with Tescher and Spallina Ted's former counsel involved in criminal acts in these matters that benefitted Ted. Your refusal to tender these documents and provide originals for inspection to determine further fraud by the fiduciaries and counsel is again an alleged criminal act and in violation of Probate Rules and Statutes and law. Without these trusts provided to us we will be reporting this as further fraud on the court, fraud by the court and fraud on the beneficiaries to the proper state and federal authorities, including adding this to ongoing open investigations of certain parties involved in this already.

Your candidate Diana Lewis has a slew of internet posts about her that are negative and we fear that if she is taking this case without having these trusts we will have to subsequently report her for aiding and abetting the ongoing fraud on and by the Court. She also has taken campaign contributions from several parties already involved in these matters and sued in counter complaints and being added to our federal complaint and reported to state and federal authorities, which further cause us to fear prejudice against us by her in the continuing and ongoing conspiracy, as described by attorney Peter Feaman, Esq., against me and my family by the court, officers and fiduciaries of the court et al.

Also, have you reported the matters involving Mitch Huhem's alleged death as reported to the authorities and the matters involving what appears to be a fraudulent sale of the home that you Alan are dead center in the middle of with you witnessing and notarizing such alleged fraudulent transaction and deed? In addition, have you reported to the proper authorities as required by your ethics code and law the admissions to felony criminal acts by Robert Spallina that he stated under oath were unreported to any parties at the Dec 15 2015 hearing, as factually contained in the transcript of that sham hearing of your star witness at the validity hearings? Have you reported Robert Spallina for his violations of his SEC Consent Order to one count of CRIMINAL misconduct in his Insider Trading Case? Finally, have you reported to the authorities what you confessed on the stand when called as a material and fact witness and counter defendant in the February 25, 2016 hearing whereby you stated that you had removed highly confidential estate documents in the Custody of Brian O'Connell without a Writ of Possession or permission to remove such documents constituting an admission of theft of estate properties to the proper authorities? I would hope that other attorney witnesses to that confession of yours have also reported you as they are required to do when knowing of misconduct of a fellow attorney at law and where they should have all reported Spallina's admission of new state and federal crimes in the Dec 15, 2015 hearing.

I will be filing further criminal charges against you Mr. Rose and your client Ted for several new crimes we believe we now have further evidence of so I do hope you enjoy your ill gotten Court Orders of Judge Phillips obtained through further fraud on and by the court in efforts to shut down my pursuit of all of you both criminally and civilly and further exposure of your crimes. Remember they all will be appealed and there is no

statute of limitations on fraud on the court. I advise you to Govern Yourself Accordingly and that advisement is to all those parties in this communication who are aware of any criminal activities that you are failing. As you know and made Judge Phillips aware at the Feb 25, 2016, several judges, including but not limited to, Jorge Labarga, Martin Colin, David E. French and yes, while you stopped short of stating his name, I put into the record that the Exhibit A you referred to and entered into evidence also included Judge Phillips and yourself who I am seeking leave to amend my federal counter complaint to include as Counter Defendants. I also asked Judge Phillips if he had notified state and federal authorities of the felony criminal acts Spallina confessed to in his court under sworn oath as a witness in the case and he growled at me and I reminded him that if he had not reported such it would be construed as Misprision of a Felony and Aiding and Abetting and that I would be filing criminal charges against him. I wonder if you or the attorneys present who have knowledge of Judge Phillips misconduct have reported that to state and federal agents?

Please have the trust documents sent immediately to Candice Schwager and myself immediately or I will report this obstruction as well. I have also attached a Conflict of Interest Disclosure for any proposed Guardian to sign and for you and your firm to sign, as well as, Brian O'Connell who appears to have a major conflict with my family with his partner Jerald Beer that has been undisclosed by Mr. O'Connell to any party despite his having knowledge of the conflict which should cause his immediate resignation. I have asked Brian to sign one previously and for a copy of his conflicts check on the case prior to his accepting the case for his firm but he has failed to provide me with that at this time. Any failure by any Guardian to run a thorough conflicts check and return my enclosed Conflict Disclosure form for the Iviewit companies and myself and family will be immediately reported. I will anticipate that my children will be provided through their attorney a fully executed COI and any attorney contracted by the GAL would also need to provide such disclosures to my and my children's retained counsel, Candice Schwager, Esq.

I will anticipate that this communiqué will be attached to any filing with the court regarding our response to your request. Your continued threats to me in efforts to cover up the criminal acts being exposed will further reported as continued extortion and harassment of me and my family for our whistleblowing efforts that have led to proven and admitted felony criminal acts in these matters by Officers of the Court in combination and conspire with others. You should know that court orders attempting to silence someone illegally through abusive process are illegal.

Thank you,

Eliot Bernstein

I-VIEW-IT TECHNOLOGIES, INC.

Surf with Vision

Eliot I. Bernstein
Inventor
Iviewit Holdings, Inc. – DL
Iviewit Holdings, Inc. – DL (yes, two identically named)
Iviewit Holdings, Inc. – FL
Iviewit Technologies, Inc. – DL
Uviewit Holdings, Inc. - DL
Uview.com, Inc. – DL
Iviewit.com, Inc. – FL
Iviewit.com, Inc. – DL
I.C., Inc. – FL
Iviewit.com LLC – DL
Iviewit LLC – DL
Iviewit Corporation – FL
Iviewit, Inc. – FL
Iviewit, Inc. – DL

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<http://www.iviewit.tv>
<http://iviewit.tv/inventor/index.htm>
<http://iviewit.tv/iviewit2>
<http://www.facebook.com/#!/iviewit>
<http://www.youtube.com/user/eliotbernstein?feature=mhum>
in loving memory and sad post mortem attorney corruption story
<http://iviewit.tv/ShirleyBernstein>
<http://iviewit.tv/SimonBernstein>
<http://iviewit.tv/ThisisBullshit>

Ellen DeGeneres on Iviewit Technologies that launched her to fame on the Internet,
A truly cutting edge woman.
https://www.youtube.com/watch?feature=player_embedded&v=1iSS8CHiyBw

Also, check out

Eliot's Testimony at the NY Senate Judiciary Committee Hearings Professional Video courtesy of NY Senate, my fav part at end
http://www.youtube.com/watch?v=7oHKs_crYIs

Eliot's Testimony at the NY Senate Judiciary Committee Hearings Professional Video Handheld Camera View, my favorite version at the very end
<http://youtu.be/3Q9MzqZv4lw>

and

Christine Anderson New York Supreme Court Attorney Ethics Expert Whistleblower Testimony, FOX IN THE HENHOUSE and LAW WHOLLY VIOLATED TOP DOWN EXPOSING JUST HOW WALL STREET / GREED STREET / FRAUD STREET MELTED DOWN AND WHY NO PROSECUTIONS OR RECOVERY OF STOLEN FUNDS HAS BEEN MADE. Anderson in US Fed Court Fingers, US Attorneys, DA's, ADA's, the New York Attorney General and "Favored Lawyers and Law Firms" @
<http://www.youtube.com/watch?v=6BIK73p4Ueo>

and finally latest blog
<http://iviewit.tv/iviewit2/?p=187>

Eliot Part 1 - The Iviewit Inventions @
<http://www.youtube.com/watch?v=LOn4hwemqW0>

Iviewit Inventor Eliot Bernstein Guest on Les Winston DisBar the Florida Bar Show #1
<http://youtu.be/i1Ao1BYvvoQ>

Iviewit Inventor Eliot Bernstein Guest on Les Winston DisBar the Florida Bar Show #2
<http://youtu.be/OaXys6bImFI>

Iviewit Inventor Eliot Bernstein Guest on Les Winston DisBar the Florida Bar Show #3
<http://youtu.be/9R1PNnJVVGU>

Iviewit Inventor Eliot Bernstein Guest on Les Winston DisBar the Florida Bar Show #4
<http://youtu.be/rUHCZFkro08>

Eliot Bernstein Iviewit Inventor Television Interview Dick Woelfle Network 125
<http://youtu.be/WEgSXJFqrhQ>

Eliot for President in 2012 Campaign Speech 1 with No Top Teeth, Don't Laugh, Ok, laugh but very important
<http://www.youtube.com/watch?v=DulHQDcwQfM>

Eliot for President in 2012 Campaign Speech 2 with No Top OR Bottom Teeth, Don't Laugh, Ok, laugh again but more important
<http://www.youtube.com/watch?v=jbOP3U1q6mM>

Eliot for President in 2012 Campaign Speech 3 most important
https://www.facebook.com/iviewit?ref=tn_tnmn#!/note.php?note_id=319280841435989

Other Websites I like:

<http://www.onevoicenow.org/video>
<http://proskauersucks.com>
<http://exposecorruptcourts.blogspot.com>
<http://deniedpatent.blogspot.com>
<http://www.judgewatch.org/index.html>
<http://www.parentadvocates.org>
<http://www.newyorkcourtcorruption.blogspot.com>
<http://cuomotarp.blogspot.com>
<http://www.disbarthefloridabar.com>
<http://www.constitutionalguardian.com>
<http://www.americans4legalreform.com>
<http://www.attorneysabovethelaw.com>
<http://www.VoteForGreg.us> Greg Fischer
<http://www.facebook.com/pages/Vote-For-Greg/111952178833067>
www.justice4every1.com
www.aaapg.org – Dr Sam Sugar
www.schwagerfirm.com
www.eldermurderabuseandexploitation.blogspot.com
<https://mccormickestatefraud.wordpress.com>
<http://www.nationallibertyalliance.org>
www.AAAPG.net
www.corruptny.com
www.corruptWA.com
www.killingseniors.com
www.guardianpredators.com
www.guardianshipexposed.com
<http://www.hangthebankers.com>
www.ddaweb.org
www.occupythelaw.com
www.wethepeople.tv
www.georgemcdermott.com
www.saveme101.com
www.MDcourtwatch.com
www.marylandcorruption.com
www.judgewatch.org
www.fulldisclosure.net
<http://tedbernsteinreport.blogspot.com>

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"We the people are the rightful master of both congress and the courts - not to overthrow the Constitution, but to overthrow the men who pervert the Constitution." - Abraham Lincoln

"Whensoever the General Government assumes undelegated powers, its acts are unauthoritative, void, and of no force." -- Thomas Jefferson, The Kentucky Resolutions of 1798

"If a law is unjust, a man is not only right to disobey it, he is obligated to do so." Thomas Jefferson

"Each time a person stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring, these ripples build a current that can sweep down the mightiest walls of oppression and resistance." - Robert F. Kennedy

And to those who stand together in Truth, Justice and the American Way, I say we be FRATRES CONJURATI!

"Is life so dear or peace so sweet as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take, but as for me, give me liberty, or give me death!" - Patrick Henry

"Dick: The first thing we do, let's kill all the lawyers." The Shakespearean Solution, Sam The Butcher, Henry The Sixth, Part 2 Act 4, scene 2, 71–78

"Gatthew 5:5 Blessed are the Geek, for they will inherit the earth." Eliot Bernstein

I live by the saying from Ellen G. White:

"The greatest want of the world is the want of men, --men who will not be bought or sold; men who in their inmost souls are true and honest, men who do not fear to call sin by its right name; men whose conscience is as true to duty as the needle to the pole, men who will stand for the right though the heavens fall." -Education, p. 57(1903)

If you are one of these people, nice to be your friend ~ Eliot



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From: Alan Rose [<mailto:ARose@mrachek-law.com>]
Sent: Monday, March 7, 2016 7:28 PM
To: Eliot Ivan Bernstein; Eliot Ivan Bernstein; tourcandy@gmail.com
Cc: Lessne, Steven; O'Connell, Brian M.; Foglietta, Joy A; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.; John P. Morrissey Esq. @ John P. Morrissey, P.A. ; Pamela Beth Simon; lisa.friedstein@gmail.com; Jill Iantoni; Kenneth S. Pollock
Subject: RE: Appointment of a Guardian ad Litem

As a follow up, we propose that the Guardian ad Litem be Diana Lewis, a former judge with some probate experience.

She is willing to accept the appointment, and is acceptable (to many of the people involved, including Messrs. O'Connell, Feaman, Morrissey.

I am not sure if Mr. Lessne agrees or can suggest someone else, but would like to know if Mr. and Mrs. Eliot Bernstein will agree to former judge Lewis or would like to propose someone else.

Thanks

From: Alan Rose
Sent: Friday, March 04, 2016 3:59 PM
To: 'Eliot Ivan Bernstein'; 'Eliot Ivan Bernstein'; 'tourcandy@gmail.com'
Cc: 'Lessne, Steven'; 'O'Connell, Brian M.'; 'Foglietta, Joy A'; 'Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.'; 'John P. Morrissey Esq. @ John P. Morrissey, P.A. '; 'Pamela Beth Simon'; 'lisa.friedstein@gmail.com'; 'Jill Iantoni'; 'Kenneth S. Pollock'
Subject: Appointment of a Guardian ad Litem

Mr. and Mrs. Eliot Bernstein:

The Court has entered the attached Orders, and in part ordered us to agree on a Guardian ad Litem within 3 business days, if we can.

Is there anyone you would like to suggest? I suggest we email each other with any names of prospective Guardians ad Litem, and we can consider and discuss the choices, and if possible agree on one.

I understand you are dissatisfied with many aspects of this matter. If you will never agree with us on the selection of the appointed guardian, you can advise us of that as well to streamline the process. I hope you will work with the parties to make this transaction smooth.

Thanks

Alan B. Rose, as
Counsel for Successor Trustee of the Shirley Bernstein Trust
Counsel for Successor Personal Representative if the Estate of Shirley Bernstein
Counsel for Successor Trustee of the Simon Bernstein Trust

Cc: Steven Lessne, Counsel for Oppenheimer
All other parties and counsel of record

Alan B. Rose, Esq.
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561.355.6991



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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Monday, March 7, 2016 7:58 PM
To: Lessne, Steven
Cc: Eliot Ivan Bernstein; Eliot Ivan Bernstein; tourcandy@gmail.com; O'Connell, Brian M.; Foglietta, Joy A; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.; John P. Morrissey Esq. @ John P. Morrissey, P.A.; Pamela Beth Simon; lisa.friedstein@gmail.com; Jill Iantoni; Kenneth S. Pollock
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Thanks, so we are just awaiting Eliot's view.

Alan B. Rose, Esq.
arose@Mrachek-Law.com
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From: Lessne, Steven [mailto:SLessne@gunster.com]
Sent: Monday, March 07, 2016 7:42 PM
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Cc: Eliot Ivan Bernstein; Eliot Ivan Bernstein; tourcandy@gmail.com; O'Connell, Brian M.; Foglietta, Joy A; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.; John P. Morrissey Esq. @ John P. Morrissey, P.A.; Pamela Beth Simon; lisa.friedstein@gmail.com; Jill Iantoni; Kenneth S. Pollock
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Oppenheimer will defer to the majority consensus on this issue. Retired Judge Lewis would be acceptable. In the spirit of complying with Judge Phillips' request to submit three candidates if there is not unanimous agreement, Oppenheimer may propose additional names if all parties do not agree on Judge Lewis by the deadline.

On Mar 7, 2016, at 7:28 PM, Alan Rose <ARose@mrachek-law.com> wrote:

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Alan B. Rose, as
Counsel for Successor Trustee of the Shirley Bernstein Trust
Counsel for Successor Personal Representative if the Estate of Shirley Bernstein
Counsel for Successor Trustee of the Simon Bernstein Trust

Cc: Steven Lessne, Counsel for Oppenheimer
All other parties and counsel of record

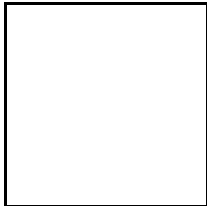
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<image001.jpg>

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Steven A. Lessne | Shareholder

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4855 Technology Way, Suite 630
Boca Raton, Florida 33431
Direct Dial: 561-961-8085

Las Olas Centre
450 East Las Olas Boulevard, Suite 1400
Fort Lauderdale, Florida 33301
Direct Dial: 954-468-1383

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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Monday, March 7, 2016 7:58 PM
To: Lessne, Steven
Cc: Eliot Ivan Bernstein; Eliot Ivan Bernstein; tourcandy@gmail.com; O'Connell, Brian M.; Foglietta, Joy A; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.; John P. Morrissey Esq. @ John P. Morrissey, P.A.; Pamela Beth Simon; lisa.friedstein@gmail.com; Jill Iantoni; Kenneth S. Pollock
Subject: RE: Appointment of a Guardian ad Litem

Thanks, so we are just awaiting Eliot's view.

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



505 South Flagler Drive
Suite 600
West Palm Beach, Florida 33401
561.655.2250 Phone
561.655.5537 Fax

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From: Lessne, Steven [mailto:SLessne@gunster.com]
Sent: Monday, March 07, 2016 7:42 PM
To: Alan Rose
Cc: Eliot Ivan Bernstein; Eliot Ivan Bernstein; tourcandy@gmail.com; O'Connell, Brian M.; Foglietta, Joy A; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.; John P. Morrissey Esq. @ John P. Morrissey, P.A.; Pamela Beth Simon; lisa.friedstein@gmail.com; Jill Iantoni; Kenneth S. Pollock
Subject: Re: Appointment of a Guardian ad Litem

Oppenheimer will defer to the majority consensus on this issue. Retired Judge Lewis would be acceptable. In the spirit of complying with Judge Phillips' request to submit three candidates if there is not unanimous agreement, Oppenheimer may propose additional names if all parties do not agree on Judge Lewis by the deadline.

On Mar 7, 2016, at 7:28 PM, Alan Rose <ARose@mrachek-law.com> wrote:

As a follow up, we propose that the Guardian ad Litem be Diana Lewis, a former judge with some probate experience.

She is willing to accept the appointment, and is acceptable (to many of the people involved, including Messrs. O'Connell, Feaman, Morrissey.

I am not sure if Mr. Lessne agrees or can suggest someone else, but would like to know if Mr. and Mrs. Eliot Bernstein will agree to former judge Lewis or would like to propose someone else.

Thanks

From: Alan Rose
Sent: Friday, March 04, 2016 3:59 PM
To: 'Eliot Ivan Bernstein'; 'Eliot Ivan Bernstein'; 'tourcandy@gmail.com'
Cc: 'Lessne, Steven'; 'O'Connell, Brian M.'; 'Foglietta, Joy A'; 'Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.'; 'John P. Morrissey Esq. @ John P. Morrissey, P.A. '; 'Pamela Beth Simon'; 'lisa.friedstein@gmail.com'; 'Jill Iantoni'; 'Kenneth S. Pollock'
Subject: Appointment of a Guardian ad Litem

Mr. and Mrs. Eliot Bernstein:

The Court has entered the attached Orders, and in part ordered us to agree on a Guardian ad Litem within 3 business days, if we can.

Is there anyone you would like to suggest? I suggest we email each other with any names of prospective Guardians ad Litem, and we can consider and discuss the choices, and if possible agree on one.

I understand you are dissatisfied with many aspects of this matter. If you will never agree with us on the selection of the appointed guardian, you can advise us of that as well to streamline the process. I hope you will work with the parties to make this transaition smooth.

Thanks

Alan B. Rose, as
Counsel for Successor Trustee of the Shirley Bernstein Trust
Counsel for Successor Personal Representative if the Estate of Shirley Bernstein
Counsel for Successor Trustee of the Simon Bernstein Trust

Cc: Steven Lessne, Counsel for Oppenheimer
All other parties and counsel of record

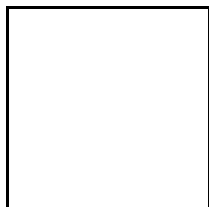
Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991
<image001.jpg>

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Eliot Ivan Bernstein

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To: Eliot Ivan Bernstein; Eliot Ivan Bernstein; tourcandy@gmail.com
Cc: Lessne, Steven; O'Connell, Brian M.; Foglietta, Joy A; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.; John P. Morrissey Esq. @ John P. Morrissey, P.A. ; Pamela Beth Simon; lisa.friedstein@gmail.com; Jill Iantoni; Kenneth S. Pollock
Subject: RE: Appointment of a Guardian ad Litem

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Alan B. Rose, as
Counsel for Successor Trustee of the Shirley Bernstein Trust
Counsel for Successor Personal Representative if the Estate of Shirley Bernstein
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Cc: Steven Lessne, Counsel for Oppenheimer
All other parties and counsel of record

Alan B. Rose, Esq.

arose@Mrachek-Law.com

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To: Eliot Ivan Bernstein; Eliot Ivan Bernstein; tourcandy@gmail.com
Cc: Lessne, Steven; O'Connell, Brian M.; Foglietta, Joy A; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.; John P. Morrissey Esq. @ John P. Morrissey, P.A. ; Pamela Beth Simon; lisa.friedstein@gmail.com; Jill Iantoni; Kenneth S. Pollock
Subject: RE: Appointment of a Guardian ad Litem

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Subject: Appointment of a Guardian ad Litem

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Thanks

Alan B. Rose, as
Counsel for Successor Trustee of the Shirley Bernstein Trust
Counsel for Successor Personal Representative of the Estate of Shirley Bernstein
Counsel for Successor Trustee of the Simon Bernstein Trust

Cc: Steven Lessne, Counsel for Oppenheimer
All other parties and counsel of record

Alan B. Rose, Esq.

arose@Mrachek-Law.com

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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Monday, March 7, 2016 7:23 PM
To: Eliot Ivan Bernstein
Cc: Candice Schwager @ Schwager Law Firm; Kevin R. Hall; Barbara Stone; Andrew Dietz @ Rock-It Cargo USA, Inc.; CANDICE BERNSTEIN; Caroline Prochotska Rogers Esq.; Marc R. Garber Esq.; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Michele M. Mulrooney ~ Partner @ Venable LLP
Subject: RE: Attn: Alan Rose from Kevin Hall 3.7.16 Re: Lions Head Land Trust

Mr. Eliot Bernstein:

Please provide the second recorded phone call with Ms. Ochoada, plus any others, as well as any correspondence, email or documents you may have had sent to or received from the following people in any way concerning 7020 Lions Head Lane:

Crystal Cox
Kevin R. Hall
William Elwood "Bill" Stansbury
Leilani Ochoada
Anyone else

If you insist, we will serve a subpoena for such information.

In addition, as there is an injunction in place, persons acting in concert also should be violating the court's orders.

Thank you in advance.

From: Eliot Ivan Bernstein [mailto:iviewit@iviewit.tv]
Sent: Monday, March 07, 2016 6:43 PM
To: Alan Rose; agortz@proskauer.com; attorneys@matbrolaw.com; bhenry@matbrolaw.com; 'Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell '; 'Byrd F. "Biff" Marshall Jr. ~ President & Managing Director @ Gray Robinson, PA'; 'Charles D. Rubin ~ Managing Partner @ Gutter Chaves Josepher Rubin Forman Fleisher Miller PA'; 'Chris Stroup ~ Chairman of the Board of Directors and Chief Executive Officer @ Heritage Union Life / WiltonRe '; 'David Lanciotti ~ Executive Vice President and General Counsel @ LaSalle National Trust, NA / Chicago Title Land Trust Company '; ddustin@tescherspallina.com; 'Dennis G. Bedley ~ Chairman of the Board, Director and Chief Executive Officer @ Legacy Bank of Florida'; 'Dennis McNamara ~ Executive Vice President and General Counsel @ Oppenheimer & Co. Inc.'; 'Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A.'; 'Gary R. Shendell'; 'Gary R. Shendell'; 'Gary R. Shendell'; 'General Counsel at CBIZ MHM, LLC'; 'Gerald "Jerry" R. Lewin ~ Managing Director @ CBIZ MHM, LLC'; 'Hunt Worth ~ President @ Oppenheimer Trust Company '; 'James Dimon ~ Chairman of the Board and Chief Executive Officer @ JP Morgan Chase & CO.'; 'Janet Craig, CTFA ~ Senior Vice President & Compliance Officer @ Oppenheimer Trust Company '; 'Jill Iantoni'; 'John J. Pankauski'; 'John J. Pankauski'; 'John P. Morrissey Esq. @ John P. Morrissey, P.A. '; john@pankauskilawfirm.com; 'Joseph M Leccese ~ Chairman of the Firm @ Proskauer Rose LLP '; 'Kenneth S. Pollock'; 'Kenneth S. Pollock'; 'Kenneth S. Pollock'; 'Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A.'; Louis Mrachek; 'Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts'; 'Lisa S. Friedstein'; 'Mark R. Manceri, Esquire @ Mark R. Manceri, P.A.'; mrmlaw1@gmail.com; 'Neil Wolfson ~ President & Chief Executive Officer @

Wilmington Trust Company'; 'Pamela Beth Simon'; 'Peter Feaman'; 'Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.'; pmatwiczky@matbrolaw.com; 'Ralph S. Janvey ~ Federal Court Appointed Receiver @ Stanford Financial Group'; 'Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A.'; service@feamanlaw.com; 'Steven A. Lessne ~ Shareholder @ GrayRobinson, P.A. '; 'Steven A. Lessne Esq.'; 'Steven A. Lessne Esq. @ Gunster, Yoakley & Stewart, P.A.'; 'William M. Pearson'; 'William McCabe Esq. @ Oppenheimer Trust Company'

Cc: 'Candice Schwager @ Schwager Law Firm'; 'Kevin R. Hall'; 'Barbara Stone'; 'Andrew Dietz @ Rock-It Cargo USA, Inc.'; 'CANDICE BERNSTEIN'; 'Caroline Prochotska Rogers Esq.'; 'Marc R. Garber Esq.'; 'Marc R. Garber Esq. @ Flaster Greenberg P.C.'; 'Michele M. Mulrooney ~ Partner @ Venable LLP'

Subject: FW: Attn: Alan Rose from Kevin Hall 3.7.16 Re: Lions Head Land Trust

From: Kevin Hall [<mailto:kh.itconsultingsalesoffices@gmail.com>]

Sent: Monday, March 7, 2016 3:54 PM

To: arose@mrachek-law.com; wesgator@msn.com; pfeaman@feamanlaw.com; leilaniochoada@gmail.com; leilani@cmrei.com; schwagerlawfirm@live.com; iviewit@gmail.com; iviewit@iviewit.tv; tourcandy@gmail.com; caroline@cprogers.com; marc.garber@flastergreenberg.com; marcrgarber@gmail.com; mmulrooney@venable.com

Cc: Kevin Hall

Subject: Attn: Alan Rose from Kevin Hall 3.7.16 Re: Lions Head Land Trust

Mr. Rose,

Leilani Ochoada was not contacted on "behalf" of Eliot I. Bernstein.

As you may recall, I came in to Eliot Bernstein's life as a "related" case person in New York after being introduced to other "related case" persons from someone from Washington, D.C., that I had first come into contact with on or around Sept. 2007 who was part of a group that was investigating complaints from persons who had contact with the U.S. Attorneys and FBI in New York.

Prior to my first call with this person from Washington, DC, I had already had direct personal experience and done work and events with Executive Detail of the NYS Police, a Governor (Mario Cuomo), US Secret Service Agents and persons protected by the US Secret Service, members of the US Senate including the US Senate Intelligence and Judiciary Committee person Diane Feinstein, other members of the US Judiciary Committee, US Armed Services Committee, US House Intelligence Committee, other former Governors and more. I also maintain a variety of relatives in State law enforcement positions and contacts in both law enforcement and the military as well.

During this first call this person from Washington, DC indicated he had done work for the US Justice Department, specifically the IRS and the US Postal Inspector's Office, asked me if I was aware of DOJ Agents with greater powers and authority over regular FBI Agents, and this person was directly involved in corruption between the NYS Discipline and Bar Committees and Appellate Division Departments specifically focusing on Manhattan and Wall Street attorneys and, to the best of my recollection, inquired during this first call if I had knowledge of the "Iviewit" case which at that time in 2007 I had never heard of before. This person from Washington, DC was later determined to have also been involved in cases out of Chicago and Boston and other cases in Florida including Estate cases in Palm Beach county. I have maintained communications with this person from Wash, DC. as needed since 2007 and was on the phone with him and others in relation to activities of the US Attorney for the Southern District of New York as recently as late January 2016 and was on the phone with him in relation to Estate corruption cases with Florida and NY ties just a week or so ago with several parties having been involved with NY's Moreland Commission.

I am sure by now you have reviewed my LinkedIn profile and determined I maintain rights in "Iviewit" interests and perhaps have reviewed the Complaint to the SEC of 2009 and Petition to the White House and White House Counsel's Office and the US Attorney General's Office and Federal agencies I have been involved with in furtherance of my interests in "Iviewit"

I was just on the phone today, Monday, March 7, 2016 at or around 2 pm EST with the FBI and specifically provided Leilani Ochoada's name and phone number as someone I had spoken to on or about Feb. 18th, 2016 and that several days after this the body of Mitch Huhem was allegedly found deceased at the St. Andrews Boca Raton, Fl property and where issues of Witnesses who may be in danger etc were raised as Eliot Bernstein previously had his mini-van Car-bombed and apparently or allegedly your client Ted Bernstein raised a suggestion in Sept. of 2012 that Simon Bernstein may have been poisoned or murdered on the night of his passing and sought an autopsy and coroner's investigation and allegedly reported this to the Palm Beach County Sheriff's Dept.

For the record, Eliot I. Bernstein never asked, instructed, authorized or directed me to have any contact with Leilani Ochoada or had any knowledge I was doing so at the time. I did this on my own initiative after getting information from William Stansbury about the Deed Transfer on file that you apparently signed as a Notary and Witness regarding the St. Andrews Boca Raton, Florida property and then from information I personally looked up at www.sunbiz.org where I quickly found:

- 1) www.sunbiz.org showed the name of the Registered Agent for Lions Head Land Trust Inc. as a dissolved company since 1997; I then had a subsequent call to the Florida Secretary of State where a person confirmed this Filing of Lions Head Land Trust Inc. should "not have been overlooked" by Internal Florida Secretary of State examiners and was initiating a request to the Examiner and an investigation with her Director as she worked in the Director's Office;
- 2) My own initiated google searches showed the Tallahassee, Fl address listed with the Secretary of State for Lions Head Land Trust Inc came up to a business with a DIFFERENT name and a phone call to that Business initiated again by myself at my own direction on Feb. 18th had the person working there claiming Any use of their Tallahassee, Fl address was not proper by Lions Head Land Trust, Inc. and that their company was not ISL, Inc. as indicated in the Lions Head Land Trust Inc filings;
- 3) whereupon a further google search that I, KRH, personally did and made of my own free will and volition and upon my own direction having Interests in "Iviewit", I then reached a business named CMREI in Orlando, Fl whereupon I spoke with a person who went by the name of Leilani Ochoada who claimed to know Nothing about the Lions Head Land Trust filing, thought it may be Identity theft, had not Authorized this at all, had never lived in Boca Raton, Fl , never bought any property and was not aware of it etc etc.
- 4) I informed Eliot Bernstein that Leilani Ochoada said she would come forward with a Sworn Statement and even do a Recorded call giving proper consent to the call later that day as she claimed she was Not a Buyer of this property and had no knowledge of it and provided no consent to anyone to do so in her name.

Thus, later that same day at my Suggestion Leilani Ochoada agreed to get on a Recorded Call whereupon I INITIATED a Call to Eliot Bernstein after Leilani Ochoada was on the call and Eliot Bernstein already had reason to believe this person was NOT a Buyer or Involved with Lions Head Land Trust Inc. and instead was a Victim of some type of Fraud.

Leilani Ochoada agreed to have a draft of her statement typed up of the call she was having with myself and Eliot Bernstein who I initiated on to the call and the draft of her Statement was as follows:

Leilani Statement which she confirmed was correct by email:

Leilani has:

- * no knowledge of Lions Head Land Trust, Inc. at all
- * never authorized anyone to use her name as an Incorporator
- * until Feb. 18th 2016 had no knowledge any entity was incorporated by filings at the Fla Secretary of State under her name and had no involvement with any land transaction involving 7020 Lions Head Lane, Boca Raton, FL
- * initially believed it was some form of identity theft
- * never lived at any Boca Raton, FL address in general and never at 7020 Lions Head Land Trust Inc.
- * never knew about any land deal with Mitch Huhem Laurence Pino or anything related to this property
- * no absolutely nothing about the Articles of Incorporation and the addresses and companies named there
- * consider it unauthorized fraudulent use of her name
- * attorney Laurence Pino never had Leilani's permission to incorporate any entity using her name as an Incorporator either by signed document or Electronically
- * Pino has not been able to produce any written document that you allegedly signed with his office
- * Pino's Exec Assistant Cathy can not find Any document signed by Leilani after reviewing the files

So, Mr. Rose, I have been told you have been suggesting in legal papers that Leilani Ochoada is a "Buyer" at the St. Andrew's property? Is this True? She certainly never claimed to me that she was a "Buyer" in any sense and as shown by her statement drafted above quite to the contrary. Thus, are you claiming Leilani is the "Buyer" in this situation? To facilitate review, I have attached the MP3 Recording of the Call that both Leilani Ochoada and Eliot Bernstein agreed and consented to have Recorded.

Please note that I have copied this communication to William Stansbury and his attorney Peter Feaman and Leilani herself and Eliot and the attorney from Texas Candice Schwager and other attorney contacts of Eliot and others in order to quickly clarify matters and put the issues to rest.

I am curious, however, if you found any of the "Iviewit Stock" that Simon Bernstein had when you were at the 7020 Lions Head Lane Boca Raton, FL home or if you know where all those Files and Records went?

Thank you in advance for your cooperation.

Glad I could be of assistance.

Regards,



Kevin R. Hall
IT Consulting Sales Offices
P.O. Box 756
Kinderhook, NY 12106
518-755-8128 Cell
518-635-0668 office
Skype ID = kh.itconsultingsales
kh.itconsultingsalesoffices@gmail.com

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On Mon, Mar 7, 2016 at 12:55 PM, Alan Rose <ARose@mrachek-law.com> wrote:

Kevin R. Hall

IT Consulting Sales Offices

P.O. Box 756

Kinderhook, NY 12106

Dear Mr. Hall:

You may recall that I represent Ted S. Bernstein, Trustee.

I am writing to confirm that you were you involved in contacting Leilani Ochoada on behalf of Eliot Bernstein to obtain information on the trust which purchased the Bernstein residence at 7020 Lions Head Lane?

Can you share you confirm that? And, are you authorized to advise what you learned from that call or would we need to depose Mr. Eliot Bernstein?.

Also, can you confirm that Eliot Bernstein was on the telephone with you and spoke directly to Ms. Ochoada?

Thanks in advance for responding.

Alan Rose

Counsel for Successor Trustee of Shirley Bernstein Trust Agreement

From: Alan Rose [<mailto:ARose@mrachek-law.com>]

Sent: Saturday, March 5, 2016 8:46 AM

To: Eliot Ivan Bernstein; agortz@proskauer.com; attorneys@matbrolaw.com; bhenry@matbrolaw.com; Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell ; Byrd F. "Biff" Marshall Jr. ~ President & Managing Director @ Gray Robinson, PA; Charles D. Rubin ~ Managing Partner @ Gutter Chaves Josepher Rubin Forman Fleisher Miller PA; Chris Stroup ~ Chairman of the Board of Directors and Chief Executive Officer @ Heritage Union Life / WiltonRe ; David Lanciotti ~ Executive Vice President and General Counsel @ LaSalle National Trust, NA / Chicago Title Land Trust Company ; ddustin@tescherspallina.com; Dennis G. Bedley ~ Chairman of the Board, Director and Chief Executive Officer @ Legacy Bank of Florida; Dennis McNamara ~ Executive Vice President and General Counsel @ Oppenheimer & Co. Inc.; Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A.; Gary R. Shendell; Gary R. Shendell; Gary R. Shendell; General Counsel at CBIZ MHM, LLC; Gerald "Jerry" R. Lewin ~ Managing Director @ CBIZ MHM, LLC; Hunt Worth ~ President @ Oppenheimer Trust Company ; James Dimon ~ Chairman of the Board and Chief Executive Officer @ JP Morgan Chase & CO.; Janet Craig, CTFA ~ Senior Vice President & Compliance Officer @ Oppenheimer Trust Company ; Jill Iantoni; John J. Pankauski; John J. Pankauski; John P. Morrissey Esq. @ John P. Morrissey, P.A. ; john@pankauskilawfirm.com; Joseph M Leccese ~ Chairman of the Firm @ Proskauer Rose LLP ; Kenneth S. Pollock; Kenneth S. Pollock; Kenneth S. Pollock; Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A.; Louis Mrachek; Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts; Lisa S. Friedstein; Mark R. Manceri, Esquire @ Mark R. Manceri, P.A.; mrmlaw1@gmail.com; Neil Wolfson ~ President & Chief Executive Officer @ Wilmington Trust Company; Pamela Beth Simon; Peter Feaman; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.; pmatwiczuk@matbrolaw.com; Ralph S. Janvey ~ Federal Court Appointed Receiver @ Stanford Financial Group; Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A.; service@feamanlaw.com; Steven A. Lessne ~ Shareholder @ GrayRobinson, P.A. ; Steven A. Lessne Esq.; Steven A. Lessne Esq.; Steven A. Lessne Esq. @ Gunster, Yoakley & Stewart, P.A.; William M. Pearson; William McCabe Esq. @ Oppenheimer Trust Company

Cc: Candice Schwager @ Schwager Law Firm; Kevin R. Hall; Barbara Stone; Andrew Dietz @ Rock-It Cargo USA, Inc.; CANDICE BERNSTEIN; Caroline Prochotska Rogers Esq.; Marc R. Garber Esq.; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Michele M. Mulrooney ~ Partner @ Venable LLP

Subject: RE: Service Letter to Judge Phillips with Proposed Orders and Objections to Proposed Orders - Oppenheimer Case

Mr. Bernstein:

I assume by you and everyone on this email chain have viewed the very important orders dated March 1, 2016 (attached), which appoint Guardians ad Litem for your children and declare that your actions were “adverse and destructive to the children’s interest.”

The Orders also bars you from further participation in those matters, considering you are not a beneficiary, and no longer may represent the interests of your children *in those proceedings*. PLEASE GOVERN YOURSELF ACCORDINGLY.

To clarify any confusion you or Mr. William Stansbury may have, as evidenced by the letter you obtained from Mr. Stansbury and the tenor of your objections and proposed order, no one is disrupting your family situation nor seeking to remove your parental rights. The sole import of the Order is that you no longer can act as their representative in these trust matters nor may you continue to interfere and disrupt these proceedings, causing hundreds of thousands in damages to the Trusts and the rightful beneficiaries. You are and remain their parent forever and their natural guardian. I am sure that every one of your parents’ lineal descendants are pleased that you have such a good friend as Mr. Stansbury to visit your home and provide you moral and hopefully financial support. I also am certain that every one hopes what Mr. Stansbury believes and wrote to the Court actually is and remains true, despite what has transpired in these proceedings:

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- 5) Parents who teach their children that virtues like honesty important than money.**

Eliot and Candice have created a loving nurturing home for their role models as parents. For anyone to suggest that they have a c children is absurd. They are a family unit and none of them view one as bad for another.

*** * * * ***

William Stansbury
3/2/2016

Other than consulting on the selection of the guardian ad litem, I suggest that you and anyone acting in concert with you please obey the Court's orders and cease participation in this case, which includes filing papers and/or emailing me or anyone else. I am sure the vast majority of the people who receive these emails would appreciate never receiving another email from you and, if this persists, we will simply block all emails from you.

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Best wishes,

Sincerely,

Counsel for the Trustee

From: Eliot Ivan Bernstein [<mailto:iviewit@iviewit.tv>]

Sent: Saturday, March 05, 2016 6:54 AM

To: agortz@proskauer.com; Alan Rose; Alan Rose; attorneys@matbrolaw.com; bhenry@matbrolaw.com; 'Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell'; 'Byrd F. "Biff" Marshall Jr. ~ President & Managing Director @ Gray Robinson, PA'; 'Charles D. Rubin ~ Managing Partner @ Gutter Chaves Josepher Rubin Forman Fleisher Miller PA'; 'Chris Stroup ~ Chairman of the Board of Directors and Chief Executive Officer @ Heritage Union Life / WiltonRe'; 'David Lanciotti ~ Executive Vice President and General Counsel @ LaSalle National Trust, NA / Chicago Title Land Trust Company'; ddustin@tescherspallina.com; 'Dennis G. Bedley ~ Chairman of the Board, Director and Chief Executive Officer @ Legacy Bank of Florida'; 'Dennis McNamara ~ Executive Vice President and General Counsel @ Oppenheimer & Co. Inc.'; 'Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A.'; 'Gary R. Shendell'; 'Gary R. Shendell'; 'Gary R. Shendell'; 'General Counsel at CBIZ MHM, LLC'; 'Gerald "Jerry" R. Lewin ~ Managing Director @ CBIZ MHM, LLC'; 'Hunt Worth ~ President @ Oppenheimer Trust Company'; 'James Dimon ~ Chairman of the Board and Chief Executive Officer @ JP Morgan Chase & CO.'; 'Janet Craig, CTFA ~ Senior Vice President & Compliance Officer @ Oppenheimer Trust Company'; 'Jill Iantoni'; 'John J. Pankauski'; 'John J. Pankauski'; 'John P. Morrissey Esq. @ John P. Morrissey, P.A.'; john@pankauskilawfirm.com; 'Joseph M Leccese ~ Chairman of the Firm @ Proskauer Rose LLP'; 'Kenneth S. Pollock'; 'Kenneth S. Pollock'; 'Kenneth S. Pollock'; 'Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A.'; 'Louis Mrachek'; 'Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts'; 'Lisa S. Friedstein'; 'Mark R. Manceri, Esquire @ Mark R. Manceri, P.A.'; mrmlaw1@gmail.com; 'Neil Wolfson ~ President & Chief Executive Officer @ Wilmington Trust Company'; 'Pamela Beth Simon'; 'Peter Feaman'; 'Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.'; pmatwiczky@matbrolaw.com; 'Ralph S. Janvey ~ Federal Court Appointed Receiver @ Stanford Financial Group'; 'Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A.'; service@feamanlaw.com; 'Steven A. Lessne ~ Shareholder @ GrayRobinson, P.A.'; 'Steven A. Lessne Esq.'; 'Steven A. Lessne Esq.'; 'Steven A. Lessne Esq. @ Gunster, Yoakley & Stewart, P.A.'; 'William M. Pearson'; 'William McCabe Esq. @ Oppenheimer Trust Company'

Cc: Candice Schwager @ Schwager Law Firm; Kevin R. Hall; Barbara Stone; 'Andrew Dietz @ Rock-It Cargo USA,

Inc.'; 'CANDICE BERNSTEIN'; 'Caroline Prochotska Rogers Esq.'; 'Eliot I. Bernstein'; 'Marc R. Garber Esq.'; 'Marc R. Garber Esq. @ Flaster Greenberg P.C.'; 'Michele M. Mulrooney ~ Partner @ Venable LLP'

Subject: Service Letter to Judge Phillips with Proposed Orders and Objections to Proposed Orders - Oppenheimer Case

Please see attached letter sent to Judge Phillips with enclosure attached also herein, this email was sent with a wrong Final Proposed Order that was missing Exhibit B Amendment by William Stansbury, which was sent to the Court Chambers after ECF filing.

Eliot I. Bernstein
Inventor
Iviewit Holdings, Inc. – DL
2753 N.W. 34th St.
Boca Raton, Florida 33434-3459
(561) 245.8588 (o)
(561) 886.7628 (c)
(561) 245-8644 (f)
iviewit@iviewit.tv
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Eliot Ivan Bernstein

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Sent: Saturday, March 5, 2016 8:46 AM
To: Eliot Ivan Bernstein; agortz@proskauer.com; attorneys@matbrolaw.com; bhenry@matbrolaw.com; Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell ; Byrd F. "Biff" Marshall Jr. ~ President & Managing Director @ Gray Robinson, PA; Charles D. Rubin ~ Managing Partner @ Gutter Chaves Josepher Rubin Forman Fleisher Miller PA; Chris Stroup ~ Chairman of the Board of Directors and Chief Executive Officer @ Heritage Union Life / WiltonRe ; David Lanciotti ~ Executive Vice President and General Counsel @ LaSalle National Trust, NA / Chicago Title Land Trust Company ; ddustin@tescherspallina.com; Dennis G. Bedley ~ Chairman of the Board, Director and Chief Executive Officer @ Legacy Bank of Florida; Dennis McNamara ~ Executive Vice President and General Counsel @ Oppenheimer & Co. Inc.; Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A.; Gary R. Shendell; Gary R. Shendell; Gary R. Shendell; General Counsel at CBIZ MHM, LLC; Gerald "Jerry" R. Lewin ~ Managing Director @ CBIZ MHM, LLC; Hunt Worth ~ President @ Oppenheimer Trust Company ; James Dimon ~ Chairman of the Board and Chief Executive Officer @ JP Morgan Chase & CO.; Janet Craig, CTFA ~ Senior Vice President & Compliance Officer @ Oppenheimer Trust Company ; Jill Iantoni; John J. Pankauski; John J. Pankauski; John P. Morrissey Esq. @ John P. Morrissey, P.A. ; john@pankauskilawfirm.com; Joseph M Leccese ~ Chairman of the Firm @ Proskauer Rose LLP ; Kenneth S. Pollock; Kenneth S. Pollock; Kenneth S. Pollock; Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A.; Louis Mrachek; Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts; Lisa S. Friedstein; Mark R. Manceri, Esquire @ Mark R. Manceri, P.A.; mrmlaw1@gmail.com; Neil Wolfson ~ President & Chief Executive Officer @ Wilmington Trust Company; Pamela Beth Simon; Peter Feaman; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.; pmatwiczuk@matbrolaw.com; Ralph S. Janvey ~ Federal Court Appointed Receiver @ Stanford Financial Group; Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A.; service@feamanlaw.com; Steven A. Lessne ~ Shareholder @ GrayRobinson, P.A. ; Steven A. Lessne Esq.; Steven A. Lessne Esq.; Steven A. Lessne Esq. @ Gunster, Yoakley & Stewart, P.A.; William M. Pearson; William McCabe Esq. @ Oppenheimer Trust Company
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*** * * * ***

William Stansbury
3/2/2016 5

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Eliot I. Bernstein

Inventor

Ivewit Holdings, Inc. – DL

2753 N.W. 34th St.

Boca Raton, Florida 33434-3459

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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Friday, March 4, 2016 3:59 PM
To: Eliot Ivan Bernstein; Eliot Ivan Bernstein; tourcandy@gmail.com
Cc: Lessne, Steven; O'Connell, Brian M.; Foglietta, Joy A; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.; John P. Morrissey Esq. @ John P. Morrissey, P.A. ; Pamela Beth Simon; lisa.friedstein@gmail.com; Jill Iantoni; Kenneth S. Pollock
Subject: Appointment of a Guardian ad Litem
Attachments: Order Appointing Guardian Ad Litem for Joshua_Jake_Daniel (Judge Phillip....pdf; Order on M-Appoint Guardian Ad Litem_Gag Order_Strike Eliot Filings (Jud....pdf

Mr. and Mrs. Eliot Bernstein:

The Court has entered the attached Orders, and in part ordered us to agree on a Guardian ad Litem within 3 business days, if we can.

Is there anyone you would like to suggest? I suggest we email each other with any names of prospective Guardians ad Litem, and we can consider and discuss the choices, and if possible agree on one.

I understand you are dissatisfied with many aspects of this matter. If you will never agree with us on the selection of the appointed guardian, you can advise us of that as well to streamline the process. I hope you will work with the parties to make this transaction smooth.

Thanks

Alan B. Rose, as
Counsel for Successor Trustee of the Shirley Bernstein Trust
Counsel for Successor Personal Representative of the Estate of Shirley Bernstein
Counsel for Successor Trustee of the Simon Bernstein Trust

Cc: Steven Lessne, Counsel for Oppenheimer
All other parties and counsel of record

Alan B. Rose, Esq.
arose@Mrachek-Law.com
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505 South Flagler Drive
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West Palm Beach, Florida 33401
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Subject: Appointment of a Guardian ad Litem
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Counsel for Successor Personal Representative of the Estate of Shirley Bernstein
Counsel for Successor Trustee of the Simon Bernstein Trust

Cc: Steven Lessne, Counsel for Oppenheimer
All other parties and counsel of record

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arose@Mrachek-Law.com
561.355.6991



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Eliot Ivan Bernstein

From: Marie Chandler <MChandler@mrachek-law.com> on behalf of Alan Rose <ARose@mrachek-law.com>
Sent: Wednesday, February 24, 2016 4:27 PM
To: Eliot I. Bernstein; John P. Morrissey; Lisa Friedstein; Jill Iantoni; Pamela Beth Simon; service@feamanlaw.com; mkoskey@feamanlaw.com; gary@shendellpollock.com; ken@shendellpollock.com; Matthew A. Tornincasa, Esq.; estella@shendellpollock.com; Brittney Spiliotopoulos; Gary R. Shendell - grs; Mattheew A. Tornincasa, Esq. - Robyne; Brian M. O'Connell, Esq.; Foglietta, Joy A; service@ciklinlubitiz.com; Lobdell, Sharon R.
Cc: Alan Rose
Subject: Bernstein - ABR to Judge Colbath 02-19-16 re reassignment from South County to North County
Attachments: ABR to Judge Colbath 02-19-16 reassignment from South County to North Co....pdf

Although the attached letter was served by mail on Friday, February 19, 2016, in an abundance of caution, I am providing additional service via email.

Best wishes.

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



505 South Flagler Drive
Suite 600
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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Friday, February 19, 2016 10:18 PM
To: Eliot Ivan Bernstein; Adam Simon Esq.; Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell ; David B. Simon; Jill Iantoni; Joielle "Joy" A. Foglietta, Esquire @ Ciklin Lubitz Martens & O'Connell; Lisa Friedstein; Pamela Beth Simon; Peter Feaman; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.; Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A.; Theodore S. Bernstein; Thomas B. Underwood ~ Partner @ Pucell & Wardrobe CHTD.; agortz@proskauer.com; attorneys@matbrolaw.com; bhenry@matbrolaw.com; Byrd F. "Biff" Marshall Jr. ~ President & Managing Director @ Gray Robinson, PA; Charles D. Rubin ~ Managing Partner @ Gutter Chaves Josepher Rubin Forman Fleisher Miller PA; Chris Stroup ~ Chairman of the Board of Directors and Chief Executive Officer @ Heritage Union Life / WiltonRe ; ddustin@tescherspallina.com; Dennis G. Bedley ~ Chairman of the Board, Director and Chief Executive Officer @ Legacy Bank of Florida; Dennis McNamara ~ Executive Vice President and General Counsel @ Oppenheimer & Co. Inc.; Gary R. Shendell; Gary R. Shendell; Gary R. Shendell; General Counsel at CBIZ MHM, LLC; Gerald "Jerry" R. Lewin ~ Managing Director @ CBIZ MHM, LLC; Hunt Worth ~ President @ Oppenheimer Trust Company ; James Dimon ~ Chairman of the Board and Chief Executive Officer @ JP Morgan Chase & CO.; Janet Craig, CTFA ~ Senior Vice President & Compliance Officer @ Oppenheimer Trust Company ; John J. Pankauski; John J. Pankauski; John P. Morrissey Esq. @ John P. Morrissey, P.A. ; john@pankauskilawfirm.com; Joseph M Leccese ~ Chairman of the Firm @ Proskauer Rose LLP ; Kenneth S. Pollock; Kenneth S. Pollock; Kenneth S. Pollock; Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A.; Louis Mrachek; Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts; Mark R. Manceri, Esquire @ Mark R. Manceri, P.A.; mrmlaw1@gmail.com; Neil Wolfson ~ President & Chief Executive Officer @ Wilmington Trust Company; pmatwiczuk@matbrolaw.com; Ralph S. Janvey ~ Federal Court Appointed Receiver @ Stanford Financial Group; service@feamanlaw.com; Steven A. Lessne ~ Shareholder @ GrayRobinson, P.A. ; Steven A. Lessne Esq.; Steven A. Lessne Esq.; Steven A. Lessne Esq. @ Gunster, Yoakley & Stewart, P.A.; William M. Pearson; William McCabe Esq. @ Oppenheimer Trust Company; Marie Chandler; Anderson, Charlene; Benjamin P. Brown; Irwin J. Block @ The Law Office of Irwin J. Block PL; Mimi K. McAndrews; Jill M. Iantoni
Subject: RE: Service Case #13-cv-03643 - Notice per Local Rule of Application on Emergency Motion / Injunction US District Court Hon. John Robert Blakey

First, I am available on February 23rd but do not consent to jurisdiction in Illinois, nor do I believe it is appropriate for you to seek to have the Illinois Federal Court Judge intercede in Florida probate matters.

Second, the parties I represent are not parties to the interpleader action in Illinois, which involves as I understand it a claim by a 1995 Life Insurance Trust and a claim by the Estate of Simon, and possibly some involvement by you even though you could not possibly have any individual claim to the policy, nor could your children. The Illinois case is of a limited nature, and addresses only entitlement to proceeds of a life insurance policy deposited into the court registry or held awaiting a ruling. The Policy itself was purchased by and owned by Simon, and the designated beneficiary was a 1995 life insurance trust. Simon intended to leave the policy to his five children through that insurance trust, as confirmed by Simon's lawyer at the trial just held on December 15, 2015: the policy -- which I had never seen a copy of the policy, but, you know -- he had had. And I knew that he was paying for it, because -- it almost lapsed, or did lapse at one point, and it got

reinstated -- that that policy was to pass to an insurance trust that named his five children as beneficiaries.” (Trial Transcript of 12-15-15 at pages 56/13-57/22) There is no reason why the Illinois Judge would or could take charge of a Florida estate.

It is my client’s position, as Trustee of the Simon L. Bernstein Trust (the sole beneficiary of Simon’s estate) that based upon the evidence we have reviewed and the witnesses we have questioned, that the Estate should not be spending its own money to pursue the Illinois claim, which is why the Court has ordered Mr. Stansbury to pay all of the litigation costs for Illinois.

Third, the “emergency motion” you are suggesting you may file is inappropriate and frivolous, and is yet another reminder of your vexatious approach to litigation. You lack standing to proceed in Florida, as per Judge Phillips’ order, and next week we have a hearing to decide whether the Court should appoint a Guardian ad Litem to represent the interests of your children. This most recent threat to file for injunctive relief in Illinois, against parties which have no involvement in the Illinois case and are not subject to the jurisdiction of the Illinois federal court, demonstrates that you cannot objectively and fairly represent the interests of your children as beneficiaries of the Shirley Bernstein Trust. Your continued interference already has cost the Trust more than \$200,000 in losses on the sale of the Trust’s real property, and you continue to waste the Trust’s money and cause additional attorneys’ fees to be incurred, rather than allowing the Court and the parties to swiftly and efficiently administer the Trust.

We recognize that you have suggested that every judge in Florida is corrupt or biased against you, but that is not accurate. There is no reason for any court other than the Palm Beach County Circuit Court, Probate Division, to handle these matters.

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



505 South Flagler Drive
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From: Eliot Ivan Bernstein [mailto:iviewit@iviewit.tv]

Sent: Friday, February 19, 2016 12:47 PM

To: Adam Simon Esq.; Alexander "Alex" David Marks, Esq. ~ Partner @ Burke, Warren, MacKay & Serritella, P.C.; Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell ; David B. Simon; David Lanciotti ~ Executive Vice President and General Counsel @ LaSalle National Trust, NA / Chicago Title Land Trust Company ; Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A.; Frederic A. Mendelsohn; Glenn E. Heilizer; James J. Stamos ~ Partner @ Stamos & Trucco LLP; Jill Iantoni; John M. O'Halloran; Joielle "Joy" A. Foglietta, Esquire @ Ciklin Lubitz Martens & O'Connell; Kevin P. Horan ~ Associate @ Stamos & Trucco LLP ; Lisa Friedstein; Michael Duane Sanders; Pamela Beth Simon; Peter Feaman; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.; Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A.; Theodore S. Bernstein; Thomas B. Underwood ~ Partner @ Pucell & Wardrope CHTD.; agortz@proskauer.com; Alan Rose; Alan Rose; attorneys@matbrolaw.com; bhenry@matbrolaw.com; 'Byrd F. "Biff" Marshall Jr. ~ President & Managing Director @ Gray Robinson, PA'; 'Charles D. Rubin ~ Managing Partner @ Gutter Chaves Josepher Rubin Forman Fleisher Miller PA'; 'Chris Stroup ~ Chairman of the Board of Directors and Chief Executive Officer @ Heritage Union Life / WiltonRe '; ddustin@tescherspallina.com; 'Dennis G. Bedley ~ Chairman of the Board, Director and Chief Executive Officer @ Legacy Bank of Florida'; 'Dennis McNamara ~ Executive Vice President and General Counsel @ Oppenheimer & Co. Inc.'; 'Gary R. Shendell'; 'Gary R. Shendell'; 'Gary R. Shendell'; 'General Counsel at CBIZ MHM, LLC'; 'Gerald "Jerry" R. Lewin ~ Managing Director @ CBIZ MHM, LLC'; 'Hunt Worth ~ President @ Oppenheimer Trust Company '; 'James Dimon ~ Chairman of the Board and Chief Executive Officer @ JP Morgan Chase & CO.'; 'Janet Craig, CTFA ~ Senior Vice President & Compliance Officer @ Oppenheimer Trust Company '; 'John J. Pankauski'; 'John J. Pankauski'; 'John P. Morrissey Esq. @ John P. Morrissey, P.A. '; john@pankauskilawfirm.com; 'Joseph M Leccese ~ Chairman of the Firm @ Proskauer Rose LLP '; 'Kenneth S. Pollock'; 'Kenneth S. Pollock'; 'Kenneth S. Pollock'; 'Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A.'; Louis Mrachek; 'Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts'; 'Mark R. Manceri, Esquire @ Mark R. Manceri, P.A.'; mrmlaw1@gmail.com; 'Neil Wolfson ~ President & Chief Executive Officer @ Wilmington Trust Company'; pmatwiczky@matbrolaw.com; 'Ralph S. Janvey ~ Federal Court Appointed Receiver @ Stanford Financial Group'; service@feamanlaw.com; 'Steven A. Lessne ~ Shareholder @ GrayRobinson, P.A. '; 'Steven A. Lessne Esq.'; 'Steven A. Lessne Esq.'; 'Steven A. Lessne Esq. @ Gunster, Yoakley & Stewart, P.A.'; 'William M. Pearson'; 'William McCabe Esq. @ Oppenheimer Trust Company'; Marie Chandler; Anderson, Charlene; 'Benjamin P. Brown'; 'Irwin J. Block @ The Law Office of Irwin J. Block PL'; 'Mimi K. McAndrews'; 'Jill M. Iantoni'

Cc: Candice Schwager @ Schwager Law Firm; Kevin R. Hall; Barbara Stone; 'Eliot I. Bernstein'; 'Eliot Ivan Bernstein'; 'Andrew Dietz @ Rock-It Cargo USA, Inc.'; 'CANDICE BERNSTEIN'; 'Caroline Prochotska Rogers Esq.'; 'Eliot I. Bernstein'; 'Marc R. Garber Esq.'; 'Marc R. Garber Esq. @ Flaster Greenberg P.C.'; 'Michele M. Mulrooney ~ Partner @ Venable LLP'

Subject: Service Case #13-cv-03643 - Notice per Local Rule of Application on Emergency Motion / Injunction US District Court Hon. John Robert Blakey

CONFIDENTIAL:

Parties, Attorneys and To Whom It May Concern:

I am writing to give you all as current parties and / or attorneys and representatives for current parties in the Illinois federal court litigation and other parties to be added to the federal court litigation as much advance reasonable notice as possible that I intend to contact Judge Blakey's Courtroom Deputy, Gloria Lewis, at (312) 818-6699, to make a request to set a hearing on an emergency motion which will seek Injunctive relief against all parties currently under jurisdiction of the District Court of Illinois with a further request to enjoin at least

temporarily all proceedings in the Court of Probate Judge John Phillips and also add other parties to the action and other relief.

I will be requesting that this application be heard no later than this Tuesday, Feb. 23, 2016 Motion Calendar in Judge Blakey's Court and since my actual filings may not be electronically uploaded until later today and over the weekend that such request be deemed an Emergency and thus appropriate to hear as soon as practical.

Please advise of your availability to hear this motion for this coming Tuesday, Feb. 23, 2016.

Eliot I. Bernstein
Inventor
Iviewit Holdings, Inc. – DL
2753 N.W. 34th St.
Boca Raton, Florida 33434-3459
(561) 245.8588 (o)
(561) 886.7628 (c)
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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Wednesday, February 17, 2016 4:08 PM
To: Anderson, Charlene; pfeaman@feamanlaw.com; iviewit@iviewit.tv; jilliantoni@gmail.com; John P. Morrissey; gary@shendellpollock.com; ken@shendellpollock.com; matt@shendellpollock.com; psimon@stpcorp.com; dtescher@tescherlaw.com; lisa@friedsteins.com; lisa.friedstein@gmail.com
Cc: Marie Chandler; estella@shendellpollock.com; grs@shendellpollock.com; britt@shendellpollock.com; robyne@shendellpollock.com; ddustin@tescherlaw.com; rspallina@tescherspallina.com; kmoran@tescherspallina.com; O'Connell, Brian M.; Foglietta, Joy A; McDowell, Sherri H.; Lobdell, Sharon R.
Subject: RE: Estate of Simon Bernstein - UMC hearing on Petition for Auth for the Payment of Jewelry Appraisals

I do not know if I can go that day, but so long as it is only the Petition re Jewelry I have no objection to the hearing date.

I would urge Eliot Bernstein to agree to the relief sought to preserve significant assets for the Estate by avoiding the need for this hearing, which I understand from Ms. Foglietta is unopposed except for Eliot. This is not an issue worth spending the beneficiaries' money on. Perhaps things can approach a more normal and logical path if and once there is a Guardian appointed by the Court.

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



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From: Anderson, Charlene [mailto:CAnderson@ciklinlubitz.com]

Sent: Wednesday, February 17, 2016 4:00 PM

To: Alan Rose; 'pfeaman@feamanlaw.com'; 'iviewit@iviewit.tv'; 'jilliantoni@gmail.com'; 'John P. Morrissey'; 'gary@shendellpollock.com'; 'ken@shendellpollock.com'; 'matt@shendellpollock.com'; 'psimon@stpcorp.com'; 'dtescher@tescherlaw.com'; 'lisa@friedsteins.com'; 'lisa.friedstein@gmail.com'

Cc: Marie Chandler; 'estella@shendellpollock.com'; 'grs@shendellpollock.com'; 'britt@shendellpollock.com'; 'robyne@shendellpollock.com'; 'ddustin@tescherlaw.com'; 'rspallina@tescherspallina.com'; 'kmoran@tescherspallina.com'; O'Connell, Brian M.; Crispin Ackal, Ashley; Foglietta, Joy A; McDowell, Sherri H.; Lobdell, Sharon R.

Subject: RE: Estate of Simon Bernstein - UMC hearing on Petition for Auth for the Payment of Jewelry Appraisals

Good afternoon. Please advise by 3:00 pm tomorrow, 2/18 as to your availability for a UMC hearing on March 3 at 8:30. Eliot Bernstein has already advised he is available that date and time. If I do not hear from you by 3:00 tomorrow, I will assume you are available and will file a notice of hearing. Thank you.

Charlene

From: Anderson, Charlene

Sent: Thursday, February 11, 2016 2:54 PM

To: 'arose@mrachek-law.com' <arose@mrachek-law.com>; 'pfeaman@feamanlaw.com' <pfeaman@feamanlaw.com>; 'iviewit@iviewit.tv' <iviewit@iviewit.tv>; 'jilliantoni@gmail.com' <jilliantoni@gmail.com>; 'john@jmorrisseylaw.ccom' <john@jmorrisseylaw.ccom>; 'gary@shendellpollock.com' <gary@shendellpollock.com>; 'ken@shendellpollock.com' <ken@shendellpollock.com>; 'matt@shendellpollock.com' <matt@shendellpollock.com>; 'psimon@stpcorp.com' <psimon@stpcorp.com>; 'dtescher@tescherlaw.com' <dtescher@tescherlaw.com>; 'lisa@friedsteins.com' <lisa@friedsteins.com>; 'lisa.friedstein@gmail.com' <lisa.friedstein@gmail.com>

Cc: 'mchandler@mrachek-law.com' <mchandler@mrachek-law.com>; 'estella@shendellpollock.com' <estella@shendellpollock.com>; 'grs@shendellpollock.com' <grs@shendellpollock.com>; 'britt@shendellpollock.com' <britt@shendellpollock.com>; 'robyne@shendellpollock.com' <robyne@shendellpollock.com>; 'ddustin@tescherlaw.com' <ddustin@tescherlaw.com>; 'rspallina@tescherspallina.com' <rspallina@tescherspallina.com>; 'kmoran@tescherspallina.com' <kmoran@tescherspallina.com>; O'Connell, Brian M. <boconnell@ciklinlubitz.com>; Crispin Ackal, Ashley <acrispinackal@ciklinlubitz.com>; Foglietta, Joy A <JFoglietta@ciklinlubitz.com>; McDowell, Sherri H. <SMcDowell@ciklinlubitz.com>; Lobdell, Sharon R. <SLobdell@ciklinlubitz.com>

Subject: RE: Estate of Simon Bernstein - UMC hearing on Petition for Auth for the Payment of Jewelry Appraisals

Good afternoon. We are having to reschedule the UMC hearing set for 2/16 at 8:30 on the Pet for Auth for the Payment of Jewelry Appraisals. Please be so kind as to advise of your availability on either March 1 or March 3, 2016 at 8:30. If I do not hear from you by 5:00 pm tomorrow, I will assume you are available and will schedule it. Thank you.

Charlene

From: Anderson, Charlene

Sent: Thursday, February 04, 2016 9:57 AM

To: 'arose@mrachek-law.com' <arose@mrachek-law.com>; 'pfeaman@feamanlaw.com' <pfeaman@feamanlaw.com>; 'iviewit@iviewit.tv' <iviewit@iviewit.tv>; 'jilliantoni@gmail.com' <jilliantoni@gmail.com>; 'john@jmorrisseylaw.ccom' <john@jmorrisseylaw.ccom>; 'gary@shendellpollock.com'

<gary@shendellpollock.com>; 'ken@shendellpollock.com' <ken@shendellpollock.com>;
'matt@shendellpollock.com' <matt@shendellpollock.com>; 'psimon@stpcorp.com' <psimon@stpcorp.com>;
'dtescher@tescherlaw.com' <dtescher@tescherlaw.com>; 'lisa@friedsteins.com' <lisa@friedsteins.com>;
'lisa.friedstein@gmail.com' <lisa.friedstein@gmail.com>
Cc: 'mchandler@mrachek-law.com' <mchandler@mrachek-law.com>; 'estella@shendellpollock.com'
<estella@shendellpollock.com>; 'grs@shendellpollock.com' <grs@shendellpollock.com>;
'britt@shendellpollock.com' <britt@shendellpollock.com>; 'robyne@shendellpollock.com'
<robyne@shendellpollock.com>; 'ddustin@tescherlaw.com' <ddustin@tescherlaw.com>;
'rspallina@tescherspallina.com' <rspallina@tescherspallina.com>; 'kmoran@tescherspallina.com'
<kmoran@tescherspallina.com>; O'Connell, Brian M. <boconnell@ciklinlubitz.com>; Crispin, Ashley N.
<ACrispin@ciklinlubitz.com>; Foglietta, Joy A <JFoglietta@ciklinlubitz.com>; McDowell, Sherri H.
<SMcDowell@ciklinlubitz.com>; Lobdell, Sharon R. <SLobdell@ciklinlubitz.com>
Subject: Estate of Simon Bernstein - UMC hearing on Petition for Auth for the Payment of Jewelry Appraisals

Good morning. Please advise by 5:00 pm tomorrow, 2/5 if you have any conflicts to a UMC hearing on Tues., 2/16/16 at 8:30 a.m. on the above-referenced petition filed on 2/4/16. If I don't get a response by tomorrow at 5:00 pm, I will assume there are no conflicts. Thank you!

Charlene

Charlene A. Anderson, FRP
Probate Paralegal
Ciklin Lubitz & O'Connell
515 North Flagler Drive, 20th Floor
West Palm Beach, Florida 33401
(O) 561-820-0325 (F) 561-833-4209
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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Wednesday, February 10, 2016 3:31 PM
To: iviewit@iviewit.tv; Eliot Ivan Bernstein; tourcandy@gmail.com
Subject: Candice phone message

I did not order court reporter for the hearing she inquired about.

Please try to limit communication to email rather than calling

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Wednesday, February 10, 2016 7:39 AM
To: iviewit@iviewit.tv; iviewit@gmail.com; iviewit11@gmail.com
Subject: Hearing in March on Motion to Modify

Have you received no comments to the proposed order we sent last week, nor objection to the hearing dates proposed, we will notify the court and schedule a hearing on the motion to modify. You will recall, this is being set at your insistence.

Alan B. Rose
Mrachek, Fitzgerald, Rose, Konopka, Thomas & Weiss, P.A.=

Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Wednesday, February 10, 2016 7:39 AM
To: iviewit@iviewit.tv; iviewit@gmail.com; iviewit11@gmail.com
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Mrachek, Fitzgerald, Rose, Konopka, Thomas & Weiss, P.A.=

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Sent: Wednesday, February 10, 2016 7:39 AM
To: iviewit@iviewit.tv; iviewit@gmail.com; iviewit11@gmail.com
Subject: Hearing in March on Motion to Modify

Have you received no comments to the proposed order we sent last week, nor objection to the hearing dates proposed, we will notify the court and schedule a hearing on the motion to modify. You will recall, this is being set at your insistence.

Alan B. Rose
Mrachek, Fitzgerald, Rose, Konopka, Thomas & Weiss, P.A.=

Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Friday, February 5, 2016 3:22 PM
To: Eliot Ivan Bernstein
Cc: John P. Morrissey; lisa.friedstein@gmail.com; jilliantoni@gmail.com; psimon@stpcorp.com
Subject: RE: SERVICE OF COURT DOCUMENT - CASE NUMBER 502014CP003698XXXXNB

Having received no objection, we will submit the proposed Order and notice the hearing for one of the two dates set forth below.

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



From: Alan Rose
Sent: Thursday, February 04, 2016 4:07 PM
To: 'Eliot Ivan Bernstein'
Cc: 'John P. Morrissey'; 'lisa.friedstein@gmail.com'; 'jilliantoni@gmail.com'; 'psimon@stpcorp.com'
Subject: RE: SERVICE OF COURT DOCUMENT - CASE NUMBER 502014CP003698XXXXNB

1. See attached a proposed Order from today, which you should have no objection to. Please confirm.
2. The court can set a hearing on following:
March 28, 2016 at 1:30 p.m.
March 29, 2016 at 3:15 p.m.
Please advise if either of those dates is no good for you so I can set the hearing asap.
3. Why are you opposing this? The sale has closed, and your “legal advisors” can explain to you that the sale order was final and nonappealable as of the closing date. You are just wasting more time and money that could benefit your children.

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



505 South Flagler Drive
Suite 600
West Palm Beach, Florida 33401
561.655.2250 Phone
561.655.5537 Fax

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From: Eliot Ivan Bernstein [<mailto:iviewit@gmail.com>]

Sent: Wednesday, February 03, 2016 9:49 PM

To: Alan Rose; Alan Rose; 'Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell '; 'Charles D. Rubin ~ Managing Partner @ Gutter Chaves Josepher Rubin Forman Fleisher Miller PA'; ddustin@tescherspallina.com; 'Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A.'; 'JILL BERNSTEIN IANTONI'; 'John J. Pankauski'; 'John J. Pankauski'; john@pankauskilawfirm.com; 'Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A.'; Louis Mrachek; 'Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts'; 'Lisa Friedstein'; 'Mark R. Manceri, Esquire @ Mark R. Manceri, P.A.'; mrmlaw1@gmail.com; 'Pamela Beth Simon'; 'Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A.'

Cc: Candice Schwager @ Schwager Law Firm; Barbara Stone; Barbara Stone Gmail; Kevin R. Hall; 'Andrew Dietz @ Rock-It Cargo USA, Inc.'; 'CANDICE BERNSTEIN'; 'Caroline Prochotska Rogers Esq.'; 'Eliot I. Bernstein'; 'Marc R. Garber Esq.'; 'Marc R. Garber Esq. @ Flaster Greenberg P.C.'; 'Michele M. Mulrooney ~ Partner @ Venable LLP'

Subject: FW: SERVICE OF COURT DOCUMENT - CASE NUMBER 502014CP003698XXXXNB

From: eservice@myflcourtaccess.com [<mailto:eservice@myflcourtaccess.com>]

Sent: Wednesday, February 3, 2016 9:47 PM

Subject: SERVICE OF COURT DOCUMENT - CASE NUMBER 502014CP003698XXXXNB

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Filing Information

Filing #: 37390947
Filing Time: 02/03/2016 09:47:15 PM ET
Filer: Eliot Ivan Bernstein 561-245-8588
Court: Fifteenth Judicial Circuit in and for Palm Beach County, Florida
Case #: 502014CP003698XXXXNB
Court Case #: 50-2014-CP-003698-XXXX-NB
Case Style: BERNSTEIN, SHIRLEY

Documents

Title	File
Motion	20160203 FINAL ESIGNED OPPOSITION TO MODIFY ORDER SALE ST AN ALL PHILLIPS CASES PENDING REVIEW.pdf

E-service recipients selected for service:

Name	Email Address
Alan B Rose	arose@mrachek-law.com
	mchandler@mrachek-law.com
	blewter@mrachek-law.com
John Morrissey, Esq.	john@jmorrisseylaw.com
Lisa Friedstein	lisa.friedstein@gmail.com
Jill Iantoni	jilliantoni@gmail.com
Pamela Beth Simon	psimon@stpcorp.com
Brian M. O'Connell, Esq.	boconnell@ciklinlubitz.com
	service@ciklinlubitz.com
Joielle A. Foglietta	jfoglietta@ciklinlubitz.com
	slobdell@ciklinlubitz.com
	service@ciklinlubitz.com
Ashley Bourget	abourget@mrachek-law.com
Eliot Ivan Bernstein	iviewit@iviewit.tv

Name	Email Address
	iviewit@gmail.com
	tourcandy@gmail.com
Rodney G Romano	dp@matrixmediation.com

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request_id#:37390947;Audit#:129258567;UCN#:502014CP003698XXXX
NB;

Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Thursday, February 4, 2016 4:07 PM
To: Eliot Ivan Bernstein
Cc: John P. Morrissey; lisa.friedstein@gmail.com; jilliantoni@gmail.com; psimon@stpcorp.com
Subject: RE: SERVICE OF COURT DOCUMENT - CASE NUMBER 502014CP003698XXXXNB
Attachments: Order [Proposed] on Trustee's M-Modify Final Order Approving Sale Dated May 6, 2015.pdf

1. See attached a proposed Order from today, which you should have no objection to. Please confirm.
2. The court can set a hearing on following:
March 28, 2016 at 1:30 p.m.
March 29, 2016 at 3:15 p.m.
Please advise if either of those dates is no good for you so I can set the hearing asap.
3. Why are you opposing this? The sale has closed, and your "legal advisors" can explain to you that the sale order was final and nonappealable as of the closing date. You are just wasting more time and money that could benefit your children.

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



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Cc: Candice Schwager @ Schwager Law Firm; Barbara Stone; Barbara Stone Gmail; Kevin R. Hall; 'Andrew Dietz @ Rock-It Cargo USA, Inc.'; 'CANDICE BERNSTEIN'; 'Caroline Prochotska Rogers Esq.'; 'Eliot I. Bernstein'; 'Marc R. Garber Esq.'; 'Marc R. Garber Esq. @ Flaster Greenberg P.C.'; 'Michele M. Mulrooney ~ Partner @ Venable LLP'
Subject: FW: SERVICE OF COURT DOCUMENT - CASE NUMBER 502014CP003698XXXXNB

From: eservice@myflcourtagency.com [mailto:eservice@myflcourtagency.com]
Sent: Wednesday, February 3, 2016 9:47 PM
Subject: SERVICE OF COURT DOCUMENT - CASE NUMBER 502014CP003698XXXXNB

Notice of Service of Court Documents

Filing Information

Filing #: 37390947
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Court Case #: 50-2014-CP-003698-XXXX-NB
Case Style: BERNSTEIN, SHIRLEY

Documents

Title	File
Motion	20160203 FINAL ESIGNED OPPOSITION TO MODIFY ORDER SALE ST AN STAY ALL PHILLIPS CASES PENDING REVIEW.pdf

E-service recipients selected for service:

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Alan B Rose	arose@mrachek-law.com
	mchandler@mrachek-law.com
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Eliot Ivan Bernstein	iviewit@iviewit.tv
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request_id#:37390947;Audit#:129258567;UCN#:502014CP003698XXXXNB;

Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Thursday, February 4, 2016 11:11 AM
To: Anderson, Charlene; pfeaman@feamanlaw.com; iviewit@iviewit.tv;
jilliantoni@gmail.com; john@jmorrisseylaw.com; gary@shendellpollock.com;
ken@shendellpollock.com; matt@shendellpollock.com; psimon@stpcorp.com;
dtescher@tescherlaw.com; lisa@friedsteins.com; lisa.friedstein@gmail.com
Cc: Marie Chandler; estella@shendellpollock.com; grs@shendellpollock.com;
britt@shendellpollock.com; robyne@shendellpollock.com; ddustin@tescherlaw.com;
rspallina@tescherspallina.com; kmoran@tescherspallina.com; O'Connell, Brian M.;
Crispin, Ashley N.; Foglietta, Joy A; McDowell, Sherri H.; Lobdell, Sharon R.
Subject: RE: Estate of Simon Bernstein - UMC hearing on Petition for Auth for the Payment of
Jewelry Appraisals

Hearing date is open on my calendar.

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



505 South Flagler Drive
Suite 600
West Palm Beach, Florida 33401
561.655.2250 Phone
561.655.5537 Fax

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From: Anderson, Charlene [mailto:CAnderson@ciklinlubitz.com]

Sent: Thursday, February 04, 2016 9:57 AM

To: Alan Rose; 'pfeaman@feamanlaw.com'; 'iviewit@iviewit.tv'; 'jilliantoni@gmail.com'; 'john@jmorrisseylaw.com'; 'gary@shendellpollock.com'; 'ken@shendellpollock.com'; 'matt@shendellpollock.com'; 'psimon@stpcorp.com'; 'dtescher@tescherlaw.com'; 'lisa@friedsteins.com'; 'lisa.friedstein@gmail.com'

Cc: Marie Chandler; 'estella@shendellpollock.com'; 'grs@shendellpollock.com'; 'britt@shendellpollock.com'; 'robyne@shendellpollock.com'; 'ddustin@tescherlaw.com'; 'rspallina@tescherspallina.com'; 'kmoran@tescherspallina.com'; O'Connell, Brian M.; Crispin, Ashley N.; Foglietta, Joy A; McDowell, Sherri H.; Lobdell, Sharon R.

Subject: Estate of Simon Bernstein - UMC hearing on Petition for Auth for the Payment of Jewelry Appraisals

Good morning. Please advise by 5:00 pm tomorrow, 2/5 if you have any conflicts to a UMC hearing on Tues., 2/16/16 at 8:30 a.m. on the above-referenced petition filed on 2/4/16. If I don't get a response by tomorrow at 5:00 pm, I will assume there are no conflicts. Thank you!

Charlene

Charlene A. Anderson, FRP

Probate Paralegal

Ciklin Lubitz & O'Connell

515 North Flagler Drive, 20th Floor

West Palm Beach, Florida 33401

(O) 561-820-0325 (F) 561-833-4209

Email: canderson@ciklinlubitz.com

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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Tuesday, February 2, 2016 5:49 PM
To: Eliot Ivan Bernstein; Eliot Ivan Bernstein
Subject: RE: Reschedule due to Sharp Practices

Mr. Bernstein:

I have reviewed your email below. I do not believe it is appropriate to suggest that you are never available for a hearing. Perhaps your inability to appear will convince you to consent to the appointment of a guardian ad litem to represent the interest of your children, whom you have proven you cannot adequately represent.

I was going to suggest you using a call-in service if you cannot drive to the courthouse, but I see you have already arranged that through Court Call. PLEASE MAKE SURE TO CHANGE IT TO THURSDAY FEB 4th at 8:30 a.m.

Based upon your email, I would be willing to consider rescheduling this hearing under certain conditions. The primary reason for this hearing is actions which you may take to interfere with the sale and cause harm to the beneficiaries, including your children. If you would be willing to consent to an order temporarily preventing you from doing the things raised in the motion, until the matter can be set for a further hearing, I would agree to postpone the hearing. If you will not consent, the hearing must go forward Thursday as it is our belief that a hearing is necessary to protect the interests of the beneficiaries.

To date you have caused over \$200,000 in lost proceeds by your actions attempting to stop the sale of the house. Now, the trust risks losing an additional \$25,000 if you refuse to comply with the order preventing interference with the sale. I would urge you to consent to the relief we seek in toto, and thereby not only save the \$25,000 but also the legal fees to be incurred in our obtaining such an order.

It is understandable that you are upset that your parents died with only a few million dollars and left none of it to you, and that your litigiousness has eroded a substantial part of that money, but I would hope at some point you would realize that your actions are not helping you one iota, but are seriously harming the beneficiaries including your own children.

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



505 South Flagler Drive
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West Palm Beach, Florida 33401
561.655.2250 Phone
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From: Eliot Ivan Bernstein [mailto:iviewit@iviewit.tv]

Sent: Monday, February 01, 2016 10:48 AM

To: Alan Rose; Alan Rose; 'Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell '; 'Charles D. Rubin ~ Managing Partner @ Gutter Chaves Josepher Rubin Forman Fleisher Miller PA'; ddustin@tescherspallina.com; 'Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A.'; 'JILL BERNSTEIN IANTONI'; 'John J. Pankauski'; 'John J. Pankauski'; john@pankauskilawfirm.com; 'Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A.'; Louis Mrachek; 'Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts'; 'Lisa Friedstein'; 'Mark R. Manceri, Esquire @ Mark R. Manceri, P.A.'; mrmlaw1@gmail.com; 'Pamela Beth Simon'; 'Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A.'

Cc: Candice Schwager @ Schwager Law Firm; Kevin R. Hall; Barbara Stone; Barbara Stone Gmail; 'Andrew Dietz @ Rock-It Cargo USA, Inc.'; 'CANDICE BERNSTEIN'; 'Caroline Prochotska Rogers Esq.'; 'Eliot I. Bernstein'; 'Marc R. Garber Esq.'; 'Marc R. Garber Esq. @ Flaster Greenberg P.C.'; 'Michele M. Mulrooney ~ Partner @ Venable LLP'

Subject: Reschedule due to Sharp Practices

Mr. Alan Rose:

As you are aware, I had specifically indicated my Unavailability for the time period in question of Feb. 4th, 2016 due to medical reasons, that we are unavailable during the school year for these early hearings as we filed with the court and your other motion on Guardianship has specifically been scheduled for later in Feb. 2016 (Feb. 25th) as a result.

I am respectfully requesting that you voluntarily re-schedule your current motion on the UMC Calendar for this Thursday, Feb. 4th, 2016 for this reason and further that an Evidentiary Hearing would be necessary on such motion which is further improper for the UMC Calendar as it is not a motion that can be heard in 5 minutes.

Should you not voluntarily re-schedule and remove this motion from the Calendar for Feb. 4th, 2016, your continued sharp practices will continue to be reported to all proper federal and state authorities and appropriate court action taken as well.

Thank you.

Eliot I. Bernstein
Inventor
Iviewit Holdings, Inc. – DL
2753 N.W. 34th St.
Boca Raton, Florida 33434-3459

(561) 245.8588 (o)
(561) 886.7628 (c)
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iviewit@iviewit.tv
<http://www.iviewit.tv>

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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Tuesday, February 2, 2016 5:49 PM
To: Eliot Ivan Bernstein; Eliot Ivan Bernstein
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Mr. Bernstein:

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I was going to suggest you using a call-in service if you cannot drive to the courthouse, but I see you have already arranged that through Court Call. PLEASE MAKE SURE TO CHANGE IT TO THURSDAY FEB 4th at 8:30 a.m.

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To date you have caused over \$200,000 in lost proceeds by your actions attempting to stop the sale of the house. Now, the trust risks losing an additional \$25,000 if you refuse to comply with the order preventing interference with the sale. I would urge you to consent to the relief we seek in toto, and thereby not only save the \$25,000 but also the legal fees to be incurred in our obtaining such an order.

It is understandable that you are upset that your parents died with only a few million dollars and left none of it to you, and that your litigiousness has eroded a substantial part of that money, but I would hope at some point you would realize that your actions are not helping you one iota, but are seriously harming the beneficiaries including your own children.

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



505 South Flagler Drive
Suite 600
West Palm Beach, Florida 33401
561.655.2250 Phone
561.655.5537 Fax

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From: Eliot Ivan Bernstein [mailto:iviewit@iviewit.tv]

Sent: Monday, February 01, 2016 10:48 AM

To: Alan Rose; Alan Rose; 'Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell '; 'Charles D. Rubin ~ Managing Partner @ Gutter Chaves Josepher Rubin Forman Fleisher Miller PA'; ddustin@tescherspallina.com; 'Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A.'; 'JILL BERNSTEIN IANTONI'; 'John J. Pankauski'; 'John J. Pankauski'; john@pankauskilawfirm.com; 'Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A.'; Louis Mrachek; 'Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts'; 'Lisa Friedstein'; 'Mark R. Manceri, Esquire @ Mark R. Manceri, P.A.'; mrmlaw1@gmail.com; 'Pamela Beth Simon'; 'Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A.'

Cc: Candice Schwager @ Schwager Law Firm; Kevin R. Hall; Barbara Stone; Barbara Stone Gmail; 'Andrew Dietz @ Rock-It Cargo USA, Inc.'; 'CANDICE BERNSTEIN'; 'Caroline Prochotska Rogers Esq.'; 'Eliot I. Bernstein'; 'Marc R. Garber Esq.'; 'Marc R. Garber Esq. @ Flaster Greenberg P.C.'; 'Michele M. Mulrooney ~ Partner @ Venable LLP'

Subject: Reschedule due to Sharp Practices

Mr. Alan Rose:

As you are aware, I had specifically indicated my Unavailability for the time period in question of Feb. 4th, 2016 due to medical reasons, that we are unavailable during the school year for these early hearings as we filed with the court and your other motion on Guardianship has specifically been scheduled for later in Feb. 2016 (Feb. 25th) as a result.

I am respectfully requesting that you voluntarily re-schedule your current motion on the UMC Calendar for this Thursday, Feb. 4th, 2016 for this reason and further that an Evidentiary Hearing would be necessary on such motion which is further improper for the UMC Calendar as it is not a motion that can be heard in 5 minutes.

Should you not voluntarily re-schedule and remove this motion from the Calendar for Feb. 4th, 2016, your continued sharp practices will continue to be reported to all proper federal and state authorities and appropriate court action taken as well.

Thank you.

Eliot I. Bernstein
Inventor
Iviewit Holdings, Inc. – DL
2753 N.W. 34th St.
Boca Raton, Florida 33434-3459

(561) 245.8588 (o)
(561) 886.7628 (c)
(561) 245-8644 (f)
iviewit@iviewit.tv
<http://www.iviewit.tv>

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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Tuesday, February 2, 2016 5:03 PM
To: Eliot Ivan Bernstein; JILL BERNSTEIN IANTONI; Lisa Friedstein; Pamela Beth Simon; John P. Morrissey
Subject: RE: CourtCall Appearance ID 7415777 INVOICE
Attachments: NOH set 02-04-16 on M-Modify Final Order Approving Sale dtd 05-06-15 (Te....pdf)

Mr. Bernstein

Please be advised that the hearing is set for Thursday not Friday, when you set your court call appearance.

Please send a revised court call notice, and if so, we can advise the court at the hearing.

Alan B. Rose, Esq.
arose@Mrachek-Law.com

-----Original Message-----

From: Eliot Ivan Bernstein [mailto:iviewit@iviewit.tv]
Sent: Tuesday, February 02, 2016 3:31 PM
To: Alan Rose; Alan Rose; 'Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell'; 'Charles D. Rubin ~ Managing Partner @ Gutter Chaves Josepher Rubin Forman Fleisher Miller PA'; ddustin@tescherspallina.com; 'Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A.'; 'JILL BERNSTEIN IANTONI'; 'John J. Pankauski'; 'John J. Pankauski'; john@pankauskilawfirm.com; 'Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A.'; Louis Mrachek; 'Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts'; 'Lisa Friedstein'; 'Mark R. Manceri, Esquire @ Mark R. Manceri, P.A.'; mrmlaw1@gmail.com; 'Pamela Beth Simon'; 'Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A.'
Cc: Kevin R. Hall; Candice Schwager @ Schwager Law Firm; Barbara Stone; Barbara Stone Gmail; 'Andrew Dietz @ Rock-It Cargo USA, Inc.'; 'CANDICE BERNSTEIN'; 'Caroline Prochotska Rogers Esq.'; 'Eliot I. Bernstein'; 'Marc R. Garber Esq.'; 'Marc R. Garber Esq. @ Flaster Greenberg P.C.'; 'Michele M. Mulrooney ~ Partner @ Venable LLP'
Subject: FW: CourtCall Appearance ID 7415777 INVOICE

-----Original Message-----

From: response@courtcall.com [mailto:response@courtcall.com]
Sent: Tuesday, February 2, 2016 3:20 PM
To: iviewit@iviewit.tv
Subject: CourtCall Appearance ID 7415777 INVOICE

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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Thursday, January 14, 2016 3:30 PM
To: Eliot Ivan Bernstein; Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell ; JILL BERNSTEIN IANTONI; Lisa Friedstein; Pamela Beth Simon; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.
Subject: RE: Proposed Order and Scheduling of Evidentiary Hearing

Mr. Bernstein:

I do not wish to engage in any protracted debate with you on the law. I believe you or whoever (if anyone) is giving you legal advice or ghost writing your papers for you misunderstands the law of the case doctrine. It does not apply here..

The prior rulings not denying you standing were preliminary and interlocutory rulings which recognized your rights as a potential beneficiary. Now that you have been heard on your objections to the testamentary documents, and presented no evidence of any execution deficiency or alleged testamentary incapacity on the part of Simon Bernstein, it has been decided that you are not a beneficiary. There is no evidence in the record supporting any of your allegations. No provision was made for you by your father in his Will or Trust, and in Simon's words, you, Eliot Bernstein "shall be deemed to have predeceased me as I have adequately provided for [you] during my lifetime."

I realize you enjoy the "litigation games" you are playing, but now that it is finally decided that you are not a beneficiary, the Trustee believes you should do the right thing; cease what you are doing; and allow a guardian ad litem to be appointed. Your actions, more than anything else in the case including any misconduct of Simon's former PRs and lawyers, have already caused substantial harm and damages to the Trust. We urge you to cease your activities.

In any event, I will submit my proposed Order with your objection to it noted, and a Notice of Hearing for February 25th, again consistent with Judge Phillips' ruling and instructions today. We will comply with that ruling. (I understand you believe every judge who has been in this case is corrupt and that every judge, lawyer and fiduciary has committed fraud on you, but you are wrong. You have exposed no corruption or fraud. You have attempted to use the negligence of Simon's and the Trusts' former counsel to advance your own agenda, but all you have succeeded in doing is wasting monies that could and should be going to the rightful beneficiaries of the Trusts. It is shame you feel compelled to denigrate the judiciary and others. It also is a shame that you continue to insult the people trying to administer these matters. I do not expect this email to change your behavior, but that pessimism cannot stop all of us from wishing that at some time you realize the errors of your ways.)

There is no need to respond.

Alan B. Rose

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



505 South Flagler Drive

Suite 600
West Palm Beach, Florida 33401
561.655.2250 Phone
561.655.5537 Fax

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From: Eliot Ivan Bernstein [mailto:iviewit@iviewit.tv]

Sent: Thursday, January 14, 2016 2:23 PM

To: Alan Rose; Alan Rose; 'Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell '; 'Charles D. Rubin ~ Managing Partner @ Gutter Chaves Josepher Rubin Forman Fleisher Miller PA'; ddustin@tescherspallina.com; 'Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A.'; 'JILL BERNSTEIN IANTONI'; 'John J. Pankauski'; 'John J. Pankauski'; john@pankauskilawfirm.com; 'Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A.'; Louis Mrachek; 'Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts'; 'Lisa Friedstein'; 'Mark R. Manceri, Esquire @ Mark R. Manceri, P.A.'; mrmlaw1@gmail.com; 'Pamela Beth Simon'; 'Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A.'

Cc: Candice Schwager @ Schwager Law Firm; Kevin R. Hall; 'Andrew Dietz @ Rock-It Cargo USA, Inc.'; 'CANDICE BERNSTEIN'; 'Caroline Prochotska Rogers Esq.'; 'Eliot I. Bernstein'; 'Marc R. Garber Esq.'; 'Marc R. Garber Esq. @ Flaster Greenberg P.C.'; 'Michele M. Mulrooney ~ Partner @ Venable LLP'

Subject: RE: Proposed Order and Scheduling of Evidentiary Hearing

Mr. Rose,

As you are and should be aware, to the extent any Order of Judge Colin is valid and remains in effect, the **law of the case** by Judge Colin's Orders has upheld my Standing in both Shirley and Simon and Denied your client Ted Bernstein in this regard and further that you are aware and were aware of the Outstanding Order of Production of Judge Colin that was never complied with at the time you mislead Judge Phillips' Court and moved in Shirley on Sept. 15, 2015.

For these reasons and more, I Object to the entirety of the Proposed Order and will be submitting my own Proposed Order by tomorrow, as I mentioned on the record today I am heavily medicated due to a dental problem.

Absent some Medical or other Emergency, the Date February 25 at 3:15pm does work, however, 1 hour is Insufficient, I think it should be at least one full working day and thus I object to the time being limited to one hour. Also, you are not properly serving notice to all parties, including all of the Counter Defendants.

Thank you.

From: Alan Rose [<mailto:ARose@mrachek-law.com>]

Sent: Thursday, January 14, 2016 12:12 PM

To: Eliot Ivan Bernstein

Cc: Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell ; Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A.; Gary R. Shendell; John J. Pankauski; John P. Morrissey Esq. @ John P. Morrissey, P.A. ; Kenneth S. Pollock; Kenneth S. Pollock; Kenneth S. Pollock; Lisa S. Friedstein; Pamela Beth Simon; Peter Feaman; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.; Steven A. Lessne ~ Shareholder @ GrayRobinson, P.A. ; Steven A. Lessne Esq.; Steven A. Lessne Esq.; Steven A. Lessne Esq. @ Gunster, Yoakley & Stewart, P.A.; Jill Iantoni; Pamela Beth Simon; Joielle A. Foglietta, Esq.

Subject: Proposed Order and Scheduling of Evidentiary Hearing

Mr. Bernstein:

Attached is a proposed Order. I understand you disagree with and object to the Court's ruling, but the form of the Order is consistent with the Court's ruling and will be submitted by 3 pm today. If you have any comments on the form of the Order please advise by then. If you disagree, we will submit the Order and advise the Court that you did not agree to the form of the Order.

We have been given a date for the evidentiary hearing. The Court offered us **February 17, 2016, at 2:30 pm, for 1 hour**. Please advise by close of business today if you are unavailable that date and explain why you are unavailable with some back up proof (i.e. what you have already scheduled that prevents you from attending the hearing).

The alternate date is **February 25th at 315 pm, also for 1 hour**.

Please advise on both issues as soon as you can, but within the time periods set forth above.

Thanks

Alan Rose

Alan B. Rose, Esq.

arose@Mrachek-Law.com

561.355.6991



505 South Flagler Drive
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561.655.2250 Phone
561.655.5537 Fax

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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Thursday, January 14, 2016 12:24 PM
To: Eliot Ivan Bernstein
Subject: RE: Bernstein Trust

You were served with the Order on January 7, 2016 at approx. 6:28 pm

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



505 South Flagler Drive
Suite 600
West Palm Beach, Florida 33401
561.655.2250 Phone
561.655.5537 Fax

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From: Eliot Ivan Bernstein [mailto:iviewit@iviewit.tv]
Sent: Thursday, January 14, 2016 12:14 PM
To: Alan Rose; 'Eliot Ivan Bernstein'
Cc: 'Peter M. Feaman Esquire'; 'John P. Morrissey'; 'Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell'; Candice Schwager @ Schwager Law Firm; Kevin R. Hall; Barbara Stone; 'Andrew Dietz @ Rock-It Cargo USA, Inc.'; 'CANDICE BERNSTEIN'; 'Caroline Prochotska Rogers Esq.'; 'Eliot I. Bernstein'; 'Marc R. Garber Esq.'; 'Marc R. Garber Esq. @ Flaster Greenberg P.C.'; 'Michele M. Mulrooney ~ Partner @ Venable LLP'
Subject: RE: Bernstein Trust

I have not received the order of January 07, 2016 at this time from you or court, send over the copy mentioned in your email below. Eliot

From: Alan Rose [<mailto:ARose@mrachek-law.com>]
Sent: Thursday, January 7, 2016 5:20 PM
To: Eliot Ivan Bernstein; Eliot Ivan Bernstein
Cc: Peter M. Feaman Esquire; John P. Morrissey; Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell
Subject: Bernstein Trust

A brief hearing was held this morning before Judge Phillips. The hearing was properly noticed by way of a Notice of Hearing, and the hearing date and time were agreed to by Peter Feaman. The purpose of the motion was to limit the use and dissemination of the trial transcript, and the circumstances which required a hearing today were Mr. Stansbury's refusal to maintain the status quo pending a full hearing on the merits. Mr. Stansbury was asked to agree not to distribute the trial transcript until a hearing could be held, but he refused.

At the hearing, Judge Phillips denied the motion for temporary relief without prejudice to reconsidering the matter at a later hearing. The Trustee has withdrawn the remainder of the motion without prejudice, and will re-file it or a motion seeking similar relief, at a later date.

The proceedings took place in open court, and Mr. Feaman was present in court.

If my office has not already done so, I will forward shortly the order denying the motion without prejudice.

Alan B. Rose
Mrachek, Fitzgerald, Rose, Konopka, Thomas & Weiss, P.A.

Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Thursday, January 14, 2016 12:12 PM
To: Eliot Ivan Bernstein
Cc: Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell ; Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A.; Gary R. Shendell; John J. Pankauski; John P. Morrissey Esq. @ John P. Morrissey, P.A. ; Kenneth S. Pollock; Kenneth S. Pollock; Kenneth S. Pollock; Lisa S. Friedstein; Pamela Beth Simon; Peter Feaman; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.; Steven A. Lessne ~ Shareholder @ GrayRobinson, P.A. ; Steven A. Lessne Esq.; Steven A. Lessne Esq.; Steven A. Lessne Esq. @ Gunster, Yoakley & Stewart, P.A.; Jill Iantoni; Pamela Beth Simon; Joielle A. Foglietta, Esq.
Subject: Proposed Order and Scheduling of Evidentiary Hearing
Attachments: Proposed Order Eliot Lacks Standing.pdf

Mr. Bernstein:

Attached is a proposed Order. I understand you disagree with and object to the Court's ruling, but the form of the Order is consistent with the Court's ruling and will be submitted by 3 pm today. If you have any comments on the form of the Order please advise by then. If you disagree, we will submit the Order and advise the Court that you did not agree to the form of the Order.

We have been given a date for the evidentiary hearing. The Court offered us **February 17, 2016, at 2:30 pm, for 1 hour.** Please advise by close of business today if you are unavailable that date and explain why you are unavailable with some back up proof (i.e. what you have already scheduled that prevents you from attending the hearing).

The alternate date is **February 25th at 315 pm, also for 1 hour.**

Please advise on both issues as soon as you can, but within the time periods set forth above.

Thanks

Alan Rose

Alan B. Rose, Esq.
arose@Mrachek-Law.com
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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Thursday, January 7, 2016 11:58 PM
To: Eliot I. Bernstein; Eliot Ivan Bernstein
Cc: Brian M. O'Connell, Esq.; Peter M. Feaman; John P. Morrissey; Lisa Friedstein; Jill Iantoni; Pamela Beth Simon; Lessne, Steven
Subject: Shirley and Simon Bernstein Trusts
Attachments: Supreme Court Order.pdf; Order Denying M-Rehearing En Banc (4DCA) 01-07-16.pdf; Motion - Pages 1 to 241.pdf; M Appoint Guardian Eliot's Kids and Gag Order (Ted) 01-04-16.pdf; Notice Of Hearing.pdf

Mr. Eliot Bernstein:

Attached is our Motion to Appoint Guardian, as well as Oppenheimer's similar motion (which goes into far greater detail).

We have set for hearing next Thursday, January 14, 2016, the Trustee's Motion for the Appointment of a Guardian Ad Litem for Eliot's Children and Oppenheimer appears to have done same thing. That motion is properly noticed.

With respect to the pending motion, do you oppose the appointing of a guardian ad litem to represent the interests of your three children? If you do not, there will likely be no need for a hearing. If you do, would you explain the reasons why as it appears you have been requesting this relief or similar relief for a long time. I believe all other parties in the matter believe your children would be better served with a guardian ad litem. Please advise.

Now that your All Writs petition has been finally denied by every court, and you have lost the trial on December 15th, it is clear you are not a beneficiary and lack standing. The Trustee requests that you agree to the relief in these pending motions to preserve the trusts' assets and the potential distribution to the actual beneficiaries.

Counsel for Trustee

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Thursday, January 7, 2016 11:58 PM
To: Eliot I. Bernstein; Eliot Ivan Bernstein
Cc: Brian M. O'Connell, Esq.; Peter M. Feaman; John P. Morrissey; Lisa Friedstein; Jill Iantoni; Pamela Beth Simon; Lessne, Steven
Subject: Shirley and Simon Bernstein Trusts
Attachments: Supreme Court Order.pdf; Order Denying M-Rehearing En Banc (4DCA) 01-07-16.pdf; Motion - Pages 1 to 241.pdf; M Appoint Guardian Eliot's Kids and Gag Order (Ted) 01-04-16.pdf; Notice Of Hearing.pdf

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Counsel for Trustee

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arose@Mrachek-Law.com
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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Thursday, January 7, 2016 5:20 PM
To: Eliot Ivan Bernstein; Eliot Ivan Bernstein
Cc: Peter M. Feaman Esquire; John P. Morrissey; Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell
Subject: Bernstein Trust

A brief hearing was held this morning before Judge Phillips. The hearing was properly noticed by way of a Notice of Hearing, and the hearing date and time were agreed to by Peter Feaman. The purpose of the motion was to limit the use and dissemination of the trial transcript, and the circumstances which required a hearing today were Mr. Stansbury's refusal to maintain the status quo pending a full hearing on the merits. Mr. Stansbury was asked to agree not to distribute the trial transcript until a hearing could be held, but he refused.

At the hearing, Judge Phillips denied the motion for temporary relief without prejudice to reconsidering the matter at a later hearing. The Trustee has withdrawn the remainder of the motion without prejudice, and will re-file it or a motion seeking similar relief, at a later date.

The proceedings took place in open court, and Mr. Feaman was present in court.

If my office has not already done so, I will forward shortly the order denying the motion without prejudice.

Alan B. Rose
Mrachek, Fitzgerald, Rose, Konopka, Thomas & Weiss, P.A.

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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Wednesday, January 6, 2016 10:19 PM
To: Eliot Ivan Bernstein
Cc: Alan B. Rose Esq.; Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell; Charles D. Rubin ~ Managing Partner @ Gutter Chaves Josepher Rubin Forman Fleisher Miller PA; ddustin@tescherspallina.com; Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A.; JILL BERNSTEIN IANTONI; John J. Pankauski; John J. Pankauski; john@pankauskilawfirm.com; Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A.; L. Louis Mrachek Esq. @ PAGE, MRACHEK, FITZGERALD, ROSE, KONOPKA, THOMAS & WEISS, P.A.; Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts; Lisa Friedstein; Mark R. Manceri, Esquire @ Mark R. Manceri, P.A.; mrmlaw1@gmail.com; Pamela Beth Simon; Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A.; Candice Schwager @ Schwager Law Firm; Kevin R. Hall; William Bill Stansbury; Guy T. Iantoni @ N.I.P. Premium Finance; Andrew Dietz @ Rock-It Cargo USA, Inc.; CANDICE BERNSTEIN; Caroline Prochotska Rogers Esq.; Marc R. Garber Esq.; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Michele M. Mulrooney ~ Partner @ Venable LLP
Subject: Re: Eliot Bernstein Reschedule Tomorrow Hearing and Jan 14, 2016

The hearing was set on a date acceptable to Peter Feaman. The motion to the extent there is a time exigency is caused by the actions of Mr. Feaman's client.

We intend to proceed forward unless Mr. Feaman's client, and you for that matter, agree to not publish the trial transcript until the matter can be set for a full hearing. As Mr. Feaman's client did not agree to that, we will be moving forward tomorrow morning.

Alan B. Rose
Mrachek, Fitzgerald, Rose, Konopka, Thomas & Weiss, P.A.

On Jan 6, 2016, at 7:49 PM, Eliot Ivan Bernstein <iviewit@iviewit.tv> wrote:

From: candice@schwagerfirm.com [<mailto:candice@schwagerfirm.com>]
Sent: Wednesday, January 6, 2016 7:45 PM
To: arose@mrachek-law.com
Cc: iviewit@iviewit.tv; john@jmorrisseyllaw.com; psimon@stpcorp.com; jilliantoni@gmail.com; lisa@friedsteins.com; boconnell@ciklinlubitz.com; ifoglietta@ciklinlubitz.com; service@feamanlaw.com; mkoskey@feamanlaw.com; guy@gtlife.net; kh.itconsultingsalesoffices@gmail.com; tourcandy@gmail.com; iviewit@gmail.com
Subject: Eliot Bernstein Reschedule Tomorrow Hearing and Jan 14, 2016

Alan B. Rose, Esq.
Mrachek, Fitzgerald, Rose, Konopka, Thomas & Weiss, P.A.
505 South Flagler Drive
Suite 600
West Palm Beach, Florida 33401
arose@Mrachek-Law.com

Alan,

As you are aware, I provided you a Letter request prior to the alleged validity Trial before Probate Judge John L. Phillips of the North Branch in Palm Beach County seeking a voluntary continuance of the Trial which appears in all respects to have been improperly if not in fact illegally scheduled for Dec. 15, 2015 as I sought to be admitted Pro Hac Vice to represent the minor children of Eliot Bernstein and to the extent not conflicted, Eliot Bernstein as well.

A copy of the letter which also included a Notice of Abatement filed with the Florida Court is attached.

See,

<http://iviewit.tv/Simon%20and%20Shirley%20Estate/20151212%20Candice%20Schwager%20Pro%20Hac%20Vice%20ECF%20Filing%20Stamped%20Copy.pdf>

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Please respond immediately about withdrawing and/or re-scheduling your improperly Noticed Hearing for tomorrow and the other improperly scheduled hearing on January 14, 2016 since as you know Eliot filed a motion for unavailability for the month of January and will not be able to attend. Also your service notice states that you made efforts to resolve the matters with Eliot acting Pro Se before scheduling and this was also never done.

I also note that the case you cited in your Motion of Florida Freedom Newspapers v. Sirmons District Court of Appeal of Florida, First District, 508 So.2d 462 (Fla. Dist. Ct. App. 1987) actually reversed the Trial Court's closing of Trial information from the public, noting as follows:

"The orders of the trial court sealing the file and closing the proceedings are REVERSED. The public shall be permitted access to the court file and the transcript or reporter's notes of any proceedings in the trial court.

ERVIN, J., concurs.

NIMMONS, J., concurs, with written opinion."

<https://casetext.com/case/florida-freedom-newspapers-v-sirmons>

As you are aware and most definitely should be aware since your client Ted Bernstein is the central involved party, there is inter-related litigation in the US District Court for the Northern District of Illinois and being admitted in the federal courts I am aware that it is **only the names of minor children** which are not redacted, nor withheld under federal pleading standards but simply abbreviated. Example, J.B. or D.B. for Eliot's minor children as I am sure you are aware.

I do not believe even this, however, provides any authority or basis for the Transcripts ("records") of a Trial to be altered and tampered with and highly object to any altering of any Transcript since neither I, nor Eliot Bernstein nor other parties have even reviewed the Transcript in the first instance.

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Thus, it truly appears that your motion is more of a “smoke-screen” and “sharp practices” which are more designed to further delay, obstruct and hinder the due process rights of Eliot Bernstein and his minor children and perhaps others in the truth seeking processes by this motion which must be withdrawn.

After all, Mr. Rose, neither you nor your client Ted Bernstein, nor even Judge Phillips himself apparently were concerned about the rights and welfare of minor children such as having Counsel for important evidentiary hearings and trials as evidenced by your improper refusal to voluntarily remove the action from the Trial calendar on Dec. 15, 2015. It appears more that you and your client Ted Bernstein may be more concerned about the subject of Ted Bernstein's business partner and/or former business partner Robert Spallina's testimony. A history of fraud in the courts of the Florida probate court from this case is not itself any basis for confidentiality and in fact the public interest is greater served by transparency and certainly this is not an “emergency” justifying your improper notice and practices.

As you may recall from my prior Letter, it appears that your office must mandatorily disqualify anyhow as being a material fact witness and this appears to be further strengthened by the documents you recently disseminated as part of the Notice of Meeting of Members of the Bernstein Holdings, LLC.

Moreover, I understand upon information and belief that your client Ted Bernstein is the subject of a federal investigation by the US Dept of Labor in relation to his Plan Administrator / Trustee / Fiduciary role in the Arbitrage International pension matters, a material fact that I have not seen disclosed in either your Notice of Meeting, during the Meeting or in prior disclosures.

The minor children will be better served by having full and proper Disclosures and productions from your office and client Ted Bernstein.

I will be supplementing my written requests to you about yesterday's “Meeting” of the Members of Bernstein Holdings, LLC, however, please respond first to re-scheduling this improperly noticed hearing on your motion.

Regards,

Candice Schwager
SCHWAGER FIRM
832.315.8489
Fax 832.514.4738
candice@schwagerfirm.com
<http://www.schwagerfirm.com>

Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Wednesday, January 6, 2016 10:13 PM
To: candice@schwagerfirm.com
Cc: iviewit@iviewit.tv; john@jmorrisseylaw.com; psimon@stpcorp.com; jilliantoni@gmail.com; lisa@friedsteins.com; boconnell@ciklinlubitz.com; jfoglietta@ciklinlubitz.com; service@feamanlaw.com; mkoskey@feamanlaw.com; guy@gtlife.net; kh.itconsultingsalesoffices@gmail.com; tourcandy@gmail.com; iviewit@gmail.com
Subject: Re: Eliot Bernstein Reschedule Tomorrow Hearing and Jan 14, 2016

Unless and until you are admitted in this matter by order of the court, please do not communicate with me at all.

As far as the meeting, you were permitted to attend by telephone as a one time courtesy to Eliot Bernstein. Based upon the conduct of you, Elliot and the unauthorized third person who was a surprise participant, we will not make the same mistake again. The meeting was an election of a manager, not a soapbox for pursuing your improper agenda. The meeting was conducted fairly in accordance with Florida law.

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Suite 600
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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Tuesday, January 5, 2016 5:48 PM
To: Eliot I. Bernstein; John P. Morrissey; Pamela Beth Simon; Jill Iantoni; Lisa Friedstein; Brian M. O'Connell, Esq.; Joielle A. Foglietta, Esq.; Peter M. Feaman, Esq.; mkoskey@feamanlaw.com
Subject: FW: SERVICE OF COURT DOCUMENT - CASE NUMBER 502014CP003698XXXXNB
Attachments: Motion.pdf; Notice Of Hearing.pdf

Peter

If your client would agree to hold off on the delivering the transcript to Eliot, we would be glad to reset this hearing for whatever time you are available.

This is an urgency your client, William Stansbury, is creating, presumably to cause harm to the estate and trusts, and to the PRs and beneficiaries, and appears to be par for his course.

I would urge you and he to reconsider your position.

Thanks

Alan

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



505 South Flagler Drive
Suite 600
West Palm Beach, Florida 33401
561.655.2250 Phone
561.655.5537 Fax

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From: Marie Chandler
Sent: Tuesday, January 05, 2016 5:34 PM
To: 'Eliot I. Bernstein'; 'John P. Morrissey'; 'Pamela Beth Simon'; 'Jill Iantoni'; 'Lisa Friedstein'; 'Brian M. O'Connell, Esq.'; 'Joielle A. Foglietta, Esq.'; 'Peter M. Feaman, Esq.'; 'mkoskey@feamanlaw.com'
Cc: Alan Rose
Subject: SERVICE OF COURT DOCUMENT - CASE NUMBER 502014CP003698XXXXNB

COURT	15th Judicial Circuit
CASE NO.	502014CP003698XXXXNB
ATTORNEY/PARTY SERVING DOCUMENTS	Ted S. Bernstein, as Successor Trustee of the Shirley Bernstein Trust
TITLE OF DOCUMENT	Motion to Seal Trial Transcript and Change Style to Protect Privacy; Notice of Hearing

Per Judicial Rule of Administrative Procedure 2.516, this will be the only service upon you of this document. You will not receive a paper copy.

Marie B. Chandler
Assistant to L. Louis Mrachek and Alan B. Rose
Email: mchandler@mrachek-law.com
Direct: (561) 472-2417



505 S. Flagler Drive, Suite 600
West Palm Beach, FL 33401
Main: (561) 655-2250
Fax: (561) 655-5537

This communication is for its intended recipient only, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient or the employee or agent responsible for delivering this communication to the intended recipient, you are hereby notified that any unauthorized use, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone (561-655-2250) or e-mail reply, delete it from your system, and destroy any hard copy you may have printed. Thank you.

From: eservice@myflcourtagency.com [<mailto:eservice@myflcourtagency.com>]
Sent: Tuesday, January 05, 2016 5:29 PM
Subject: SERVICE OF COURT DOCUMENT - CASE NUMBER 502014CP003698XXXXNB

Notice of Service of Court Documents

Filing Information

Filing #: 36185327
Filing Time: 01/05/2016 05:28:25 PM ET
Filer: Alan B Rose 561-655-2250
Court: Fifteenth Judicial Circuit in and for Palm Beach County, Florida
Case #: 502014CP003698XXXXNB
Court Case #: 2014CP003698
Case Style: IN RE: Estate of Not Available

Documents

Title	File
Motion	M-Seal Trial Transcript_Change Style to Protect Privacy (Tec
Notice Of Hearing	NOH set 01-07-16 on M-Seal Trial Transcript_Change Style to 01-05-16.pdf

E-service recipients selected for service:

Name	Email Address
Alan B Rose	arose@mrachek-law.com
	mhandler@mrachek-law.com
	blewter@mrachek-law.com
John Morrissey, Esq.	john@jmorrisseylaw.com
Lisa Friedstein	lisa.friedstein@gmail.com
Jill Iantoni	jilliantoni@gmail.com
Pamela Beth Simon	psimon@stpcorp.com
Brian M. O'Connell, Esq.	boconnell@ciklinlubitz.com
	service@ciklinlubitz.com
Joielle A. Foglietta	jfoglietta@ciklinlubitz.com
	slobdell@ciklinlubitz.com
	service@ciklinlubitz.com

Name	Email Address
Ashley Bourget	abourget@mrachek-law.com
Eliot Ivan Bernstein	iviewit@iviewit.tv
	iviewit@gmail.com
	tourcandy@gmail.com

E-service recipients deselected for service:

Name	Email Address
Rodney G Romano	dp@matrixmediation.com

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Thank you,
The Florida Courts E-Filing Portal

request_id#:36185327;Audit#:125300571;UCN#:502014CP003698XXXXNB;

Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Tuesday, January 5, 2016 11:36 AM
To: Eliot Ivan Bernstein; jilliantoni@gmail.com; Lisa Friedstein
Cc: tedbernstein@gmail.com
Subject: RE: Notice of Meeting of Members
Attachments: 20160105112030911.pdf

To all:

Attached are the Minutes of the Meeting Held today.

Thank you all for your attendance.

Sincerely,

Ted S. Bernstein

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



505 South Flagler Drive
Suite 600
West Palm Beach, Florida 33401
561.655.2250 Phone
561.655.5537 Fax

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From: Alan Rose
Sent: Wednesday, December 23, 2015 3:56 PM
To: 'Eliot Ivan Bernstein'; 'jilliantoni@gmail.com'; 'Lisa Friedstein'
Subject: Notice of Meeting of Members

Eliot, Lisa and Jill:

Attached is a Notice of Meeting of Bernstein Holdings, LLC of today's date from Ted S. Bernstein, Trustee and Ted S. Bernstein, Trustee. The Notice also is being sent via Certified Mail, Return Receipt Requested.

Also attached is the LLC Operating Agreement.

A copy of your individual family trusts will be sent separately (each of you will receive only the trust for your family), for your ease of reference

Sincerely,

Alan B. Rose for Ted S. Bernstein, Trustee

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Monday, January 4, 2016 9:16 PM
To: Eliot Ivan Bernstein
Subject: Re: Notice of Meeting of Members

This is a private meeting of the members of a limited liability company. This is a non-public entity; formed by your parents through their trusts, for the purpose of maintaining privacy.

You are not a member of Bernstein holdings, LLC, and were invited solely because you appear to be the beneficiary of a trust which owns a minuscule interest in the LLC.

As a condition of attending you must agree not to tape-record the meeting, and further must agree to not be disruptive. I notice you are copying a cadre of people on your emails, which is inappropriate in our view given the private nature of this meeting and these interests. We request that you keep any communication to a minimum with persons outside the company.

The majority members have agreed to allow an attorney representing you to attend the meeting. If you confirm that Ms Schwager represents you individually, and if she agrees to not tape-record the meeting or be disruptive in any manner, the majority members will allow her to attend. Otherwise, or should she become disruptive, her participation will be terminated.

Just so you are prepared, the meeting isn't expected to last more than five minutes. The majority member will not tolerate any lengthy speeches or disruptions to what should otherwise be a simple, straightforward and orderly meeting to elect a new manager. As my clients control 97% of the membership interest, the vote is a formality, there is nothing you can do or say to change the outcome, and there is no legal requirement for you to attend.

Just so you know, this is anticipated to be a very short meeting,

Alan B. Rose
Mrachek, Fitzgerald, Rose, Konopka, Thomas & Weiss, P.A.

On Jan 4, 2016, at 7:15 PM, Eliot Ivan Bernstein <iviewit@gmail.com> wrote:

I plan to attend my number is 561-245-8588 or 561-886-7628. I also plan on having attorney Candice Schwager on the line, you can call her in at 832-315-8489. Eliot

I-VIEW-IT TECHNOLOGIES, INC.

Surf with Vision

Eliot I. Bernstein

Inventor

Iviewit Holdings, Inc. – DL

Iviewit Holdings, Inc. – DL (yes, two identically named)

Iviewit Holdings, Inc. – FL

Iviewit Technologies, Inc. – DL

Uviewit Holdings, Inc. - DL

[Uview.com](#), Inc. – DL

[Iviewit.com](#), Inc. – FL

[Iviewit.com](#), Inc. – DL

I.C., Inc. – FL

[Iviewit.com](#) LLC – DL

Iviewit LLC – DL

Iviewit Corporation – FL

Iviewit, Inc. – FL

Iviewit, Inc. – DL

Iviewit Corporation

2753 N.W. 34th St.

Boca Raton, Florida 33434-3459

(561) 245.8588 (o)

(561) 886.7628 (c)

(561) 245-8644 (f)

iviewit@iviewit.tv

<http://www.iviewit.tv>

<http://iviewit.tv/inventor/index.htm>

<http://iviewit.tv/iviewit2>

<http://www.facebook.com/#!/iviewit>

<http://www.youtube.com/user/eliotbernstein?feature=mhum>

in loving memory and sad post mortem attorney corruption story

<http://iviewit.tv/ShirleyBernstein>

<http://iviewit.tv/SimonBernstein>

<http://iviewit.tv/ThisisBullshit>

Also, check out

Eliot's Testimony at the NY Senate Judiciary Committee Hearings Professional Video courtesy of NY Senate, my fav part at end

http://www.youtube.com/watch?v=7oHKs_crYIs

Eliot's Testimony at the NY Senate Judiciary Committee Hearings Professional Video Handheld Camera View, my favorite version at the very end

<http://youtu.be/3Q9MzqZv4lw>

and

Christine Anderson New York Supreme Court Attorney Ethics Expert Whistleblower Testimony, FOX IN THE HENHOUSE and LAW WHOLLY VIOLATED TOP DOWN EXPOSING JUST HOW WALL STREET / GREED STREET / FRAUD STREET MELTED DOWN AND WHY NO PROSECUTIONS OR RECOVERY OF STOLEN FUNDS HAS BEEN MADE. Anderson in US Fed Court Fingers, US Attorneys, DA's, ADA's, the New York Attorney General and "Favored Lawyers and Law Firms" @

<http://www.youtube.com/watch?v=6BlK73p4Ueo>

and finally latest blog

<http://iviewit.tv/iviewit2/?p=187>

Eliot Part 1 - The Iviewit Inventions @

<http://www.youtube.com/watch?v=L0n4hwemqW0>

Iviewit Inventor Eliot Bernstein Guest on Les Winston DisBar the Florida Bar Show #1

<http://youtu.be/i1Ao1BYvvoQ>

Iviewit Inventor Eliot Bernstein Guest on Les Winston DisBar the Florida Bar Show #2
<http://youtu.be/OaXys6bImFI>

Iviewit Inventor Eliot Bernstein Guest on Les Winston DisBar the Florida Bar Show #3
<http://youtu.be/9R1PNnJVVGU>

Iviewit Inventor Eliot Bernstein Guest on Les Winston DisBar the Florida Bar Show #4
<http://youtu.be/rUHCZFkro08>

Eliot Bernstein Iviewit Inventor Television Interview Dick Woelfle Network 125
<http://youtu.be/WEgSXJFqrhQ>

Eliot for President in 2012 Campaign Speech 1 with No Top Teeth, Don't Laugh, Ok, laugh but very important
<http://www.youtube.com/watch?v=DulHQDcwQfM>

Eliot for President in 2012 Campaign Speech 2 with No Top OR Bottom Teeth, Don't Laugh, Ok, laugh again but more important
<http://www.youtube.com/watch?v=jbOP3U1q6mM>

Eliot for President in 2012 Campaign Speech 3 most important
https://www.facebook.com/iviewit?ref=tn_tnmn#!/note.php?note_id=319280841435989

Other Websites I like:

<http://www.onevoicenow.org/video>
<http://proskauersucks.com>
<http://exposecorruptcourts.blogspot.com>
<http://deniedpatent.blogspot.com>
<http://www.judgewatch.org/index.html>
<http://www.parentadvocates.org>
<http://www.newyorkcourtcorruption.blogspot.com>
<http://cuomotarp.blogspot.com>
<http://www.disbarthefloridabar.com>
<http://www.constitutionalguardian.com>
<http://www.americans4legalreform.com>
<http://www.attorneysabovethelaw.com>
<http://www.VoteForGreg.us> Greg Fischer
<http://www.facebook.com/pages/Vote-For-Greg/111952178833067>
www.justice4every1.com
www.schwagerfirm.com
www.eldermurderabuseandexploitation.blogspot.com
<https://mccormickestatefraud.wordpress.com>
<http://www.nationallibertyalliance.org>
www.AAAPG.net
www.corruptny.com
www.corruptWA.com
www.killingseniors.com
www.guardianpredators.com
www.guardianshipexposed.com
<http://www.hangthebankers.com>
www.ddaweb.org
www.occupythelaw.com
www.wethepeople.tv
www.georgemcdermott.com
www.saveme101.com
www.MDcourtwatch.com
www.marylandcorruption.com
www.judgewatch.org
www.fulldisclosure.net
<http://tedbernsteinreport.blogspot.com>

--

"We the people are the rightful master of both congress and the courts - not to overthrow the Constitution, but to overthrow the men who pervert the Constitution." - Abraham Lincoln

"Whosoever the General Government assumes undelegated powers, its acts are unauthorized, void, and of no force." -- Thomas Jefferson, The Kentucky Resolutions of 1798

"If a law is unjust, a man is not only right to disobey it, he is obligated to do so." Thomas Jefferson

"Each time a person stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring, these ripples build a current that can sweep down the mightiest walls of oppression and resistance." - Robert F. Kennedy

"Is life so dear or peace so sweet as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take, but as for me, give me liberty, or give me death!" - Patrick Henry

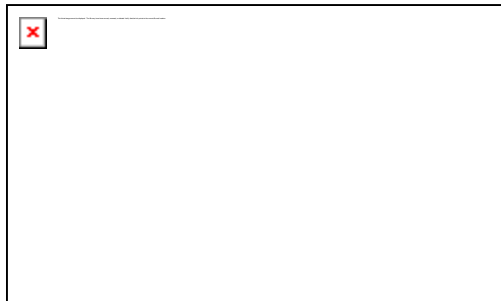
"Dick: The first thing we do, let's kill all the lawyers." The Shakespearean Solution, Sam The Butcher, Henry The Sixth, Part 2 Act 4, scene 2, 71-78

"Gatthew 5:5 Blessed are the Geek, for they will inherit the earth." Eliot Bernstein

I live by the saying from Ellen G. White:

"The greatest want of the world is the want of men, --men who will not be bought or sold; men who in their inmost souls are true and honest, men who do not fear to call sin by its right name; men whose conscience is as true to duty as the needle to the pole, men who will stand for the right though the heavens fall." -Education, p. 57(1903)

If you are one of these people, nice to be your friend ~ Eliot



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From: Alan Rose [<mailto:ARose@mrachek-law.com>]
Sent: Monday, January 4, 2016 6:50 PM
To: Eliot Ivan Bernstein; jilliantoni@gmail.com; Lisa Friedstein
Subject: RE: Notice of Meeting of Members

Please advise if you wish/plan to attend this meeting, and if so, what number you should be called at.

Thanks

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



505 South Flagler Drive
Suite 600
West Palm Beach, Florida 33401
561.655.2250 Phone
561.655.5537 Fax

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From: Alan Rose
Sent: Wednesday, December 23, 2015 3:56 PM
To: 'Eliot Ivan Bernstein'; 'jilliantoni@gmail.com'; 'Lisa Friedstein'
Subject: Notice of Meeting of Members

Eliot, Lisa and Jill:

Attached is a Notice of Meeting of Bernstein Holdings, LLC of today's date from Ted S. Bernstein, Trustee and Ted S. Bernstein, Trustee. The Notice also is being sent via Certified Mail, Return Receipt Requested.

Also attached is the LLC Operating Agreement.

A copy of your individual family trusts will be sent separately (each of you will receive only the trust for your family), for your ease of reference

Sincerely,

Alan B. Rose for Ted S. Bernstein, Trustee

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Monday, January 4, 2016 6:50 PM
To: Eliot Ivan Bernstein; jilliantoni@gmail.com; Lisa Friedstein
Subject: RE: Notice of Meeting of Members
Attachments: Notice of Meeting BH LLC.PDF; Limited Liability Company Operating Agreement of Bernstein Holdings, LLC....pdf

Please advise if you wish/plan to attend this meeting, and if so, what number you should be called at.

Thanks

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arose@Mrachek-Law.com
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From: Alan Rose
Sent: Wednesday, December 23, 2015 3:56 PM
To: 'Eliot Ivan Bernstein'; 'jilliantoni@gmail.com'; 'Lisa Friedstein'
Subject: Notice of Meeting of Members

Eliot, Lisa and Jill:

Attached is a Notice of Meeting of Bernstein Holdings, LLC of today's date from Ted S. Bernstein, Trustee and Ted S. Bernstein, Trustee. The Notice also is being sent via Certified Mail, Return Receipt Requested.

Also attached is the LLC Operating Agreement.

A copy of your individual family trusts will be sent separately (each of you will receive only the trust for your family), for your ease of reference

Sincerely,

Alan B. Rose for Ted S. Bernstein, Trustee

Alan B. Rose, Esq.

arose@Mrachek-Law.com

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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Wednesday, December 23, 2015 3:57 PM
To: Eliot Ivan Bernstein
Subject: RE: Notice of Meeting of Members
Attachments: Eliot Bernstein Family Trust.pdf

[See also the Eliot Bernstein Family Trust](#)

From: Alan Rose
Sent: Wednesday, December 23, 2015 3:56 PM
To: 'Eliot Ivan Bernstein'; 'jilliantoni@gmail.com'; 'Lisa Friedstein'
Subject: Notice of Meeting of Members

Eliot, Lisa and Jill:

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Sincerely,

Alan B. Rose for Ted S. Bernstein, Trustee

Alan B. Rose, Esq.
arose@Mrachek-Law.com
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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Wednesday, December 23, 2015 3:56 PM
To: Eliot Ivan Bernstein; jlliantoni@gmail.com; Lisa Friedstein
Subject: Notice of Meeting of Members
Attachments: Notice of Meeting BH LLC.pdf; Limited Liability Company Operating Agreement of Bernstein Holdings, LLC.pdf

Eliot, Lisa and Jill:

Attached is a Notice of Meeting of Bernstein Holdings, LLC of today's date from Ted S. Bernstein, Trustee and Ted S. Bernstein, Trustee. The Notice also is being sent via Certified Mail, Return Receipt Requested.

Also attached is the LLC Operating Agreement.

A copy of your individual family trusts will be sent separately (each of you will receive only the trust for your family), for your ease of reference

Sincerely,

Alan B. Rose for Ted S. Bernstein, Trustee

Alan B. Rose, Esq.
arose@Mrachek-Law.com
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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Friday, December 11, 2015 5:54 PM
To: Candice Schwager; boconnell@sicklinlubitz.com; pfeaman@feamanlaw.com; john@morrisseylaw.com; jilliantoni@gmail.com; lisa@friedsteins.com; Eliot Ivan Bernstein; Eliot Bernstein & Eliot & Candice Bernstein; Eliot Ivan Bernstein
Subject: RE: Scanned document from HP ePrint user
Attachments: filename-1.pdf

We do not agree.

We intend to move forward with the properly noticed trial on December 15th, pursuant to the Order dated September 24, 2015.

I am copying Eliot because you have not appeared as counsel formally, but only for his knowledge.

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



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561.655.2250 Phone
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From: Candice Schwager [mailto:candiceschwager@icloud.com]
Sent: Friday, December 11, 2015 5:34 PM
To: Alan Rose; boconnell@sicklinlubitz.com; pfeaman@feamanlaw.com; john@morrisseylaw.com; jilliantoni@gmail.com; lisa@friedsteins.com
Cc: Candice Schwager
Subject: Fwd: Scanned document from HP ePrint user

Candice L. Schwager
SCHWAGER FIRM
T: 832.315.8489
F: 832.514.4738
candiceschwager@icloud.com
<http://www.schwagerfirm.com>

Begin forwarded message:

From: eprintcenter@hp.com
Date: December 11, 2015 at 4:25:41 PM CST
To: candiceschwager@icloud.com
Subject: Scanned document from HP ePrint user

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Regards,
HP Team

Eliot Ivan Bernstein

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We do not agree.

We intend to move forward with the properly noticed trial on December 15th, pursuant to the Order dated September 24, 2015.

I am copying Eliot because you have not appeared as counsel formally, but only for his knowledge.

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



505 South Flagler Drive
Suite 600
West Palm Beach, Florida 33401
561.655.2250 Phone
561.655.5537 Fax

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To: Eliot Ivan Bernstein
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I give notice that I will be attending by phone and can be reached at 561-245-8588 and any problem with that number I can be reached at 561-886-7628. Eliot

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Eliot I. Bernstein

Inventor

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Boca Raton, Florida 33434-3459

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iviewit@iviewit.tv

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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Wednesday, December 2, 2015 10:06 PM
To: Eliot Ivan Bernstein
Cc: Alan B. Rose Esq.; Eliot I. Bernstein; Alan B. Rose Esq.; Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell; JILL BERNSTEIN IANTONI; Lisa Friedstein; Pamela Beth Simon; John P. Morrissey Esq. @ John P. Morrissey, P.A.
Subject: Re: Confirmation of Telephonic Appearance at Mediation of Eliot Ivan Bernstein

The mediation starts at 10 AM.

I will try to work with Bryan or Joy tomorrow and send out by tomorrow evening call in information addressing the logistics.

Mediation is highly confidential and subject to strict rules. The mediator will explain them to you. Our lack of objection to your appearing by telephone does not in anyway limit the protections. I would suggest you not copy other people who are not part of the mediation on emails, and you certainly are not allowed to discuss the matters addressed at mediation with any of them or any other person.

I will trust our mediator to more fully discuss these issues at the start of the mediation.

Alan B. Rose
Mrachek, Fitzgerald, Rose, Konopka, Thomas & Weiss, P.A.

On Dec 2, 2015, at 9:42 PM, Eliot Ivan Bernstein <iviewit11@gmail.com> wrote:

Alan,

Yes, consistent with my understanding that other parties like Jill are appearing telephonically and the Rules permit the parties to Agree on this matter, thank you for agreeing to my telephonic appearance at the Mediation scheduled for Dec. 4th, 2015. Please clarify if this is at 9 am start or 10 am start and please provide me with a Call - In number.

Or should I ask for the Call-In number from Brian's office or call his Office at the time required?

Eliot

Eliot I. Bernstein
Inventor
Iviewit Holdings, Inc. – DL
2753 N.W. 34th St.
Boca Raton, Florida 33434-3459
(561) 245.8588 (o)
(561) 886.7628 (c)
(561) 245-8644 (f)
iviewit@iviewit.tv

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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Wednesday, December 2, 2015 7:54 PM
To: Foglietta, Joy A; Morrissey John P.; Eliot Bernstein & Eliot & Candice Bernstein
Cc: Eliot Ivan Bernstein; Marie Chandler; O'Connell, Brian M.; McDowell, Sherri H.; JILL BERNSTEIN IANTONI; Lisa Friedstein; Pamela Beth Simon
Subject: RE: BERNSTEIN MEDIATION CALL IN NUMBERS

I have asked Eliot by this email and one separate one to appear in person. He will not respond to me. So there is no point in relocating for Eliot's convenience and is now probably too late to do so. That's a shame.

If Eliot wants to appear by telephone, subject to all the same rules regarding mediation confidentiality and good faith negotiations, I would suggest that Joy and Brian arrange for phone service in the mediation room, and arrange a call-in number.

I do not believe that is the best, as noted below. But as neither Brian nor Joy have an objection, frankly, as noted below, if no one objects I personally do not care.

We will start promptly at 10:00 am and I hope we make good progress.

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



505 South Flagler Drive
Suite 600
West Palm Beach, Florida 33401
561.655.2250 Phone
561.655.5537 Fax

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From: Alan Rose

Sent: Tuesday, December 01, 2015 11:56 AM

To: Foglietta, Joy A; Morrissey John P.; Eliot Bernstein & Eliot & Candice Bernstein

Cc: Eliot Ivan Bernstein; Marie Chandler; O'Connell, Brian M.; McDowell, Sherri H.; Alan Rose; JILL BERNSTEIN IANTONI; Lisa Friedstein; Pamela Beth Simon

Subject: Re: BERNSTEIN MEDIATION CALL IN NUMBERS

Lisa, Jill and their children have been default from the case for not filing an answer; they do not contest the documents; and they reside out of town.

I stated, a long time ago, that they could be reached by telephone if there was anything to discuss with them with regard to settlement. There was no reason for them to fly from Chicago. I clearly stated that in emails, and no one has commented until this morning.

As Eliot lives in Palm Beach County, and is the only person challenging the documents, I had no belief that Eliot would not attend the mediation in person. I would suggest that Eliot appear in person, and if necessary, I would agree to move the mediation location to Boca Raton.

Eliot has been completely nonresponsive for an extended period of time, including when I asked for his input on scheduling, location, etc. But I am more than willing to move the location closer to Eliot's house so it is easier for Eliot to get there in person, if that helps.

I believe the mediation would be more effective if the mediator, retired judge Alvarez, can spend time speaking directly to Eliot, and I believe that will be more effective in person than over the phone. I would expect that Eliot also would like to do whatever would maximize the chances of settlement.

With that said, settlement is a voluntary act and I am willing to do whatever the parties can agree to maximize and improve the chances.

If Eliot insists on attending by telephone, even if it is moved to Boca Raton near his house, I'd like to know if any other parties object.

Please let me know ASAP

Alan B. Rose

Mrachek, Fitzgerald, Rose, Konopka, Thomas & Weiss, P.A.

On Dec 1, 2015, at 11:30 AM, Foglietta, Joy A <JFoglietta@ciklinlubitz.com> wrote:

Eliot,

As I stated in my previous email, I do not believe I have information on call in information. The only information I have is that on in person attendance at my office. If someone has agreed to or has any information on a telephonic appearance at mediation, I do not have same.

Thanks,

Joielle A. Foglietta, Esq.

Ciklin Lubitz & O'Connell
515 North Flagler Drive, 20th Floor
West Palm Beach, Florida 33401
(O) 561-832-5900 (F) 561-833-4209
Email: jfoglietta@ciklinlubitz.com

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From: Eliot Ivan Bernstein [<mailto:iviewit@gmail.com>]
Sent: Tuesday, December 01, 2015 11:05 AM
To: Foglietta, Joy A <jfoglietta@ciklinlubitz.com>; 'Alan B. Rose Esq.' <mchandler@mrachek-law.com>; Alan B. Rose Esq. <arose@mrachek-law.com>
Cc: O'Connell, Brian M. <boconnell@ciklinlubitz.com>; McDowell, Sherri H. <SMcDowell@ciklinlubitz.com>; Candice Schwager @ Schwager Law Firm <candiceschwager@icloud.com>; Barbara Stone <barbara15151@hotmail.com>; 'Alan B. Rose Esq.' <arose@pm-law.com>; 'Charles D. Rubin ~ Managing Partner @ Gutter Chaves Josepher Rubin Forman Fleisher Miller PA' <crubin@floridatx.com>; ddustin@tescherspallina.com; 'Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A.' <dtescher@tescherspallina.com>; 'JILL BERNSTEIN IANTONI' <jilliantoni@gmail.com>; 'John J. Pankauski' <courtfilings@pankauskilawfirm.com>; 'John J. Pankauski' <Michelle@Pankauskilawfirm.com>; john@pankauskilawfirm.com; 'Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A.' <kmoran@tescherspallina.com>; 'L. Louis Mrachek Esq. @ PAGE, MRACHEK, FITZGERALD, ROSE, KONOPKA, THOMAS & WEISS, P.A.' <lmrachek@mrachek-law.com>; 'Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts' <lindsay@lifeinsuranceconcepts.com>; 'Lisa Friedstein' <lisa@friedsteins.com>; 'Mark R. Manceri, Esquire @ Mark R. Manceri, P.A.' <mrmlaw@comcast.net>; mrmlaw1@gmail.com; 'Pamela Beth Simon' <psimon@stpcorp.com>; 'Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A.' <rspallina@tescherspallina.com>; 'Andrew Dietz @ Rock-It Cargo USA, Inc.' <andyd@rockitcargo.com>; 'CANDICE BERNSTEIN' <tourcandy@gmail.com>; 'Caroline Prochotska Rogers Esq.' <caroline@cprogers.com>; 'Eliot I. Bernstein' <iviewit@iviewit.tv>; 'Marc R. Garber Esq.' <marcrgarber@gmail.com>; 'Marc R. Garber Esq. @ Flaster Greenberg P.C.' <marc.garber@flastergreenberg.com>; 'Michele M. Mulrooney ~ Partner @ Venable LLP' <mmulrooney@Venable.com>
Subject: RE: BERNSTEIN MEDIATION CALL IN NUMBERS

Joy per the email below between Alan and Jill it is clear that telephonic appearances is being allowed in the mediation and I am requesting the same equal right. Thanks, eb

From: Jill Iantoni [<mailto:jilliantoni@gmail.com>]
Sent: Thursday, November 5, 2015 12:38 PM
To: Alan Rose
Cc: John Patrick Morrissey; <iviewit@gmail.com>; <iviewit@iviewit.tv>; <tourcandy@gmail.com>; <boconnell@ciklinlubitz.com>; <jfoglietta@ciklinlubitz.com>; <lisa.friedstein@gmail.com>; <psimon@stpcorp.com>; <service@ciklinlubitz.com>; <slobdell@ciklinlubitz.com>; Marie Chandler
Subject: Re: MEDIATION as ORDERED BY COURT IN CASE No.: 2014CP003698

Dec 4th date is on the calendar. Please email the dial-in information.

Thanks so much

Jill

On Nov 5, 2015, at 10:19 AM, Alan Rose <ARose@mrachek-law.com> wrote:

As a follow up to the below email, everyone who has responded appears available on :

FRIDAY DECEMBER 4th, 2015.

Eliot has not yet responded. Unless I hear from Eliot BEFORE CLOSE OF BUSINESS TOMORROW, FRIDAY NOVEMBER 6th, with an objection to December 4th and a list of all dates he otherwise is available, we will notice the mediation for December 4th.

In meantime, everyone please block and hold the date of December 4th at 9:00 am Site to be determined once we have a date confirmed.

Also, no one has responded on the Guardian ad Litem issue. I was hopeful that we could get some feedback on this issue to avoid another hearing.

Alan

From: Alan Rose
Sent: Friday, October 30, 2015 2:56 PM
To: 'John Patrick Morrissey'; 'iviewit@gmail.com'; 'iviewit@iviewit.tv'; 'tourcandy@gmail.com'; 'boconnell@ciklinlubitz.com'; 'jfoglietta@ciklinlubitz.com'; 'jilliantoni@gmail.com'; 'lisa.friedstein@gmail.com'; 'psimon@stpcorp.com'; 'service@ciklinlubitz.com'; 'slobdell@ciklinlubitz.com'
Cc: Alan Rose; Marie Chandler
Subject: MEDIATION as ORDERED BY COURT IN CASE No.: 2014CP003698

Regarding the attached Order, we need to schedule mediation.

I suggest the following dates:

November 13, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, or 30
or
December 1,2,3,4

Please review your calendars and advise as to which (as few as possible) of the dates you are NOT available. We will set a time convenient to all parties if possible.

The following would be attendees:

1. Plaintiff:
Ted S. Bernstein and counsel
Ted and his counsel will appear in person.

2. Defendants:

- A. ALEXANDRA BERNSTEIN; ERIC BERNSTEIN; MICHAEL BERNSTEIN; MOLLY SIMON; and their counsel John Morrissey

I would anticipate that John Morrissey attend and some or all of his clients would appear by telephone

- B. PAMELA B. SIMON, Individually and as Trustee f/b/o Molly Simon under the Simon L. Bernstein Trust Dtd 9/13/12
JILL IANTONI, Individually, as Trustee f/b/o J.I. under the Simon L. Bernstein Trust Dtd 9/13/12, and on behalf of her Minor child J.I.;
MAX FRIEDSTEIN;
LISA FRIEDSTEIN, Individually, as Trustee f/b/o Max Friedstein and C.F., under the Simon L. Bernstein Trust Dtd 9/13/12, and on behalf of her minor child, C.F.

A default has been entered as to all of these parties, but they may attend mediation and trial, and I would anticipate that some of all of these may choose to appear by telephone

- C. ELIOT BERNSTEIN, individually, as Trustee f/b/o D.B., Ja. B. and Jo. B. under the Simon L. Bernstein Trust Dtd 9/13/12, and on behalf of his minor children .B., Ja. B. and Jo. B.;

I would expect Eliot Bernstein to appear in person. As far as I am concerned Eliot and any other party may bring his or her spouse.

I have an important issue for everyone's feedback. Ted believes, as do others, that there should be a Guardian ad Litem appointed to represent the interests of Eliot's children, in light of the actual conflict in positions, potential conflicts and other issues. DOES ELIOT AGREE WITH THAT, AND IF SO, PERHAPS WE CAN FILE AN AGREED MOTION TO APPOINT SOMEONE. That person would want to attend the mediation. IF Eliot does not agree or consent, then the Court would have to decide.

- D. Intervenor, Brian O'Connell, for limited purpose of validity of Simon's Will.

I would expect Brian to appear in person.

- E. If any believes anyone else should appear, please advise. I had considered whether we could do a global mediation to include all interested persons in Simon's estate and trust, but that might be too ambitious. I suggest we mediate this issue and if we make progress, we always can expand the scope later.

PLEASE REVIEW AND REPLY AS SOON AS YOU CAN, SO WE CAN START BOOKING THE DATE. PLEASE RESPOND BY NOON WEDNESDAY, NOVEMBER 4, 2015.

Thanks, and have a nice weekend.

Alan Rose

From: CAD-Division IH [<mailto:CAD-DivisionIH@pbcgov.org>]
Sent: Monday, September 28, 2015 8:38 AM
To: John Patrick Morrissey; Alan Rose; iviewit@gmail.com; iviewit@iviewit.tv; tourcandy@gmail.com; boconnell@ciklinlubitz.com; jfoglietta@ciklinlubitz.com; jilliantoni@gmail.com; lisa.friedstein@gmail.com; psimon@stpcorp.com; service@ciklinlubitz.com; slobdell@ciklinlubitz.com
Cc: CAD-Division IH
Subject: SERVICE OF COURT DOCUMENT CASE No.: 2014CP003698 - REVISED DOCUMENTS
Importance: High

ATTENTION: These documents replace documents sent in this case on 09/24/2015.

1. The original order received was never filed because of a document error.
2. The new order replaces the first order you received.
 - This email is from the Fifteenth Judicial Circuit
 - Case Number: 2014CP003698
 - INRE SHIRLEY BERNSTEIN TRUST AGREE DTD 05/20/08 AM
 - Orders Attached:
 - o ORDER (Berstein_14CP003698.pdf)
 - Division IH,

In accordance with the 15th Judicial Circuit's Administrative Order 2.310-4/13, please ensure that primary and secondary email addresses are registered with Court Administration at <https://e-services.co.palm-beach.fl.us/scheduling/>.

For a better translation of this document, contact CAD-ADA@pbcgov.org.

From: Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]
Sent: Tuesday, December 1, 2015 10:32 AM
To: 'Eliot Ivan Bernstein'
Cc: O'Connell, Brian M.; McDowell, Sherri H.
Subject: RE: BERNSTEIN MEDIATION CALL IN NUMBERS

I do not believe I have any information on a call-in number for the mediation. It is an in person mediation at our offices.

Best,

Joielle A. Foglietta, Esq.
Ciklin Lubitz & O'Connell
515 North Flagler Drive, 20th Floor
West Palm Beach, Florida 33401
(O) 561-832-5900 (F) 561-833-4209
Email: jfoglietta@ciklinlubitz.com

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From: Eliot Ivan Bernstein [<mailto:iviewit@gmail.com>]
Sent: Tuesday, December 01, 2015 10:27 AM
To: Foglietta, Joy A <JFoglietta@ciklinlubitz.com>
Subject: FW: BERNSTEIN MEDIATION CALL IN NUMBERS

From: Eliot Ivan Bernstein [<mailto:iviewit@iviewit.tv>]
Sent: Tuesday, December 1, 2015 10:13 AM
To: Alan B. Rose Esq. (arose@mrachek-law.com); 'Alan B. Rose Esq. (mchandler@mrachek-law.com)'; 'Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell (boconnell@ciklinlubitz.com)'; 'Alan B. Rose Esq. (arose@pm-law.com)'; 'Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell (boconnell@ciklinlubitz.com)'; 'Charles D. Rubin ~ Managing Partner @ Gutter Chaves Josepher Rubin Forman Fleisher Miller PA (crubin@floridatx.com)'; 'ddustin@tescherspallina.com'; 'Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A. (dtescher@tescherspallina.com)'; 'JILL BERNSTEIN IANTONI (jilliantoni@gmail.com)'; 'John J. Pankauski (courtfilings@pankauskilawfirm.com)'; 'John J. Pankauski (Michelle@Pankauskilawfirm.com)'; 'john@pankauskilawfirm.com'; 'Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A. (kmoran@tescherspallina.com)'; 'L. Louis Mrachek Esq. @ PAGE, MRACHEK, FITZGERALD, ROSE, KONOPKA, THOMAS & WEISS, P.A. (lmrachek@mrachek-law.com)'; 'Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts (lindsay@lifeinsuranceconcepts.com)'; 'Lisa Friedstein'; 'Mark R. Manceri, Esquire @ Mark R. Manceri, P.A. (mrmlaw@comcast.net)'; 'mrmlaw1@gmail.com'; 'Pamela Beth Simon (psimon@stpcorp.com)'; 'Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A. (rspallina@tescherspallina.com)'; 'Alan B. Rose Esq. (mchandler@mrachek-law.com)'; 'attorneys@matbrolaw.com'; 'Benjamin P. Brown (bbrown@matbrolaw.com)'; 'bhenry@matbrolaw.com'; 'Gary R. Shendell (gary@shendellpollock.com)'; 'Irwin J. Block @ The Law Office of Irwin J. Block PL (ijb@ijblegal.com)'; 'John P. Morrissey Esq. @ John P. Morrissey, P.A. (john@jmorrisseylaw.com)'; 'Kenneth S. Pollock (ken@shendellpollock.com)'; 'Mimi K.

McAndrews (mimi@shendellpollock.com); 'Peter Feaman (mkoskey@feamanlaw.com); 'Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A. (pfeaman@feamanlaw.com); 'pmatwiczky@matbrolaw.com'; 'service@feamanlaw.com'; 'William M. Pearson (wpearsonlaw@bellsouth.net); 'Jill M. Iantoni (Iantoni_jill@ne.bah.com); Joielle "Joy" A. Foglietta, Esquire @ Ciklin Lubitz Martens & O'Connell (jfoglietta@ciklinlubitz.com)
Cc: Candice Schwager @ Schwager Law Firm (candiceschwager@icloud.com); Barbara Stone (barbara15151@hotmail.com); 'Andrew Dietz @ Rock-It Cargo USA, Inc. (andyd@rockitcargo.com); 'CANDICE BERNSTEIN (tourcandy@gmail.com); 'Caroline Prochotska Rogers Esq. (caroline@cprogers.com); 'Eliot I. Bernstein (iviewit@iviewit.tv); 'Marc R. Garber Esq. (marcrgarber@gmail.com); 'Marc R. Garber Esq. @ Flaster Greenberg P.C. (marc.garber@flastergreenberg.com); 'Michele M. Mulrooney ~ Partner @ Venable LLP (mmulrooney@Venable.com)'

Subject: BERNSTEIN MEDIATION CALL IN NUMBERS

What are the call in phone numbers so that I may appear to the mediation by telephone or should I call O'Connell office at the scheduled time. Please respond as soon as possible. Eliot

Eliot I. Bernstein
Inventor
Iviewit Holdings, Inc. – DL
2753 N.W. 34th St.
Boca Raton, Florida 33434-3459
(561) 245.8588 (o)
(561) 886.7628 (c)
(561) 245-8644 (f)
iviewit@iviewit.tv
<http://www.iviewit.tv>

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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Wednesday, December 2, 2015 7:54 PM
To: Foglietta, Joy A; Morrissey John P.; Eliot Bernstein & Eliot & Candice Bernstein
Cc: Eliot Ivan Bernstein; Marie Chandler; O'Connell, Brian M.; McDowell, Sherri H.; JILL BERNSTEIN IANTONI; Lisa Friedstein; Pamela Beth Simon
Subject: RE: BERNSTEIN MEDIATION CALL IN NUMBERS

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I do not believe that is the best, as noted below. But as neither Brian nor Joy have an objection, frankly, as noted below, if no one objects I personally do not care.

We will start promptly at 10:00 am and I hope we make good progress.

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



505 South Flagler Drive
Suite 600
West Palm Beach, Florida 33401
561.655.2250 Phone
561.655.5537 Fax

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From: Alan Rose

Sent: Tuesday, December 01, 2015 11:56 AM

To: Foglietta, Joy A; Morrissey John P.; Eliot Bernstein & Eliot & Candice Bernstein

Cc: Eliot Ivan Bernstein; Marie Chandler; O'Connell, Brian M.; McDowell, Sherri H.; Alan Rose; JILL BERNSTEIN IANTONI; Lisa Friedstein; Pamela Beth Simon

Subject: Re: BERNSTEIN MEDIATION CALL IN NUMBERS

Lisa, Jill and their children have been default from the case for not filing an answer; they do not contest the documents; and they reside out of town.

I stated, a long time ago, that they could be reached by telephone if there was anything to discuss with them with regard to settlement. There was no reason for them to fly from Chicago. I clearly stated that in emails, and no one has commented until this morning.

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With that said, settlement is a voluntary act and I am willing to do whatever the parties can agree to maximize and improve the chances.

If Eliot insists on attending by telephone, even if it is moved to Boca Raton near his house, I'd like to know if any other parties object.

Please let me know ASAP

Alan B. Rose

Mrachek, Fitzgerald, Rose, Konopka, Thomas & Weiss, P.A.

On Dec 1, 2015, at 11:30 AM, Foglietta, Joy A <JFoglietta@ciklinlubitz.com> wrote:

Eliot,

As I stated in my previous email, I do not believe I have information on call in information. The only information I have is that on in person attendance at my office. If someone has agreed to or has any information on a telephonic appearance at mediation, I do not have same.

Thanks,

Joielle A. Foglietta, Esq.

Ciklin Lubitz & O'Connell
515 North Flagler Drive, 20th Floor
West Palm Beach, Florida 33401
(O) 561-832-5900 (F) 561-833-4209
Email: jfoglietta@ciklinlubitz.com

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From: Eliot Ivan Bernstein [<mailto:iviewit@gmail.com>]
Sent: Tuesday, December 01, 2015 11:05 AM
To: Foglietta, Joy A <jfoglietta@ciklinlubitz.com>; 'Alan B. Rose Esq.' <mchandler@mrachek-law.com>; Alan B. Rose Esq. <arose@mrachek-law.com>
Cc: O'Connell, Brian M. <boconnell@ciklinlubitz.com>; McDowell, Sherri H. <SMcDowell@ciklinlubitz.com>; Candice Schwager @ Schwager Law Firm <candiceschwager@icloud.com>; Barbara Stone <barbara15151@hotmail.com>; 'Alan B. Rose Esq.' <arose@pm-law.com>; 'Charles D. Rubin ~ Managing Partner @ Gutter Chaves Josepher Rubin Forman Fleisher Miller PA' <crubin@floridatx.com>; ddustin@tescherspallina.com; 'Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A.' <dtescher@tescherspallina.com>; 'JILL BERNSTEIN IANTONI' <jilliantoni@gmail.com>; 'John J. Pankauski' <courtfilings@pankauskilawfirm.com>; 'John J. Pankauski' <Michelle@Pankauskilawfirm.com>; john@pankauskilawfirm.com; 'Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A.' <kmoran@tescherspallina.com>; 'L. Louis Mrachek Esq. @ PAGE, MRACHEK, FITZGERALD, ROSE, KONOPKA, THOMAS & WEISS, P.A.' <lmrachek@mrachek-law.com>; 'Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts' <lindsay@lifeinsuranceconcepts.com>; 'Lisa Friedstein' <lisa@friedsteins.com>; 'Mark R. Manceri, Esquire @ Mark R. Manceri, P.A.' <mrmlaw@comcast.net>; mrmlaw1@gmail.com; 'Pamela Beth Simon' <psimon@stpcorp.com>; 'Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A.' <rspallina@tescherspallina.com>; 'Andrew Dietz @ Rock-It Cargo USA, Inc.' <andyd@rockitcargo.com>; 'CANDICE BERNSTEIN' <tourcandy@gmail.com>; 'Caroline Prochotska Rogers Esq.' <caroline@cprogers.com>; 'Eliot I. Bernstein' <iviewit@iviewit.tv>; 'Marc R. Garber Esq.' <marcrgarber@gmail.com>; 'Marc R. Garber Esq. @ Flaster Greenberg P.C.' <marc.garber@flastergreenberg.com>; 'Michele M. Mulrooney ~ Partner @ Venable LLP' <mmulrooney@Venable.com>
Subject: RE: BERNSTEIN MEDIATION CALL IN NUMBERS

Joy per the email below between Alan and Jill it is clear that telephonic appearances is being allowed in the mediation and I am requesting the same equal right. Thanks, eb

From: Jill Iantoni [<mailto:jilliantoni@gmail.com>]
Sent: Thursday, November 5, 2015 12:38 PM
To: Alan Rose
Cc: John Patrick Morrissey; <iviewit@gmail.com>; <iviewit@iviewit.tv>; <tourcandy@gmail.com>; <boconnell@ciklinlubitz.com>; <jfoglietta@ciklinlubitz.com>; <lisa.friedstein@gmail.com>; <psimon@stpcorp.com>; <service@ciklinlubitz.com>; <slobdell@ciklinlubitz.com>; Marie Chandler
Subject: Re: MEDIATION as ORDERED BY COURT IN CASE No.: 2014CP003698

Dec 4th date is on the calendar. Please email the dial-in information.

Thanks so much

Jill

On Nov 5, 2015, at 10:19 AM, Alan Rose <ARose@mrachek-law.com> wrote:

As a follow up to the below email, everyone who has responded appears available on :

FRIDAY DECEMBER 4th, 2015.

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Alan

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Cc: Alan Rose; Marie Chandler
Subject: MEDIATION as ORDERED BY COURT IN CASE No.: 2014CP003698

Regarding the attached Order, we need to schedule mediation.

I suggest the following dates:

November 13, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, or 30
or
December 1,2,3,4

Please review your calendars and advise as to which (as few as possible) of the dates you are NOT available. We will set a time convenient to all parties if possible.

The following would be attendees:

1. Plaintiff:
Ted S. Bernstein and counsel
Ted and his counsel will appear in person.

2. Defendants:

- A. ALEXANDRA BERNSTEIN; ERIC BERNSTEIN; MICHAEL BERNSTEIN; MOLLY SIMON; and their counsel John Morrissey

I would anticipate that John Morrissey attend and some or all of his clients would appear by telephone

- B. PAMELA B. SIMON, Individually and as Trustee f/b/o Molly Simon under the Simon L. Bernstein Trust Dtd 9/13/12
JILL IANTONI, Individually, as Trustee f/b/o J.I. under the Simon L. Bernstein Trust Dtd 9/13/12, and on behalf of her Minor child J.I.;
MAX FRIEDSTEIN;
LISA FRIEDSTEIN, Individually, as Trustee f/b/o Max Friedstein and C.F., under the Simon L. Bernstein Trust Dtd 9/13/12, and on behalf of her minor child, C.F.

A default has been entered as to all of these parties, but they may attend mediation and trial, and I would anticipate that some of all of these may choose to appear by telephone

- C. ELIOT BERNSTEIN, individually, as Trustee f/b/o D.B., Ja. B. and Jo. B. under the Simon L. Bernstein Trust Dtd 9/13/12, and on behalf of his minor children .B., Ja. B. and Jo. B.;

I would expect Eliot Bernstein to appear in person. As far as I am concerned Eliot and any other party may bring his or her spouse.

I have an important issue for everyone's feedback. Ted believes, as do others, that there should be a Guardian ad Litem appointed to represent the interests of Eliot's children, in light of the actual conflict in positions, potential conflicts and other issues. DOES ELIOT AGREE WITH THAT, AND IF SO, PERHAPS WE CAN FILE AN AGREED MOTION TO APPOINT SOMEONE. That person would want to attend the mediation. IF Eliot does not agree or consent, then the Court would have to decide.

- D. Intervenor, Brian O'Connell, for limited purpose of validity of Simon's Will.

I would expect Brian to appear in person.

- E. If any believes anyone else should appear, please advise. I had considered whether we could do a global mediation to include all interested persons in Simon's estate and trust, but that might be too ambitious. I suggest we mediate this issue and if we make progress, we always can expand the scope later.

PLEASE REVIEW AND REPLY AS SOON AS YOU CAN, SO WE CAN START BOOKING THE DATE. PLEASE RESPOND BY NOON WEDNESDAY, NOVEMBER 4, 2015.

Thanks, and have a nice weekend.

Alan Rose

From: CAD-Division IH [<mailto:CAD-DivisionIH@pbcgov.org>]
Sent: Monday, September 28, 2015 8:38 AM
To: John Patrick Morrissey; Alan Rose; iviewit@gmail.com; iviewit@iviewit.tv; tourcandy@gmail.com; boconnell@ciklinlubitz.com; jfoglietta@ciklinlubitz.com; jilliantoni@gmail.com; lisa.friedstein@gmail.com; psimon@stpcorp.com; service@ciklinlubitz.com; slobdell@ciklinlubitz.com
Cc: CAD-Division IH
Subject: SERVICE OF COURT DOCUMENT CASE No.: 2014CP003698 - REVISED DOCUMENTS
Importance: High

ATTENTION: These documents replace documents sent in this case on 09/24/2015.

1. The original order received was never filed because of a document error.
2. The new order replaces the first order you received.
 - This email is from the Fifteenth Judicial Circuit
 - Case Number: 2014CP003698
 - INRE SHIRLEY BERNSTEIN TRUST AGREE DTD 05/20/08 AM
 - Orders Attached:
 - o ORDER (Berstein_14CP003698.pdf)
 - Division IH,

In accordance with the 15th Judicial Circuit's Administrative Order 2.310-4/13, please ensure that primary and secondary email addresses are registered with Court Administration at <https://e-services.co.palm-beach.fl.us/scheduling/>.

For a better translation of this document, contact CAD-ADA@pbcgov.org.

From: Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]
Sent: Tuesday, December 1, 2015 10:32 AM
To: 'Eliot Ivan Bernstein'
Cc: O'Connell, Brian M.; McDowell, Sherri H.
Subject: RE: BERNSTEIN MEDIATION CALL IN NUMBERS

I do not believe I have any information on a call-in number for the mediation. It is an in person mediation at our offices.

Best,

Joielle A. Foglietta, Esq.
Ciklin Lubitz & O'Connell
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West Palm Beach, Florida 33401
(O) 561-832-5900 (F) 561-833-4209
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Sent: Tuesday, December 01, 2015 10:27 AM
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Subject: FW: BERNSTEIN MEDIATION CALL IN NUMBERS

From: Eliot Ivan Bernstein [<mailto:iviewit@iviewit.tv>]
Sent: Tuesday, December 1, 2015 10:13 AM
To: Alan B. Rose Esq. (arose@mrachek-law.com); 'Alan B. Rose Esq. (mchandler@mrachek-law.com)'; 'Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell (boconnell@ciklinlubitz.com)'; 'Alan B. Rose Esq. (arose@pm-law.com)'; 'Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell (boconnell@ciklinlubitz.com)'; 'Charles D. Rubin ~ Managing Partner @ Gutter Chaves Josepher Rubin Forman Fleisher Miller PA (crubin@floridatx.com)'; 'ddustin@tescherspallina.com'; 'Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A. (dtescher@tescherspallina.com)'; 'JILL BERNSTEIN IANTONI (jilliantoni@gmail.com)'; 'John J. Pankauski (courtfilings@pankauskilawfirm.com)'; 'John J. Pankauski (Michelle@Pankauskilawfirm.com)'; 'john@pankauskilawfirm.com'; 'Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A. (kmoran@tescherspallina.com)'; 'L. Louis Mrachek Esq. @ PAGE, MRACHEK, FITZGERALD, ROSE, KONOPKA, THOMAS & WEISS, P.A. (lmrachek@mrachek-law.com)'; 'Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts (lindsay@lifeinsuranceconcepts.com)'; 'Lisa Friedstein'; 'Mark R. Manceri, Esquire @ Mark R. Manceri, P.A. (mrmlaw@comcast.net)'; 'mrmlaw1@gmail.com'; 'Pamela Beth Simon (psimon@stpcorp.com)'; 'Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A. (rspallina@tescherspallina.com)'; 'Alan B. Rose Esq. (mchandler@mrachek-law.com)'; 'attorneys@matbrolaw.com'; 'Benjamin P. Brown (bbrown@matbrolaw.com)'; 'bhenry@matbrolaw.com'; 'Gary R. Shendell (gary@shendellpollock.com)'; 'Irwin J. Block @ The Law Office of Irwin J. Block PL (ijb@ijblegal.com)'; 'John P. Morrissey Esq. @ John P. Morrissey, P.A. (john@jmorrisseylaw.com)'; 'Kenneth S. Pollock (ken@shendellpollock.com)'; 'Mimi K.

McAndrews (mimi@shendellpollock.com); 'Peter Feaman (mkoskey@feamanlaw.com); 'Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A. (pfeaman@feamanlaw.com); 'pmatwiczky@matbrolaw.com'; 'service@feamanlaw.com'; 'William M. Pearson (wpearsonlaw@bellsouth.net); 'Jill M. Iantoni (Iantoni_jill@ne.bah.com); Joielle "Joy" A. Foglietta, Esquire @ Ciklin Lubitz Martens & O'Connell (jfoglietta@ciklinlubitz.com)
Cc: Candice Schwager @ Schwager Law Firm (candiceschwager@icloud.com); Barbara Stone (barbara15151@hotmail.com); 'Andrew Dietz @ Rock-It Cargo USA, Inc. (andyd@rockitcargo.com); 'CANDICE BERNSTEIN (tourcandy@gmail.com); 'Caroline Prochotska Rogers Esq. (caroline@cprogers.com); 'Eliot I. Bernstein (iviewit@iviewit.tv); 'Marc R. Garber Esq. (marcrgarber@gmail.com); 'Marc R. Garber Esq. @ Flaster Greenberg P.C. (marc.garber@flastergreenberg.com); 'Michele M. Mulrooney ~ Partner @ Venable LLP (mmulrooney@Venable.com)'

Subject: BERNSTEIN MEDIATION CALL IN NUMBERS

What are the call in phone numbers so that I may appear to the mediation by telephone or should I call O'Connell office at the scheduled time. Please respond as soon as possible. Eliot

Eliot I. Bernstein
Inventor
Iviewit Holdings, Inc. – DL
2753 N.W. 34th St.
Boca Raton, Florida 33434-3459
(561) 245.8588 (o)
(561) 886.7628 (c)
(561) 245-8644 (f)
iviewit@iviewit.tv
<http://www.iviewit.tv>

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Eliot Ivan Bernstein

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Sent: Tuesday, December 1, 2015 8:48 PM
To: Alan Rose
Cc: Foglietta, Joy A; Morrissey John P.; Eliot Bernstein & Eliot & Candice Bernstein; Eliot Ivan Bernstein; Alan B. Rose Esq.; O'Connell, Brian M.; McDowell, Sherri H.; Alan B. Rose Esq.; JILL BERNSTEIN IANTONI; Lisa Friedstein; Pamela Beth Simon
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Eliot

Please respond to my email below, so we can plan for the mediation.

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Jo. B.;

I would expect Eliot Bernstein to appear in person. As far as I am concerned Eliot and any other party may bring his or her spouse.

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I would expect Brian to appear in person.

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PLEASE REVIEW AND REPLY AS SOON AS YOU CAN, SO WE CAN START BOOKING THE DATE. PLEASE RESPOND BY NOON WEDNESDAY, NOVEMBER 4, 2015.

Thanks, and have a nice weekend.

Alan Rose

From: CAD-Division IH [<mailto:CAD-DivisionIH@pbcgov.org>]
Sent: Monday, September 28, 2015 8:38 AM
To: John Patrick Morrissey; Alan Rose; iviewit@gmail.com; iviewit@iviewit.tv; tourcandy@gmail.com; boconnell@ciklinlubitz.com; jfoglietta@ciklinlubitz.com; jilliantoni@gmail.com; lisa.friedstein@gmail.com; psimon@stpcorp.com; service@ciklinlubitz.com; slobdell@ciklinlubitz.com
Cc: CAD-Division IH
Subject: SERVICE OF COURT DOCUMENT CASE No.: 2014CP003698 - REVISED DOCUMENTS
Importance: High

ATTENTION: These documents replace documents sent in this case on 09/24/2015.

1. The original order received was never filed because of a document error.
2. The new order replaces the first order you received.
 - This email is from the Fifteenth Judicial Circuit

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- Case Number: 2014CP003698
 - INRE SHIRLEY BERNSTEIN TRUST AGREE DTD 05/20/08 AM
 - Orders Attached:
 - o ORDER (Bernstein_14CP003698.pdf)
 - Division IH,

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From: Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]
Sent: Tuesday, December 1, 2015 10:32 AM
To: 'Eliot Ivan Bernstein'
Cc: O'Connell, Brian M.; McDowell, Sherri H.
Subject: RE: BERNSTEIN MEDIATION CALL IN NUMBERS

I do not believe I have any information on a call-in number for the mediation. It is an in person mediation at our offices.

Best,

Joielle A. Foglietta, Esq.
Ciklin Lubitz & O'Connell
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Subject: FW: BERNSTEIN MEDIATION CALL IN NUMBERS

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Sent: Tuesday, December 1, 2015 10:13 AM
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Cc: Candice Schwager @ Schwager Law Firm (candiceschwager@icloud.com); Barbara Stone (barbara15151@hotmail.com); Andrew Dietz @ Rock-It Cargo USA, Inc. (andyd@rockitcargo.com); CANDICE BERNSTEIN (tourcandy@gmail.com); Caroline Prochotska Rogers Esq. (caroline@cprogers.com); Eliot I. Bernstein (iviewit@iviewit.tv); Marc R. Garber Esq. (marcgarber@gmail.com); Marc R. Garber Esq. @ Flaster Greenberg P.C. (marc.garber@flastergreenberg.com); Michele M. Mulrooney ~ Partner @ Venable LLP (mmulrooney@Venable.com)
Subject: BERNSTEIN MEDIATION CALL IN NUMBERS

What are the call in phone numbers so that I may appear to the mediation by telephone or should I call O'Connell office at the scheduled time. Please respond as soon as possible. Eliot

Eliot I. Bernstein
Inventor
Iviewit Holdings, Inc. – DL
2753 N.W. 34th St.
Boca Raton, Florida 33434-3459
(561) 245.8588 (o)
(561) 886.7628 (c)
(561) 245-8644 (f)
iviewit@iviewit.tv
<http://www.iviewit.tv>

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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Tuesday, December 1, 2015 8:48 PM
To: Alan Rose
Cc: Foglietta, Joy A; Morrissey John P.; Eliot Bernstein & Eliot & Candice Bernstein; Eliot Ivan Bernstein; Alan B. Rose Esq.; O'Connell, Brian M.; McDowell, Sherri H.; Alan B. Rose Esq.; JILL BERNSTEIN IANTONI; Lisa Friedstein; Pamela Beth Simon
Subject: Re: BERNSTEIN MEDIATION CALL IN NUMBERS

Eliot

Please respond to my email below, so we can plan for the mediation.

Alan B. Rose
Mrachek, Fitzgerald, Rose, Konopka, Thomas & Weiss, P.A.

On Dec 1, 2015, at 11:55 AM, Alan Rose <ARose@mrachek-law.com> wrote:

Lisa, Jill and their children have been default from the case for not filing an answer; they do not contest the documents; and they reside out of town.

I stated, a long time ago, that they could be reached by telephone if there was anything to discuss with them with regard to settlement. There was no reason for them to fly from Chicago. I clearly stated that in emails, and no one has commented until this morning.

As Eliot lives in Palm Beach County, and is the only person challenging the documents, I had no belief that Eliot would not attend the mediation in person. I would suggest that Eliot appear in person, and if necessary, I would agree to move the mediation location to Boca Raton.

Eliot has been completely nonresponsive for an extended period of time, including when I asked for his input on scheduling, location, etc. But I am more than willing to move the location closer to Eliot's house so it is easier for Eliot to get there in person, if that helps.

I believe the mediation would be more effective if the mediator, retired judge Alvarez, can spend time speaking directly to Eliot, and I believe that will be more effective in person than over the phone. I would expect that Elliot also would like to do whatever would maximize the chances of settlement.

With that said, settlement is a voluntary act and I am willing to do whatever the parties can agree to maximize and improve the chances.

If Elliot insists on attending by telephone, even if it is moved to Boca Raton near his house, I'd like to know if any other parties object.

Please let me know ASAP

Alan B. Rose
Mrachek, Fitzgerald, Rose, Konopka, Thomas & Weiss, P.A.

On Dec 1, 2015, at 11:30 AM, Foglietta, Joy A <JFoglietta@ciklinlubitz.com> wrote:

Eliot,

As I stated in my previous email, I do not believe I have information on call in information. The only information I have is that on in person attendance at my office. If someone has agreed to or has any information on a telephonic appearance at mediation, I do not have same.

Thanks,

Joielle A. Foglietta, Esq.
Ciklin Lubitz & O'Connell
515 North Flagler Drive, 20th Floor
West Palm Beach, Florida 33401
(O) 561-832-5900 (F) 561-833-4209
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Cc: O'Connell, Brian M. <boconnell@ciklinlubitz.com>; McDowell, Sherri H. <SMcDowell@ciklinlubitz.com>; Candice Schwager @ Schwager Law Firm <candiceschwager@icloud.com>; Barbara Stone <barbara15151@hotmail.com>; 'Alan B. Rose Esq.' <arose@pm-law.com>; 'Charles D. Rubin ~ Managing Partner @ Gutter Chaves Josepher Rubin Forman Fleisher Miller PA' <crubin@floridatx.com>; ddustin@tescherspallina.com; 'Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A.' <dtescher@tescherspallina.com>; 'JILL BERNSTEIN IANTONI' <jilliantoni@gmail.com>; 'John J. Pankauski' <courtfilings@pankauskilawfirm.com>; 'John J. Pankauski' <Michelle@Pankauskilawfirm.com>; john@pankauskilawfirm.com; 'Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A.' <kmoran@tescherspallina.com>; 'L. Louis Mrachek Esq. @ PAGE, MRACHEK, FITZGERALD, ROSE, KONOPKA, THOMAS & WEISS, P.A.' <lmrachek@mrachek-law.com>; 'Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts' <lindsay@lifeinsuranceconcepts.com>; 'Lisa Friedstein' <lisa@friedsteins.com>; 'Mark R. Manceri, Esquire @ Mark R. Manceri, P.A.' <mrmlaw@comcast.net>; mrmlaw1@gmail.com; 'Pamela Beth Simon' <psimon@stpcorp.com>; 'Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A.' <rspallina@tescherspallina.com>; 'Andrew Dietz @ Rock-It Cargo USA, Inc.' <andyd@rockitcargo.com>; 'CANDICE BERNSTEIN' <tourcandy@gmail.com>; 'Caroline Prochotska Rogers Esq.' <caroline@cprogers.com>; 'Eliot I. Bernstein' <iviewit@iviewit.tv>; 'Marc R. Garber Esq.' <marcrgarber@gmail.com>; 'Marc R. Garber Esq. @ Flaster Greenberg P.C.' <marc.garber@flastergreenberg.com>; 'Michele M. Mulrooney ~ Partner @ Venable LLP' <mmulrooney@Venable.com>
Subject: RE: BERNSTEIN MEDIATION CALL IN NUMBERS

Joy per the email below between Alan and Jill it is clear that telephonic appearances is being allowed in the mediation and I am requesting the same equal right. Thanks, eb

From: Jill Iantoni [<mailto:jilliantoni@gmail.com>]
Sent: Thursday, November 5, 2015 12:38 PM
To: Alan Rose
Cc: John Patrick Morrissey; <iviewit@gmail.com>; <iviewit@iviewit.tv>;
<tourcandy@gmail.com>; <boconnell@ciklinlubitz.com>; <jfoglietta@ciklinlubitz.com>;
<lisa.friedstein@gmail.com>; <psimon@stpcorp.com>; <service@ciklinlubitz.com>;
<slobdell@ciklinlubitz.com>; Marie Chandler
Subject: Re: MEDIATION as ORDERED BY COURT IN CASE No.: 2014CP003698

Dec 4th date is on the calendar. Please email the dial-in information.
Thanks so much

Jill

On Nov 5, 2015, at 10:19 AM, Alan Rose <ARose@mrachek-law.com> wrote:

As a follow up to the below email, everyone who has responded appears available on :

FRIDAY DECEMBER 4th, 2015.

Eliot has not yet responded. Unless I hear from Eliot BEFORE CLOSE OF BUSINESS TOMORROW, FRIDAY NOVEMBER 6th, with an objection to December 4th and a list of all dates he otherwise is available, we will notice the mediation for December 4th.

In meantime, everyone please block and hold the date of December 4th at 9:00 am Site to be determined once we have a date confirmed.

Also, no one has responded on the Guardian ad Litem issue. I was hopeful that we could get some feedback on this issue to avoid another hearing.

Alan

From: Alan Rose
Sent: Friday, October 30, 2015 2:56 PM
To: 'John Patrick Morrissey'; 'iviewit@gmail.com'; 'iviewit@iviewit.tv'; 'tourcandy@gmail.com'; 'boconnell@ciklinlubitz.com'; 'jfoglietta@ciklinlubitz.com'; 'jilliantoni@gmail.com'; 'lisa.friedstein@gmail.com'; 'psimon@stpcorp.com'; 'service@ciklinlubitz.com'; 'slobdell@ciklinlubitz.com'
Cc: Alan Rose; Marie Chandler
Subject: MEDIATION as ORDERED BY COURT IN CASE No.: 2014CP003698

Regarding the attached Order, we need to schedule mediation.

I suggest the following dates:

November 13, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, or 30
or

December 1,2,3,4

Please review your calendars and advise as to which (as few as possible) of the dates you are NOT available. We will set a time convenient to all parties if possible.

The following would be attendees:

1. Plaintiff:

Ted S. Bernstein and counsel
Ted and his counsel will appear in person.

2. Defendants:

A. ALEXANDRA BERNSTEIN; ERIC BERNSTEIN;
MICHAEL BERNSTEIN; MOLLY SIMON; and their
counsel John Morrissey

I would anticipate that John Morrissey attend and some or all of his clients would appear by telephone

B. PAMELA B. SIMON, Individually and as Trustee f/b/o Molly Simon under the Simon L. Bernstein Trust Dtd 9/13/12
JILL IANTONI, Individually, as Trustee f/b/o J.I. under the Simon L. Bernstein Trust Dtd 9/13/12, and on behalf of her Minor child J.I.;
MAX FRIEDSTEIN;
LISA FRIEDSTEIN, Individually, as Trustee f/b/o Max Friedstein and C.F., under the Simon L. Bernstein Trust Dtd 9/13/12, and on behalf of her minor child, C.F.

A default has been entered as to all of these parties, but they may attend mediation and trial, and I would anticipate that some of all of these may choose to appear by telephone

C. ELIOT BERNSTEIN, individually, as Trustee f/b/o D.B., Ja. B. and Jo. B. under the Simon L. Bernstein Trust Dtd 9/13/12, and on behalf of his minor children .B., Ja. B. and Jo. B.;

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I have an important issue for everyone's feedback. Ted believes, as do others, that there should be a Guardian ad Litem appointed to represent the interests of Eliot's children, in light of the actual conflict in positions, potential conflicts

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Cc: Candice Schwager @ Schwager Law Firm (candiceschwager@icloud.com); Barbara Stone (barbara15151@hotmail.com); Andrew Dietz @ Rock-It Cargo USA, Inc. (andyd@rockitcargo.com); CANDICE BERNSTEIN (tourcandy@gmail.com); Caroline Prochotska Rogers Esq. (caroline@cprogers.com); Eliot I. Bernstein (iviewit@iviewit.tv); Marc R. Garber Esq. (marcgarber@gmail.com); Marc R. Garber Esq. @ Flaster Greenberg P.C. (marc.garber@flastergreenberg.com); Michele M. Mulrooney ~ Partner @ Venable LLP (mmulrooney@Venable.com)
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(561) 886.7628 (c)
(561) 245-8644 (f)
iviewit@iviewit.tv
<http://www.iviewit.tv>

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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Tuesday, December 1, 2015 11:56 AM
To: Foglietta, Joy A; Morrissey John P.; Eliot Bernstein & Eliot & Candice Bernstein
Cc: Eliot Ivan Bernstein; Marie Chandler; O'Connell, Brian M.; McDowell, Sherri H.; Alan Rose; JILL BERNSTEIN IANTONI; Lisa Friedstein; Pamela Beth Simon
Subject: Re: BERNSTEIN MEDIATION CALL IN NUMBERS

Lisa, Jill and their children have been default from the case for not filing an answer; they do not contest the documents; and they reside out of town.

I stated, a long time ago, that they could be reached by telephone if there was anything to discuss with them with regard to settlement. There was no reason for them to fly from Chicago. I clearly stated that in emails, and no one has commented until this morning.

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With that said, settlement is a voluntary act and I am willing to do whatever the parties can agree to maximize and improve the chances.

If Elliot insists on attending by telephone, even if it is moved to Boca Raton near his house, I'd like to know if any other parties object.

Please let me know ASAP

Alan B. Rose
Mrachek, Fitzgerald, Rose, Konopka, Thomas & Weiss, P.A.

On Dec 1, 2015, at 11:30 AM, Foglietta, Joy A <JFoglietta@ciklinlubitz.com> wrote:

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As I stated in my previous email, I do not believe I have information on call in information. The only information I have is that on in person attendance at my office. If someone has agreed to or has any information on a telephonic appearance at mediation, I do not have same.

Thanks,

Joielle A. Foglietta, Esq.

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West Palm Beach, Florida 33401
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Cc: O'Connell, Brian M. <boconnell@ciklinlubitz.com>; McDowell, Sherri H. <SMcDowell@ciklinlubitz.com>; Candice Schwager @ Schwager Law Firm <candiceschwager@icloud.com>; Barbara Stone <barbara15151@hotmail.com>; 'Alan B. Rose Esq.' <arose@pm-law.com>; 'Charles D. Rubin ~ Managing Partner @ Gutter Chaves Josepher Rubin Forman Fleisher Miller PA' <crubin@floridatex.com>; ddustin@tescherspallina.com; 'Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A.' <dtescher@tescherspallina.com>; 'JILL BERNSTEIN IANTONI' <jilliantoni@gmail.com>; 'John J. Pankauski' <courtfilings@pankauskilawfirm.com>; 'John J. Pankauski' <Michelle@Pankauskilawfirm.com>; john@pankauskilawfirm.com; 'Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A.' <kmoran@tescherspallina.com>; 'L. Louis Mrachek Esq. @ PAGE, MRACHEK, FITZGERALD, ROSE, KONOPKA, THOMAS & WEISS, P.A.' <lmrachek@mrachek-law.com>; 'Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts' <lindsay@lifeinsuranceconcepts.com>; 'Lisa Friedstein' <lisa@friedsteins.com>; 'Mark R. Manceri, Esquire @ Mark R. Manceri, P.A.' <mrmlaw@comcast.net>; mrmlaw1@gmail.com; 'Pamela Beth Simon' <psimon@stpcorp.com>; 'Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A.' <rspallina@tescherspallina.com>; 'Andrew Dietz @ Rock-It Cargo USA, Inc.' <andyd@rockitcargo.com>; 'CANDICE BERNSTEIN' <tourcandy@gmail.com>; 'Caroline Prochotska Rogers Esq.' <caroline@cprogers.com>; 'Eliot I. Bernstein' <iviewit@iviewit.tv>; 'Marc R. Garber Esq.' <marcrgarber@gmail.com>; 'Marc R. Garber Esq. @ Flaster Greenberg P.C.' <marc.garber@flastergreenberg.com>; 'Michele M. Mulrooney ~ Partner @ Venable LLP' <mmulrooney@Venable.com>

Subject: RE: BERNSTEIN MEDIATION CALL IN NUMBERS

Joy per the email below between Alan and Jill it is clear that telephonic appearances is being allowed in the mediation and I am requesting the same equal right. Thanks, eb

From: Jill Iantoni [<mailto:jilliantoni@gmail.com>]

Sent: Thursday, November 5, 2015 12:38 PM

To: Alan Rose

Cc: John Patrick Morrissey; <iviewit@gmail.com>; <iviewit@iviewit.tv>; <tourcandy@gmail.com>; <boconnell@ciklinlubitz.com>; <jfoglietta@ciklinlubitz.com>; <lisa.friedstein@gmail.com>; <psimon@stpcorp.com>; <service@ciklinlubitz.com>; <slobdell@ciklinlubitz.com>; Marie Chandler

Subject: Re: MEDIATION as ORDERED BY COURT IN CASE No.: 2014CP003698

Dec 4th date is on the calendar. Please email the dial-in information.

Thanks so much

Jill

On Nov 5, 2015, at 10:19 AM, Alan Rose <ARose@mrachek-law.com> wrote:

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FRIDAY DECEMBER 4th, 2015.

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In meantime, everyone please block and hold the date of December 4th at 9:00 am Site to be determined once we have a date confirmed.

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Cc: Alan Rose; Marie Chandler
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Regarding the attached Order, we need to schedule mediation.

I suggest the following dates:

November 13, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, or 30
or
December 1,2,3,4

Please review your calendars and advise as to which (as few as possible) of the dates you are NOT available. We will set a time convenient to all parties if possible.

The following would be attendees:

1. Plaintiff:
Ted S. Bernstein and counsel
Ted and his counsel will appear in person.
2. Defendants:
 - A. ALEXANDRA BERNSTEIN; ERIC BERNSTEIN; MICHAEL BERNSTEIN; MOLLY SIMON; and their counsel John Morrissey

I would anticipate that John Morrissey attend and some or all of his clients would appear by telephone

- B. PAMELA B. SIMON, Individually and as Trustee f/b/o Molly Simon under the Simon L. Bernstein Trust Dtd 9/13/12
JILL IANTONI, Individually, as Trustee f/b/o J.I. under the Simon L. Bernstein Trust Dtd 9/13/12, and on behalf of her Minor child J.I.;
MAX FRIEDSTEIN;
LISA FRIEDSTEIN, Individually, as Trustee f/b/o Max Friedstein and C.F., under the Simon L. Bernstein Trust Dtd 9/13/12, and on behalf of her minor child, C.F.

A default has been entered as to all of these parties, but they may attend mediation and trial, and I would anticipate that some of all of these may choose to appear by telephone

- C. ELIOT BERNSTEIN, individually, as Trustee f/b/o D.B., Ja. B. and Jo. B. under the Simon L. Bernstein Trust Dtd 9/13/12, and on behalf of his minor children .B., Ja. B. and Jo. B.;

I would expect Eliot Bernstein to appear in person. As far as I am concerned Eliot and any other party may bring his or her spouse.

I have an important issue for everyone's feedback. Ted believes, as do others, that there should be a Guardian ad Litem appointed to represent the interests of Eliot's children, in light of the actual conflict in positions, potential conflicts and other issues. DOES ELIOT AGREE WITH THAT, AND IF SO, PERHAPS WE CAN FILE AN AGREED MOTION TO APPOINT SOMEONE. That person would want to attend the mediation. IF Eliot does not agree or consent, then the Court would have to decide.

- D. Intervenor, Brian O'Connell, for limited purpose of validity of Simon's Will.

I would expect Brian to appear in person.

- E. If any believes anyone else should appear, please advise. I had considered whether we could do a global mediation to include all interested persons in Simon's estate and trust, but that might be too ambitious. I suggest we mediate this issue and if we make progress, we always can expand the scope later.

PLEASE REVIEW AND REPLY AS SOON AS YOU CAN, SO WE CAN START BOOKING THE DATE. PLEASE RESPOND BY NOON WEDNESDAY, NOVEMBER 4, 2015.

Thanks, and have a nice weekend.

Alan Rose

From: CAD-Division IH [<mailto:CAD-DivisionIH@pbcgov.org>]
Sent: Monday, September 28, 2015 8:38 AM
To: John Patrick Morrissey; Alan Rose; iviewit@gmail.com; iviewit@iviewit.tv; tourcandy@gmail.com; boconnell@ciklinlubitz.com; jfoglietta@ciklinlubitz.com; jilliantoni@gmail.com; lisa.friedstein@gmail.com; psimon@stpcorp.com; service@ciklinlubitz.com; slobdell@ciklinlubitz.com
Cc: CAD-Division IH
Subject: SERVICE OF COURT DOCUMENT CASE No.: 2014CP003698 - REVISED DOCUMENTS
Importance: High

ATTENTION: These documents replace documents sent in this case on 09/24/2015.

1. The original order received was never filed because of a document error.
2. The new order replaces the first order you received.
 - This email is from the Fifteenth Judicial Circuit
 - Case Number: 2014CP003698
 - INRE SHIRLEY BERNSTEIN TRUST AGREE DTD 05/20/08 AM
 - Orders Attached:
 - o ORDER (Bernstein_14CP003698.pdf)
 - Division IH,

In accordance with the 15th Judicial Circuit's Administrative Order 2.310-4/13, please ensure that primary and secondary email addresses are registered with Court Administration at <https://e-services.co.palm-beach.fl.us/scheduling/>.

For a better translation of this document, contact CAD-ADA@pbcgov.org.

From: Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]
Sent: Tuesday, December 1, 2015 10:32 AM
To: 'Eliot Ivan Bernstein'
Cc: O'Connell, Brian M.; McDowell, Sherri H.
Subject: RE: BERNSTEIN MEDIATION CALL IN NUMBERS

I do not believe I have any information on a call-in number for the mediation. It is an in person mediation at our offices.

Best,

Joielle A. Foglietta, Esq.
Ciklin Lubitz & O'Connell
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From: Eliot Ivan Bernstein [<mailto:iviewit@gmail.com>]
Sent: Tuesday, December 01, 2015 10:27 AM
To: Foglietta, Joy A <JFoglietta@ciklinlubitz.com>
Subject: FW: BERNSTEIN MEDIATION CALL IN NUMBERS

From: Eliot Ivan Bernstein [<mailto:iviewit@iviewit.tv>]
Sent: Tuesday, December 1, 2015 10:13 AM
To: Alan B. Rose Esq. (arose@mrachek-law.com); 'Alan B. Rose Esq. (mchandler@mrachek-law.com)'; 'Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell (boconnell@ciklinlubitz.com)'; 'Alan B. Rose Esq. (arose@pm-law.com)'; 'Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell (boconnell@ciklinlubitz.com)'; 'Charles D. Rubin ~ Managing Partner @ Gutter Chaves Josepher Rubin Forman Fleisher Miller PA (crubin@floridatex.com)'; 'ddustin@tescherspallina.com'; 'Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A. (dtescher@tescherspallina.com)'; 'JILL BERNSTEIN IANTONI (jilliantoni@gmail.com)'; 'John J. Pankauski (courtfilings@pankauskilawfirm.com)'; 'John J. Pankauski (Michelle@Pankauskilawfirm.com)'; 'john@pankauskilawfirm.com'; 'Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A. (kmoran@tescherspallina.com)'; 'L. Louis Mrachek Esq. @ PAGE, MRACHEK, FITZGERALD, ROSE, KONOPKA, THOMAS & WEISS, P.A. (lmrachek@mrachek-law.com)'; 'Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts (lindsay@lifeinsuranceconcepts.com)'; 'Lisa Friedstein'; 'Mark R. Manceri, Esquire @ Mark R. Manceri, P.A. (mrmlaw@comcast.net)'; 'mrmlaw1@gmail.com'; 'Pamela Beth Simon (psimon@stpcorp.com)'; 'Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A. (rspallina@tescherspallina.com)'; 'Alan B. Rose Esq. (mchandler@mrachek-law.com)'; 'attorneys@matbrolaw.com'; 'Benjamin P. Brown (bbrown@matbrolaw.com)'; 'bhenry@matbrolaw.com'; 'Gary R. Shendell (gary@shendellpollock.com)'; 'Irwin J. Block @ The Law Office of Irwin J. Block PL (ijb@ijblegal.com)'; 'John P. Morrissey Esq. @ John P. Morrissey, P.A. (john@jmorrisseylaw.com)'; 'Kenneth S. Pollock (ken@shendellpollock.com)'; 'Mimi K. McAndrews (mimi@shendellpollock.com)'; 'Peter Feaman (mkoskey@feamanlaw.com)'; 'Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A. (pfeaman@feamanlaw.com)'; 'pmatwiczyn@matbrolaw.com'; 'service@feamanlaw.com'; 'William M. Pearson (wpearsonlaw@bellsouth.net)'; 'Jill M. Iantoni (Iantoni_jill@ne.bah.com)'; Joielle "Joy" A. Foglietta, Esquire @ Ciklin Lubitz Martens & O'Connell (jfoglietta@ciklinlubitz.com)
Cc: Candice Schwager @ Schwager Law Firm (candiceschwager@icloud.com); Barbara Stone (barbara15151@hotmail.com); 'Andrew Dietz @ Rock-It Cargo USA, Inc. (andyd@rockitcargo.com)'; 'CANDICE BERNSTEIN (tourcandy@gmail.com)'; 'Caroline Prochotska Rogers Esq. (caroline@cprogers.com)'; 'Eliot I. Bernstein (iviewit@iviewit.tv)'; 'Marc R. Garber Esq. (marcgarber@gmail.com)'; 'Marc R. Garber Esq. @ Flaster Greenberg P.C. (marc.garber@flastergreenberg.com)'; 'Michele M. Mulrooney ~ Partner @ Venable LLP

(mmulrooney@Venable.com)'

Subject: BERNSTEIN MEDIATION CALL IN NUMBERS

What are the call in phone numbers so that I may appear to the mediation by telephone or should I call O'Connell office at the scheduled time. Please respond as soon as possible. Eliot

Eliot I. Bernstein

Inventor

Iviewit Holdings, Inc. – DL

2753 N.W. 34th St.

Boca Raton, Florida 33434-3459

(561) 245.8588 (o)

(561) 886.7628 (c)

(561) 245-8644 (f)

iviewit@iviewit.tv

<http://www.iviewit.tv>

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 - A. ALEXANDRA BERNSTEIN; ERIC BERNSTEIN; MICHAEL BERNSTEIN; MOLLY SIMON; and their counsel John Morrissey

I would anticipate that John Morrissey attend and some or all of his clients would appear by telephone

- B. PAMELA B. SIMON, Individually and as Trustee f/b/o Molly Simon under the Simon L. Bernstein Trust Dtd 9/13/12
JILL IANTONI, Individually, as Trustee f/b/o J.I. under the Simon L. Bernstein Trust Dtd 9/13/12, and on behalf of her Minor child J.I.;
MAX FRIEDSTEIN;
LISA FRIEDSTEIN, Individually, as Trustee f/b/o Max Friedstein and C.F., under the Simon L. Bernstein Trust Dtd 9/13/12, and on behalf of her minor child, C.F.

A default has been entered as to all of these parties, but they may attend mediation and trial, and I would anticipate that some of all of these may choose to appear by telephone

- C. ELIOT BERNSTEIN, individually, as Trustee f/b/o D.B., Ja. B. and Jo. B. under the Simon L. Bernstein Trust Dtd 9/13/12, and on behalf of his minor children .B., Ja. B. and Jo. B.;

I would expect Eliot Bernstein to appear in person. As far as I am concerned Eliot and any other party may bring his or her spouse.

I have an important issue for everyone's feedback. Ted believes, as do others, that there should be a Guardian ad Litem appointed to represent the interests of Eliot's children, in light of the actual conflict in positions, potential conflicts and other issues. DOES ELIOT AGREE WITH THAT, AND IF SO, PERHAPS WE CAN FILE AN AGREED MOTION TO APPOINT SOMEONE. That person would want to attend the mediation. IF Eliot does not agree or consent, then the Court would have to decide.

- D. Intervenor, Brian O'Connell, for limited purpose of validity of Simon's Will.

I would expect Brian to appear in person.

- E. If any believes anyone else should appear, please advise. I had considered whether we could do a global mediation to include all interested persons in Simon's estate and trust, but that might be too ambitious. I suggest we mediate this issue and if we make progress, we always can expand the scope later.

PLEASE REVIEW AND REPLY AS SOON AS YOU CAN, SO WE CAN START BOOKING THE DATE. PLEASE RESPOND BY NOON WEDNESDAY, NOVEMBER 4, 2015.

Thanks, and have a nice weekend.

Alan Rose

From: CAD-Division IH [<mailto:CAD-DivisionIH@pbcgov.org>]
Sent: Monday, September 28, 2015 8:38 AM
To: John Patrick Morrissey; Alan Rose; iviewit@gmail.com; iviewit@iviewit.tv; tourcandy@gmail.com; boconnell@ciklinlubitz.com; jfoglietta@ciklinlubitz.com; jilliantoni@gmail.com; lisa.friedstein@gmail.com; psimon@stpcorp.com; service@ciklinlubitz.com; slobdell@ciklinlubitz.com
Cc: CAD-Division IH
Subject: SERVICE OF COURT DOCUMENT CASE No.: 2014CP003698 - REVISED DOCUMENTS
Importance: High

ATTENTION: These documents replace documents sent in this case on 09/24/2015.

1. The original order received was never filed because of a document error.
2. The new order replaces the first order you received.
 - This email is from the Fifteenth Judicial Circuit
 - Case Number: 2014CP003698
 - INRE SHIRLEY BERNSTEIN TRUST AGREE DTD 05/20/08 AM
 - Orders Attached:
 - o ORDER (Berstein_14CP003698.pdf)
 - Division IH,

In accordance with the 15th Judicial Circuit's Administrative Order 2.310-4/13, please ensure that primary and secondary email addresses are registered with Court Administration at <https://e-services.co.palm-beach.fl.us/scheduling/>.

For a better translation of this document, contact CAD-ADA@pbcgov.org.

From: Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]
Sent: Tuesday, December 1, 2015 10:32 AM
To: 'Eliot Ivan Bernstein'
Cc: O'Connell, Brian M.; McDowell, Sherri H.
Subject: RE: BERNSTEIN MEDIATION CALL IN NUMBERS

I do not believe I have any information on a call-in number for the mediation. It is an in person mediation at our offices.

Best,

Joielle A. Foglietta, Esq.
Ciklin Lubitz & O'Connell
515 North Flagler Drive, 20th Floor
West Palm Beach, Florida 33401
(O) 561-832-5900 (F) 561-833-4209
Email: jfoglietta@ciklinlubitz.com

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From: Eliot Ivan Bernstein [<mailto:iviewit@gmail.com>]
Sent: Tuesday, December 01, 2015 10:27 AM
To: Foglietta, Joy A <JFoglietta@ciklinlubitz.com>
Subject: FW: BERNSTEIN MEDIATION CALL IN NUMBERS

From: Eliot Ivan Bernstein [<mailto:iviewit@iviewit.tv>]
Sent: Tuesday, December 1, 2015 10:13 AM
To: Alan B. Rose Esq. (arose@mrachek-law.com); 'Alan B. Rose Esq. (mchandler@mrachek-law.com)'; 'Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell (boconnell@ciklinlubitz.com)'; 'Alan B. Rose Esq. (arose@pm-law.com)'; 'Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell (boconnell@ciklinlubitz.com)'; 'Charles D. Rubin ~ Managing Partner @ Gutter Chaves Josepher Rubin Forman Fleisher Miller PA (crubin@floridatex.com)'; 'ddustin@tescherspallina.com'; 'Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A. (dtescher@tescherspallina.com)'; 'JILL BERNSTEIN IANTONI (jilliantoni@gmail.com)'; 'John J. Pankauski (courtfilings@pankauskilawfirm.com)'; 'John J. Pankauski (Michelle@Pankauskilawfirm.com)'; 'john@pankauskilawfirm.com'; 'Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A. (kmoran@tescherspallina.com)'; 'L. Louis Mrachek Esq. @ PAGE, MRACHEK, FITZGERALD, ROSE, KONOPKA, THOMAS & WEISS, P.A. (lmrachek@mrachek-law.com)'; 'Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts (lindsay@lifeinsuranceconcepts.com)'; 'Lisa Friedstein'; 'Mark R. Manceri, Esquire @ Mark R. Manceri, P.A. (mrmlaw@comcast.net)'; 'mrmlaw1@gmail.com'; 'Pamela Beth Simon (psimon@stpcorp.com)'; 'Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A. (rspallina@tescherspallina.com)'; 'Alan B. Rose Esq. (mchandler@mrachek-law.com)'; 'attorneys@matbrolaw.com'; 'Benjamin P. Brown (bbrown@matbrolaw.com)'; 'bhenry@matbrolaw.com'; 'Gary R. Shendell (gary@shendellpollock.com)'; 'Irwin J. Block @ The Law Office of Irwin J. Block PL (ijb@ijblegal.com)'; 'John P. Morrissey Esq. @ John P. Morrissey, P.A. (john@jmorrisseylaw.com)'; 'Kenneth S. Pollock (ken@shendellpollock.com)'; 'Mimi K. McAndrews (mimi@shendellpollock.com)'; 'Peter Feaman (mkoskey@feamanlaw.com)'; 'Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A. (pfeaman@feamanlaw.com)'; 'pmatwiczyn@matbrolaw.com'; 'service@feamanlaw.com'; 'William M. Pearson (wpearsonlaw@bellsouth.net)'; 'Jill M. Iantoni (Iantoni_jill@ne.bah.com)'; Joielle "Joy" A. Foglietta, Esquire @ Ciklin Lubitz Martens & O'Connell (jfoglietta@ciklinlubitz.com)
Cc: Candice Schwager @ Schwager Law Firm (candiceschwager@icloud.com); Barbara Stone (barbara15151@hotmail.com); 'Andrew Dietz @ Rock-It Cargo USA, Inc. (andyd@rockitcargo.com)'; 'CANDICE BERNSTEIN (tourcandy@gmail.com)'; 'Caroline Prochotska Rogers Esq. (caroline@cprogers.com)'; 'Eliot I. Bernstein (iviewit@iviewit.tv)'; 'Marc R. Garber Esq. (marcgarber@gmail.com)'; 'Marc R. Garber Esq. @ Flaster Greenberg P.C. (marc.garber@flastergreenberg.com)'; 'Michele M. Mulrooney ~ Partner @ Venable LLP

(mmulrooney@Venable.com)'

Subject: BERNSTEIN MEDIATION CALL IN NUMBERS

What are the call in phone numbers so that I may appear to the mediation by telephone or should I call O'Connell office at the scheduled time. Please respond as soon as possible. Eliot

Eliot I. Bernstein

Inventor

Iviewit Holdings, Inc. – DL

2753 N.W. 34th St.

Boca Raton, Florida 33434-3459

(561) 245.8588 (o)

(561) 886.7628 (c)

(561) 245-8644 (f)

iviewit@iviewit.tv

<http://www.iviewit.tv>

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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Friday, November 20, 2015 1:52 PM
To: iviewit@gmail.com; iviewit@iviewit.tv; tourcandy@gmail.com
Cc: John Patrick Morrissey; boconnell@ciklinlubitz.com; jfoglietta@ciklinlubitz.com; jilliantoni@gmail.com; lisa.friedstein@gmail.com; psimon@stpcorp.com; service@ciklinlubitz.com; slobdell@ciklinlubitz.com
Subject: RE: MEDIATION as ORDERED BY COURT IN CASE No.: 2014CP003698

Brian O'Connell and Joy Foglietta have graciously arranged to make conference rooms available on December 4th.

Former Judge Ronald Alvarez is available that day. <http://www.matrixmediation.com/mediator.asp?SectionID=37>

I do not know him, but I know others who have used him and believe he will be a suitable candidate. He is holding the date and time (9.a.m. start). Please advise if anyone has an objection to former Judge Alvarez as mediator.

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



505 South Flagler Drive
Suite 600
West Palm Beach, Florida 33401
561.655.2250 Phone
561.655.5537 Fax

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From: Alan Rose
Sent: Thursday, November 19, 2015 7:07 PM
To: 'iviewit@gmail.com'; 'iviewit@iviewit.tv'; 'tourcandy@gmail.com'
Cc: 'John Patrick Morrissey'; 'boconnell@ciklinlubitz.com'; 'jfoglietta@ciklinlubitz.com'; 'jilliantoni@gmail.com'; 'lisa.friedstein@gmail.com'; 'psimon@stpcorp.com'; 'service@ciklinlubitz.com'; 'slobdell@ciklinlubitz.com'
Subject: RE: MEDIATION as ORDERED BY COURT IN CASE No.: 2014CP003698

Mediation is set for 12-4-15.

We will circulate names of potential mediators available that day tomorrow, and we will need pick someone very soon. Does anyone have a preference for the location.

I have not heard from Eliot at all in this process. I want to avoid any last minute issues.

If Eliot is not planning to attend mediation, I ask that he advise us ASAP so we can file a motion and set for hearing to get direction from the Court. Mediation, with the expense of a mediator and fiduciaries, will be a very expensive process.

Likewise, the trial on Dec 15th will be very expensive, just to validate the operative trust documents. But I assume there is no way to resolve that either.

In any event, I would appreciate Eliot confirming his plans for mediation, one way or the other.

Thanks,

Alan Rose

From: Alan Rose
Sent: Friday, November 13, 2015 12:12 PM
To: 'iviewit@gmail.com'; 'iviewit@iviewit.tv'; 'tourcandy@gmail.com'
Cc: 'John Patrick Morrissey'; 'boconnell@ciklinlubitz.com'; 'jfoglietta@ciklinlubitz.com'; 'jilliantoni@gmail.com'; 'lisa.friedstein@gmail.com'; 'psimon@stpcorp.com'; 'service@ciklinlubitz.com'; 'slobdell@ciklinlubitz.com'
Subject: RE: MEDIATION as ORDERED BY COURT IN CASE No.: 2014CP003698

Eliot:

We are setting mediation for 12-4-15.

You are only person who is complaining about the documents, so if you don't appear it is pointless to waste the time and money on a mediation.

Please reply to confirm that you will appear and participate, or we will have to file a motion with the Court

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



505 South Flagler Drive
Suite 600
West Palm Beach, Florida 33401
561.655.2250 Phone
561.655.5537 Fax

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From: Alan Rose
Sent: Friday, November 13, 2015 12:08 PM
To: 'John Patrick Morrissey'; 'iviewit@gmail.com'; 'iviewit@iviewit.tv'; 'tourcandy@gmail.com'; 'boconnell@ciklinlubitz.com'; 'jfoglietta@ciklinlubitz.com'; 'jillianoni@gmail.com'; 'lisa.friedstein@gmail.com'; 'psimon@stpcorp.com'; 'service@ciklinlubitz.com'; 'slobdell@ciklinlubitz.com'
Cc: Marie Chandler
Subject: RE: MEDIATION as ORDERED BY COURT IN CASE No.: 2014CP003698

As a second follow up to below re Mediation:

Everyone who has responded has confirmed 12-4-15 for mediation.
That is a Friday. We will start at 9:00 a.m.

Eliot has not responded to any of the emails regarding mediation. Without a response, we must set mediation, so that date is it.

Place and mediator to be selected now that we have a date. I will circulate a few names and see if there is consensus.

We will file a Notice of Mediation today, with those two blanks, today.

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



505 South Flagler Drive
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West Palm Beach, Florida 33401
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From: Alan Rose
Sent: Thursday, November 05, 2015 11:20 AM
To: 'John Patrick Morrissey'; 'iviewit@gmail.com'; 'iviewit@iviewit.tv'; 'tourcandy@gmail.com'; 'boconnell@ciklinlubitz.com'; 'jfoglietta@ciklinlubitz.com'; 'jilliantoni@gmail.com'; 'lisa.friedstein@gmail.com'; 'psimon@stpcorp.com'; 'service@ciklinlubitz.com'; 'slobdell@ciklinlubitz.com'
Cc: Marie Chandler
Subject: RE: MEDIATION as ORDERED BY COURT IN CASE No.: 2014CP003698

As a follow up to the below email, everyone who has responded appears available on :

FRIDAY DECEMBER 4th, 2015.

Eliot has not yet responded. Unless I hear from Eliot BEFORE CLOSE OF BUSINESS TOMORROW, FRIDAY NOVEMBER 6th, with an objection to December 4th and a list of all dates he otherwise is available, we will notice the mediation for December 4th.

In meantime, everyone please block and hold the date of December 4th at 9:00 am Site to be determined once we have a date confirmed.

Also, no one has responded on the Guardian ad Litem issue. I was hopeful that we could get some feedback on this issue to avoid another hearing.

Alan

From: Alan Rose
Sent: Friday, October 30, 2015 2:56 PM
To: 'John Patrick Morrissey'; 'iviewit@gmail.com'; 'iviewit@iviewit.tv';
'tourcandy@gmail.com'; 'boconnell@ciklinlubitz.com';
'jfoglietta@ciklinlubitz.com'; 'jilliantoni@gmail.com'; 'lisa.friedstein@gmail.com';
'psimon@stpcorp.com'; 'service@ciklinlubitz.com'; 'slobdell@ciklinlubitz.com'
Cc: Alan Rose; Marie Chandler
Subject: MEDIATION as ORDERED BY COURT IN CASE No.: 2014CP003698

Regarding the attached Order, we need to schedule mediation.

I suggest the following dates:

November 13, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, or 30
or
December 1,2,3,4

Please review your calendars and advise as to which (as few as possible) of the dates you are NOT available. We will set a time convenient to all parties if possible.

The following would be attendees:

1. Plaintiff:
Ted S. Bernstein and counsel
Ted and his counsel will appear in person.
2. Defendants:
 - A. ALEXANDRA BERNSTEIN; ERIC BERNSTEIN;
MICHAEL BERNSTEIN; MOLLY SIMON; and their
counsel John Morrissey

I would anticipate that John Morrissey attend and some or
all of his clients would appear by telephone
 - B. PAMELA B. SIMON, Individually and as Trustee f/b/o
Molly Simon under the Simon L. Bernstein Trust Dtd
9/13/12
JILL IANTONI, Individually, as Trustee f/b/o J.I. under the
Simon L. Bernstein Trust Dtd 9/13/12, and on behalf of her
Minor child J.I.;
MAX FRIEDSTEIN;

LISA FRIEDSTEIN, Individually, as Trustee f/b/o Max Friedstein and C.F., under the Simon L. Bernstein Trust Dtd 9/13/12, and on behalf of her minor child, C.F.

A default has been entered as to all of these parties, but they may attend mediation and trial, and I would anticipate that some of all of these may choose to appear by telephone

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I would expect Eliot Bernstein to appear in person. As far as I am concerned Eliot and any other party may bring his or her spouse.

I have an important issue for everyone's feedback. Ted believes, as do others, that there should be a Guardian ad Litem appointed to represent the interests of Eliot's children, in light of the actual conflict in positions, potential conflicts and other issues. DOES ELIOT AGREE WITH THAT, AND IF SO, PERHAPS WE CAN FILE AN AGREED MOTION TO APPOINT SOMEONE. That person would want to attend the mediation. IF Eliot does not agree or consent, then the Court would have to decide.

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I would expect Brian to appear in person.

- E. If any believes anyone else should appear, please advise. I had considered whether we could do a global mediation to include all interested persons in Simon's estate and trust, but that might be too ambitious. I suggest we mediate this issue and if we make progress, we always can expand the scope later.

PLEASE REVIEW AND REPLY AS SOON AS YOU CAN, SO WE CAN START BOOKING THE DATE. PLEASE RESPOND BY NOON WEDNESDAY, NOVEMBER 4, 2015.

Thanks, and have a nice weekend.

Alan Rose

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Sent: Monday, September 28, 2015 8:38 AM
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Cc: CAD-Division IH
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Importance: High

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 - Division IH,

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Eliot Ivan Bernstein

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Alan B. Rose, Esq.
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Subject: RE: MEDIATION as ORDERED BY COURT IN CASE No.: 2014CP003698

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In meantime, everyone please block and hold the date of December 4th at 9:00 am Site to be determined once we have a date confirmed.

Also, no one has responded on the Guardian ad Litem issue. I was hopeful that we could get some feedback on this issue to avoid another hearing.

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Regarding the attached Order, we need to schedule mediation.

I suggest the following dates:

November 13, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, or 30
or
December 1,2,3,4

Please review your calendars and advise as to which (as few as possible) of the dates you are NOT available. We will set a time convenient to all parties if possible.

The following would be attendees:

1. Plaintiff:
Ted S. Bernstein and counsel
Ted and his counsel will appear in person.
2. Defendants:
 - A. ALEXANDRA BERNSTEIN; ERIC BERNSTEIN; MICHAEL BERNSTEIN; MOLLY SIMON; and their counsel John Morrissey

I would anticipate that John Morrissey attend and some or all of his clients would appear by telephone
 - B. PAMELA B. SIMON, Individually and as Trustee f/b/o Molly Simon under the Simon L. Bernstein Trust Dtd 9/13/12
JILL IANTONI, Individually, as Trustee f/b/o J.I. under the Simon L. Bernstein Trust Dtd 9/13/12, and on behalf of her Minor child J.I.;
MAX FRIEDSTEIN;

LISA FRIEDSTEIN, Individually, as Trustee f/b/o Max Friedstein and C.F., under the Simon L. Bernstein Trust Dtd 9/13/12, and on behalf of her minor child, C.F.

A default has been entered as to all of these parties, but they may attend mediation and trial, and I would anticipate that some of all of these may choose to appear by telephone

- C. ELIOT BERNSTEIN, individually, as Trustee f/b/o D.B., Ja. B. and Jo. B. under the Simon L. Bernstein Trust Dtd 9/13/12, and on behalf of his minor children .B., Ja. B. and Jo. B.;

I would expect Eliot Bernstein to appear in person. As far as I am concerned Eliot and any other party may bring his or her spouse.

I have an important issue for everyone's feedback. Ted believes, as do others, that there should be a Guardian ad Litem appointed to represent the interests of Eliot's children, in light of the actual conflict in positions, potential conflicts and other issues. DOES ELIOT AGREE WITH THAT, AND IF SO, PERHAPS WE CAN FILE AN AGREED MOTION TO APPOINT SOMEONE. That person would want to attend the mediation. IF Eliot does not agree or consent, then the Court would have to decide.

- D. Intervenor, Brian O'Connell, for limited purpose of validity of Simon's Will.

I would expect Brian to appear in person.

- E. If any believes anyone else should appear, please advise. I had considered whether we could do a global mediation to include all interested persons in Simon's estate and trust, but that might be too ambitious. I suggest we mediate this issue and if we make progress, we always can expand the scope later.

PLEASE REVIEW AND REPLY AS SOON AS YOU CAN, SO WE CAN START BOOKING THE DATE. PLEASE RESPOND BY NOON WEDNESDAY, NOVEMBER 4, 2015.

Thanks, and have a nice weekend.

Alan Rose

From: CAD-Division IH [<mailto:CAD-DivisionIH@pbcgov.org>]
Sent: Monday, September 28, 2015 8:38 AM
To: John Patrick Morrissey; Alan Rose; iviewit@gmail.com; iviewit@iviewit.tv; tourcandy@gmail.com; boconnell@ciklinlubitz.com; jfoglietta@ciklinlubitz.com; jilliantoni@gmail.com; lisa.friedstein@gmail.com; psimon@stpcorp.com; service@ciklinlubitz.com; slobdell@ciklinlubitz.com
Cc: CAD-Division IH
Subject: SERVICE OF COURT DOCUMENT CASE No.: 2014CP003698 - REVISED DOCUMENTS
Importance: High

ATTENTION: These documents replace documents sent in this case on 09/24/2015.

1. The original order received was never filed because of a document error.
2. The new order replaces the first order you received.
 - This email is from the Fifteenth Judicial Circuit
 - Case Number: 2014CP003698
 - INRE SHIRLEY BERNSTEIN TRUST AGREE DTD 05/20/08 AM
 - Orders Attached:
 - o ORDER (Bernstein_14CP003698.pdf)
 - Division IH,

In accordance with the 15th Judicial Circuit's Administrative Order 2.310-4/13, please ensure that primary and secondary email addresses are registered with Court Administration at <https://e-services.co.palm-beach.fl.us/scheduling/>.

For a better translation of this document, contact CAD-ADA@pbcgov.org.

Eliot Ivan Bernstein

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Subject: RE: MEDIATION as ORDERED BY COURT IN CASE No.: 2014CP003698
Attachments: Order Setting Trial on Count II of Amended Complaint set 12-15-15 (Judge Phillips) 09-24-15.pdf; Notice of Mediation on December 4, 2015 (Mediator to be Determined) 11.13.2015.pdf

Mediation is set for 12-4-15.

We will circulate names of potential mediators available that day tomorrow, and we will need pick someone very soon. Does anyone have a preference for the location.

I have not heard from Eliot at all in this process. I want to avoid any last minute issues.

If Eliot is not planning to attend mediation, I ask that he advise us ASAP so we can file a motion and set for hearing to get direction from the Court. Mediation, with the expense of a mediator and fiduciaries, will be a very expensive process.

Likewise, the trial on Dec 15th will be very expensive, just to validate the operative trust documents. But I assume there is no way to resolve that either.

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Cc: Marie Chandler
Subject: RE: MEDIATION as ORDERED BY COURT IN CASE No.: 2014CP003698

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Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



505 South Flagler Drive
Suite 600
West Palm Beach, Florida 33401
561.655.2250 Phone
561.655.5537 Fax

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From: Alan Rose <ARose@mrachek-law.com>
Sent: Friday, October 30, 2015 3:37 PM
To: John Patrick Morrissey; iviewit@gmail.com; iviewit@iviewit.tv; tourcandy@gmail.com; boconnell@ciklinlubitz.com; jfoglietta@ciklinlubitz.com; jilliantoni@gmail.com; lisa.friedstein@gmail.com; psimon@stpcorp.com; service@ciklinlubitz.com; slobdell@ciklinlubitz.com
Cc: Marie Chandler
Subject: RE: MEDIATION as ORDERED BY COURT IN CASE No.: 2014CP003698

The Nov. 21 date was a mistake, as it is a Saturday.

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Sent: Friday, October 30, 2015 2:56 PM
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or

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Ted and his counsel will appear in person.
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MAX FRIEDSTEIN;

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Thanks, and have a nice weekend.

Alan Rose

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Sent: Monday, September 28, 2015 8:38 AM

To: John Patrick Morrissey; Alan Rose; iviewit@gmail.com; iviewit@iviewit.tv; tourcandy@gmail.com; boconnell@ciklinlubitz.com; jfoglietta@ciklinlubitz.com; jilliantoni@gmail.com; lisa.friedstein@gmail.com; psimon@stpcorp.com; service@ciklinlubitz.com; slobdell@ciklinlubitz.com

Cc: CAD-Division IH

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Importance: High

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 - o ORDER (Bernstein_14CP003698.pdf)
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From: Alan Rose <ARose@mrachek-law.com>
Sent: Friday, September 18, 2015 4:05 PM
To: McDowell, Sherri H.; Marie Chandler; Donald R. Tescher, Esq.; Donald R. Tescher, Esq. / D. Dustin; Eliot Bernstein & Eliot & Candice Bernstein; Gary R. Shendell - Estella; Gary R. Shendell - grs; gary@shendellpollock.com; Jill Iantoni & Jill & Guy Iantoni; John P. Morrissey, Esq.; Kenneth S. Pollock; Kenneth S. Pollock - Britt; Lisa Friedstein & Lisa & Jeffrey Friedstein - 2nd e-mail; lisa@friedsteins.com; Pamela Beth Simon; Peter J. Feaman, Esq.; Robert L. Spallina, Esq.; Robert L. Spallina, Esq. / K. Moran
Cc: O'Connell, Brian M.; Foglietta, Joy A; Lobdell, Sharon R.; Ted Bernstein; Marie Chandler
Subject: RE: BERNSTEIN ESTATE HEARINGS

Re -- The three pending sets of motions:

My client, as Trustee of the Simon Trust, has no objection to the Motion regarding the IRA. There is no beneficiary designation; no one has found or produced one in the three years since Simon's death; and that means the beneficiary is the Estate. My client's only concern is with how much of those proceeds are spent on attorneys' fees and otherwise (Stansbury) before being distributed to the Trust for ultimate distribution to the beneficiaries.

We believe you should set the fee motions for hearing. We do not object to the hourly rates or deny that you performed the services listed, and I will be glad to discuss our limited concerns with Brian and/or Joy before the hearing.

As to the motion with regard to the Tangible Personal Property ("TPP") at Lions Head Lane, we have no objection to the payment part, but object to the immediate sale of the property. We would consent to an order approving the payments, and deferring or tabling the sale portion for a few months. First, the TPP if there is any after payment of claims and expenses is specifically devised to the five children. The proceeds should be segregated and used only after every other dollar is used. Thus, there is not tremendous urgency to do this, other than the \$800 per month in storage costs.

Second, we believe the PR should offer the beneficiaries the option of selecting items and paying in cash the appraised values, or some other reasonable plan. If there is a contested hearing, we believe the PR should propose such a solution or some alternative that keeps these possessions within the family. Obviously, Eliot cannot have everything because that is not what the Will or any document ever suggested. And, just because Eliot wants everything does not mean it all should be sold to a third party so the rest of family members get nothing. We believe the PR should propose a simple and fair plan and seek court approval, or we will propose a fair plan. But again, that part of this motion is not an urgent issue.

I hope that responds to your inquiries, and if I've missed something please reply or have Joy or Brian call me.

Thanks

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



505 South Flagler Drive
Suite 600
West Palm Beach, Florida 33401
561.655.2250 Phone
561.655.5537 Fax

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If there are any documents attached to this email with the suffix .pdf, those documents are in Adobe PDF format. If you have difficulty viewing these attachments, you may need to download the free version of Adobe Acrobat Reader, available at: <http://www.adobe.com>

From: McDowell, Sherri H. [mailto:SMcDowell@ciklinlubitz.com]

Sent: Wednesday, September 16, 2015 3:47 PM

To: Alan Rose; Marie Chandler; Donald R. Tescher, Esq.; Donald R. Tescher, Esq. / D. Dustin; Eliot Bernstein & Eliot & Candice Bernstein; Gary R. Shendell - Estella; Gary R. Shendell - grs; Gary R. Shendell (gary@shendellpollock.com); Jill Iantoni & Jill & Guy Iantoni; John P. Morrissey, Esq.; Kenneth S. Pollock; Kenneth S. Pollock - Britt; Lisa Friedstein & Lisa & Jeffrey Friedstein - 2nd e-mail; Lisa Friedstein & Lisa & Jeffrey Friedstein (lisa@friedsteins.com); Pamela Beth Simon; Peter J. Feaman, Esq.; Robert L. Spallina, Esq.; Robert L. Spallina, Esq. / K. Moran

Cc: O'Connell, Brian M.; Foglietta, Joy A; Lobdell, Sharon R.

Subject: BERNSTEIN ESTATE

Attached please find Petition To Have Simon Bernstein Declared Beneficiary of JP Morgan IRA Account – filed on July 20, 2015. Please advise by 5:00 PM Friday, September 18, 2015 if there is an objection to the petition. If we do not hear otherwise, by 5:00 PM on Friday, September 18, 2015, we will send the Judge an agreed order granting the relief in the petition.

Thank you.

Sherri McDowell
Probate Paralegal
Ciklin Lubitz & O'Connell
515 North Flagler Drive, 20th Floor
West Palm Beach, Florida 33401
(O) 561-832-5900 (F) 561-833-4209
Email: smcdowell@ciklinlubitz.com

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Subject: Re: BERNSTEIN ESTATE

Please advise if you receive any objection from any other party to the motions you have circulated

I am conferring with my client and will advise tomorrow

Alan B. Rose
Mrachek, Fitzgerald, Rose, Konopka, Thomas & Weiss, P.A.

> On Sep 16, 2015, at 15:49, McDowell, Sherri H. <SMcDowell@ciklinlubitz.com> wrote:

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>

> <PET Have Estate of Simon Bernstein Declared the Benef of JP Morgan IRA Account - by PR - 7-20-15.pdf>

Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Thursday, July 2, 2015 11:31 AM
To: Ken Pollock; McDowell, Sherri H.; Marie Chandler; Donald R. Tescher, Esq.; Donald R. Tescher, Esq. / D. Dustin; Eliot Bernstein & Eliot & Candice Bernstein; Estella Cujar; GRS; Gary Shendell; Jill Iantoni & Jill & Guy Iantoni; John P. Morrissey, Esq.; Brittney Christian; Lisa Friedstein & Lisa & Jeffrey Friedstein - 2nd e-mail; lisa@friedsteins.com; Pamela Beth Simon; Peter J. Feaman, Esq.; Robert L. Spallina, Esq.; Robert L. Spallina, Esq. / K. Moran
Cc: O'Connell, Brian M.; Foglietta, Joy A; Lobdell, Sharon R.
Subject: RE: BERNSTEIN / Dates for case management conference

I am currently available on all dates other than 8/20, and suggest we do this at the earliest possible date good for as many people as possible. If this is not set soon, please reconfirm the actual date with me to assure that it is still clear.

Alan Rose

From: McDowell, Sherri H. [<mailto:SMcDowell@ciklinlubitz.com>]
Sent: Wednesday, July 01, 2015 3:46 PM
To: Alan B. Rose, Esq.; Alan B. Rose, Esq. / M. Chandler; Donald R. Tescher, Esq.; Donald R. Tescher, Esq. / D. Dustin; Eliot Bernstein & Eliot & Candice Bernstein; Estella Cujar; GRS; Gary Shendell; Jill Iantoni & Jill & Guy Iantoni; John P. Morrissey, Esq.; Ken Pollock; Brittney Christian; Lisa Friedstein & Lisa & Jeffrey Friedstein - 2nd e-mail; Lisa Friedstein & Lisa & Jeffrey Friedstein (lisa@friedsteins.com); Pamela Beth Simon; Peter J. Feaman, Esq.; Robert L. Spallina, Esq.; Robert L. Spallina, Esq. / K. Moran
Cc: O'Connell, Brian M.; Foglietta, Joy A; Lobdell, Sharon R.
Subject: BERNSTEIN / Dates for case management conference

Please provide availability for an 8:30 ExParte hearing for a status conference to schedule a one hour case management conference. Per the Judge's JA, the Judge will not schedule anything over 30 minutes without coming in to schedule. Please provide available or not for each date – not just one – so a date can be coordinated with all parties availability. Thank you.

7/23
7/28
7/30
8/20
9/1
9/3
9/8
9/10
9/15
9/17

Sherri McDowell
Probate Paralegal
Ciklin Lubitz & O'Connell
515 North Flagler Drive, 20th Floor
West Palm Beach, Florida 33401

(O) 561-832-5900 (F) 561-833-4209
Email: smcdowell@ciklinlubitz.com

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To: Eliot Ivan Bernstein; Eliot Ivan Bernstein; Eliot Ivan Bernstein; O'Connell, Brian M.; Foglietta, Joy A; john@jmorrisseylaw.com; Jill Iantoni & Jill & Guy Iantoni; lisa@friedsteins.com
Cc: Ted Bernstein
Subject: Simon and Shirley Bernstein original Trust Documents

To all parties:

I have provided to Brian O'Connell, John Morrissey, and Eliot Bernstein (and will to anyone else upon request) copies of all three originals of the Simon Trust Documents and the Shirley Trust Documents. The duplicate originals I have in custody were scanned high resolution color (meaning the size of those files is large) so they are high quality and clearly depict the original ink signatures.

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I also have conformed copies of the Wills, but that means the signatures are typed and not signed. These are identical to provisions of the Wills on file, but obviously of no value for handwriting analysis.

There appears to me to be no doubt that these documents are genuine and valid. However, please answer the following questions if you could to assist in streamlining and scheduling any trial.

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1. Is anyone challenging the validity of the signatures themselves (i.e. claiming that all three of these are forged)?
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For your convenience, this is what I understand Eliot has alleged as to Simon: that in the 48+ days prior to his death and at the time of the signing his 2012 testamentary documents, "Simon was suffering from mental health issues caused by elder abuse by four of five of his children and compounded by severe and unexplained headaches that caused him to go for a brain scan weeks before his untimely death, claiming he felt that he had tumors in his brain. Simon weeks before his death and at the time of the alleged signing also underwent a battery of other medical tests with a host of medical professionals, including but not limited to mental health experts and was having vivid hallucinations, massive depression and loss of memory and thereby lost all decisional capacity and was incapable of understanding the nature and effect of all legal and financial transactions, including executing documents, gifting, investing, withdrawal of funds, transfer of funds between accounts, etc."

In other words, is there any challenge to these documents by Eliot other than a claim that Simon lacked capacity to make a new trust?

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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Tuesday, June 9, 2015 2:36 PM
To: Lessne, Steven; O'Connell, Brian M.
Cc: Foglietta, Joy A; Eliot Ivan Bernstein; Eliot Ivan Bernstein; Eliot Ivan Bernstein; John P. Morrissey; Peter J. Feaman, Esq.; gary@shendellpollock.com; Lobdell, Sharon R.; Crispin, Ashley N.; Ted Bernstein
Subject: RE: Recusal of Coates

I will alert the Court via letter and copy all parties and pro se participants

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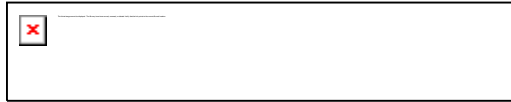
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Sent: Monday, June 08, 2015 10:54 PM
To: O'Connell, Brian M.
Cc: Alan Rose; Foglietta, Joy A; Eliot Ivan Bernstein; Eliot Ivan Bernstein; Eliot Ivan Bernstein; John P. Morrissey; Peter J. Feaman, Esq.; gary@shendellpollock.com; Lobdell, Sharon R.; Crispin, Ashley N.; Ted Bernstein
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Agreed.



Steven A. Lessne | Shareholder
[777 South Flagler Drive, Suite 500 East](#)
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[gunster.com](#) | SLessne@gunster.com | [View my bio](#)

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I suggest we alert the court now to avoid delays.

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<image001.jpg>

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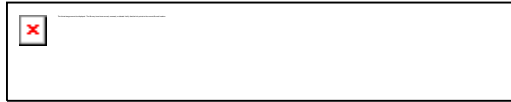
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<image001.jpg>

Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Tuesday, June 9, 2015 2:36 PM
To: Lessne, Steven; O'Connell, Brian M.
Cc: Foglietta, Joy A; Eliot Ivan Bernstein; Eliot Ivan Bernstein; Eliot Ivan Bernstein; John P. Morrissey; Peter J. Feaman, Esq.; gary@shendellpollock.com; Lobdell, Sharon R.; Crispin, Ashley N.; Ted Bernstein
Subject: RE: Recusal of Coates

I will alert the Court via letter and copy all parties and pro se participants

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



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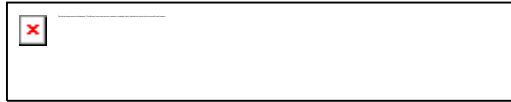
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From: Lessne, Steven [mailto:SLessne@gunster.com]
Sent: Monday, June 08, 2015 10:54 PM
To: O'Connell, Brian M.
Cc: Alan Rose; Foglietta, Joy A; Eliot Ivan Bernstein; Eliot Ivan Bernstein; Eliot Ivan Bernstein; John P. Morrissey; Peter J. Feaman, Esq.; gary@shendellpollock.com; Lobdell, Sharon R.; Crispin, Ashley N.; Ted Bernstein
Subject: Re: Recusal of Coates

Agreed.



Steven A. Lessne | Shareholder
[777 South Flagler Drive, Suite 500 East](#)
[West Palm Beach, Florida 33401](#)
[561-650-0545](#)

[450 East Las Olas Boulevard, Suite 1400](#)
[Fort Lauderdale, Florida 33301](#)
[954-468-1383](#)

[gunster.com](#) | SLessne@gunster.com | [View my bio](#)

Sent from my iPhone. Please excuse typos and tone.

On Jun 8, 2015, at 9:08 PM, O'Connell, Brian M. <boconnell@ciklinlubitz.com> wrote:

I suggest we alert the court now to avoid delays.

From: Alan Rose [ARose@mrachek-law.com]

Sent: Monday, June 08, 2015 7:28 PM

To: O'Connell, Brian M.; Foglietta, Joy A; Eliot Ivan Bernstein; Eliot Ivan Bernstein;
Eliot Ivan Bernstein; John P. Morrissey; Peter J. Feaman, Esq.;
gary@shendellpollock.com; Lessne, Steven

Cc: Ted Bernstein

Subject: Recusal of Coates

Judge Coates recused himself, but only signed an order for the main Simon Estate.

There are 4 other cases at least:

Shirley Estate
Shirley Trust
Simon Trust
Oppenheimer

I suggest advising him now, but does anyone have strong feelings. One way is to wait until we get a new judge and then all move jointly to reassign all 5 cases to same new judge.

I would welcome any thoughts please.

Alan B. Rose, Esq.
arose@Mrachek-Law.com<<mailto:arose@Mrachek-Law.com>>
561.355.6991

[cid:image001.jpg@01D0A221.5E1DDBE0]

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<image001.jpg>

Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Monday, June 8, 2015 7:29 PM
To: O'Connell, Brian M.; Foglietta, Joy A; Eliot Ivan Bernstein; Eliot Ivan Bernstein; Eliot Ivan Bernstein; John P. Morrissey; Peter J. Feaman, Esq.; gary@shendellpollock.com; Lessne, Steven
Cc: Ted Bernstein
Subject: Recusal of Coates
Attachments: Order of Recusal and Reassignment (Judge Coates) 06-04-15.pdf

Judge Coates recused himself, but only signed an order for the main Simon Estate.

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Shirley Trust
Simon Trust
Oppenheimer

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To: O'Connell, Brian M.; Foglietta, Joy A; Eliot Ivan Bernstein; Eliot Ivan Bernstein; Eliot Ivan Bernstein; John P. Morrissey; Peter J. Feaman, Esq.; gary@shendellpollock.com; Lessne, Steven
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Eliot Ivan Bernstein

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Sent: Monday, June 8, 2015 7:29 PM
To: O'Connell, Brian M.; Foglietta, Joy A; Eliot Ivan Bernstein; Eliot Ivan Bernstein; Eliot Ivan Bernstein; John P. Morrissey; Peter J. Feaman, Esq.; gary@shendellpollock.com; Lessne, Steven
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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Wednesday, June 3, 2015 12:40 AM
To: Foglietta, Joy A; O'Connell, Brian M.
Cc: Eliot Ivan Bernstein; Eliot Ivan Bernstein; Eliot Ivan Bernstein; John P. Morrissey; Ted Bernstein; Peter J. Feaman, Esq.
Subject: RE: Sale of St. Andrews--Lighting Fixtures

I sent the contract, which simply shows that the fixtures were included (as I represented). Now I am awaiting some response.

Anyway, we can sell the House "as is" with three old, used, practically worthless (in my opinion) fixtures, and the Trust will pay the Estate \$1,325; or the Estate can fight the Trust, remove the old, used, worthless and unattractive chandeliers; and then the Trust will need to buy the buyers three brand new, modern fixtures from a lighting retailer and have them installed, probably at the total cost of more than \$5k and hopefully less than \$10k. The winner in that is the buyer, who gets to pick out three new chandeliers paid for by the beneficiaries of the Trust. The losers are the beneficiaries of the trust; the property beneficiaries (because in the end, I predict the chandeliers will be sold for scrap and you will have spent hundreds or thousands to remove, pack, store, etc.); and the beneficiaries of the Estate who are burning money over this issue. Eliot probably thinks he wins because his wishes get priority over everything else, including common sense, and in the end he has no need for these chandeliers and will probably refuse to take them. The PR may end up a loser in this process if he remove chandeliers which do not belong to him.

The chandeliers very well could be property of the owner of the House (if I recall correctly, the fixtures were not even listed on the original Hittel report, and were appraised only because Eliot insisted). The Trust became owner via a quit claim deed from Simon and Shirley; there is no indication that the fixtures were excluded from that deed. If the PR removes the chandeliers, and it is later determined that they belonged to the Trust, the Trust will be seeking recompense from the PR himself, and not just for the appraised value but the actual out-of-pocket replacement cost. And not from the Estate.

I would HOPE and PLEAD with Eliot to not put the PR in such a position, and to do the right thing for once. Your parents certainly appear to have done a lot of right for you, probably at a cost of \$500k to \$1M in the last five years of their lives. Perhaps you could start returning their favor by starting with this issue.

If Eliot refuses, I would HOPE the PR could talk to him and work this out, because from where I am standing, this makes no sense whatsoever.

Alan B. Rose, Esq.
arose@Mrachek-Law.com
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From: Foglietta, Joy A [mailto:JFoglietta@ciklinlubitz.com]
Sent: Friday, May 29, 2015 1:51 PM
To: Alan Rose; O'Connell, Brian M.
Cc: Eliot Ivan Bernstein; Eliot Ivan Bernstein; Eliot Ivan Bernstein; John P. Morrissey; Ted Bernstein; Peter J. Feaman, Esq.
Subject: RE: Sale of St. Andrews--Lighting Fixtures

Mr. Rose,

We are in receipt of your below email. As requested in my emails to you on March 24, 2015, we are once again asking for a copy of the contract for sale so that we can respond to your email below.

Best,

Joielle A. Foglietta, Esq.
Ciklin Lubitz & O'Connell
515 North Flagler Drive, 20th Floor
West Palm Beach, Florida 33401
(O) 561-832-5900 (F) 561-833-4209
Email: jfoglietta@ciklinlubitz.com

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From: Alan Rose [mailto:ARose@mrachek-law.com]
Sent: Friday, May 29, 2015 1:31 PM
To: O'Connell, Brian M.; Foglietta, Joy A

Cc: Eliot Ivan Bernstein; Eliot Ivan Bernstein; Eliot Ivan Bernstein; John P. Morrissey; Ted Bernstein; Peter J. Feaman, Esq.

Subject: RE: Sale of St. Andrews--Lighting Fixtures

To All:

I have spoken to Mr. Feaman, as a potential claimant/creditor, and he has advised that he has no objection to leaving the three lighting fixtures in the house, and escrowing the from the same the appraised value of \$1,325.

Four of five of the personal property beneficiaries (Ted, Pam, Lisa, Jill) have advised that they have objection either, so the only potential holdout appears to be Eliot, although he has not responded in any way to my email below.

The PR apparently has no personal objection to what I have proposed, so long as Eliot would agree, but apparently is unwilling even to ask Mr. Eliot Bernstein (as the lone objector and holdout) to change his mind and do the right thing, so here goes:

TO Mr. Eliot Bernstein,

Please do the right thing here and agree to the sale of the fixtures, with the money held in escrow. You may recall, with your son's KIA we agreed you could have the KIA immediately and if there was a dispute later as to whether this was a proper and completed gift, the issue could be decided then. Please show the beneficiaries, your sons, nieces and nephews, the same courtesy on this issue, rather than continue to burn estate and trust assets.

If Eliot is unwilling to agree, the Trustee nevertheless requests and demands that the PR do the rational and reasonable thing.

Alan

From: Alan Rose

Sent: Thursday, May 28, 2015 9:10 AM

To: 'O'Connell, Brian M.'; 'Foglietta, Joy A'

Cc: 'Eliot Ivan Bernstein'; 'Eliot Ivan Bernstein'; 'Eliot Ivan Bernstein'; 'John P. Morrissey'; 'Ted Bernstein'; 'Peter J. Feaman, Esq.'

Subject: Sale of St. Andrews--Lighting Fixtures

This email is intended to address solely the lighting fixtures (three chandeliers) affixed to the house at 7020 Lions Head Lane in St. Andrews Country Club.

I believe there is or could be a disputed issue whether these lighting fixtures are owned by the Shirley Bernstein Trust, because they are affixed to the house, or by the Estate of Simon Bernstein, which owns all of the personal property located within the house. The value of the chandeliers is low – \$1,325 in total for all three – meaning this is an issue that does not warrant the amount of professional time and expense it will take to resolve it through litigation. The purpose of this letter is to propose a logical and fair solution, and to request that the PR implement this proposal, or a logical and reasonable alternative, asap.

The Trustee of the Shirley Bernstein Trust recommends to all that the chandeliers be sold as is, where is, with the House, which is set to close on June 10th. The appraised value, \$1,325, can be held by the Trustee pending further proceedings or can be paid-over to and held by the PR after the closing.

If the chandeliers do not go with the house, they will have to be (i) removed by a professional electrician, (ii) packaged moved and stored, and eventually (iii) either sold or given to someone. All five of Simon's children have furnished houses and are not in need of these chandeliers. These are not items of artistic significance or high monetary value. They simply are ordinary items as established through two independent appraisers, at \$1,325 total.

As I understand it, Eliot demanded that the chandeliers be given to him. I think that would be a huge mistake and a logistics nightmare, as explained below, but in any event Eliot refused the offer. It is my understanding that Simon and Shirley arranged to buy a home for Eliot's family to live, furnished that home (presumably with light fixtures), and allowed Eliot to live in the home for free. For whatever reasons, the home is not owned by Eliot, but is in a limited liability company, with Simon (now the Estate) retaining the bulk of the equity value by holding a \$365,000 second mortgage against the property. That is a non-performing asset which has been allowed to waste away under the direction of the Estate's PRs, Curator and now Successor PR.

It makes no sense to undertake significant expense to remove the fixtures from their current place in the house, and store them for some indefinite time period. And, while the PR is incurring those fees, the Trustee will be forced to give a credit to the buyer. I realize that Eliot is not concerned about the economics of any issue; however, I'm sure the ten grandchildren would be so concerned as must the fiduciaries.

Specifically, there'll need to be some downward adjustment of the purchase price of the house if the chandeliers are not included. I expect it will cost the Trust far more than the appraised value by way of a set off or credit, because the buyer not only will need to buy three new fixtures, at retail (not depreciated, used value as are the existing three chandeliers), and also have them delivered and professionally installed by licensed electrician. Second, the PR of the Estate will incur real expense in the process of removing, packing, moving, storing, and then again moving the chandeliers to a devise or final owner. With legal fees and costs, this issue if not logically and rationally resolved, likely will end up costing the ten grandchildren \$10,000 or more when all is said and done.

The only sensible thing to do is to have the Shirley Bernstein Trust sell the chandeliers and hold the \$1,325. In one sense, the least expensive solution would be for the Trust to buy the chandeliers from the Estate, for the full appraised value of \$1, 325. Those funds would be segregated and held by the PR, and a later date the Court can be determine who ultimately gets these funds as between: (i) the Shirley Trust; (ii) the Simon Estate, subject to priority of (a) the PR's professional fee, if the PR has not been paid in full from other sources; (b) the creditor, Stansbury; (c) the intended beneficiaries of the personal property, Simon's five children, in equal shares; or (d) someone else. Under this proposal, there will be no further legal fees, no electrician expenses, and the 10 grandchildren will be in the same place they are right now because otherwise the Shirley Trust (of which they are beneficiaries) will need to give a cash credit at closing to the buyers, which likely will exceed \$1,325, and the Simon Estate (of which they are the beneficiaries) will incur expense after expense.

What Ted as Trustee has proposed is an absolute win-win-win for everyone, and accounts for the disparate interests of the creditor, the fiduciary and the personal property beneficiaries. It also protects the assets in the estate, by avoiding incurring additional and untold expenses litigating who owns this relatively worthless property.

I realize this is a lengthy email to deal with what is a fairly simple issue in the scope of this case. But this issue is a microcosm of what Eliot has done and will continue to do to these estates and trusts. If anyone has a more practical or logical proposal, other than simply giving everything to Eliot or giving into every one of his demands, the Trustee is open to hear it. We look forward to hearing from everyone, especially the PR, as soon as possible.

Alan B. Rose, Esq.

arose@Mrachek-Law.com

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Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



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From: Foglietta, Joy A [mailto:JFoglietta@ciklinlubitz.com]
Sent: Friday, May 29, 2015 1:51 PM
To: Alan Rose; O'Connell, Brian M.
Cc: Eliot Ivan Bernstein; Eliot Ivan Bernstein; Eliot Ivan Bernstein; John P. Morrissey; Ted Bernstein; Peter J. Feaman, Esq.
Subject: RE: Sale of St. Andrews--Lighting Fixtures

Mr. Rose,

We are in receipt of your below email. As requested in my emails to you on March 24, 2015, we are once again asking for a copy of the contract for sale so that we can respond to your email below.

Best,

Joielle A. Foglietta, Esq.
Ciklin Lubitz & O'Connell
515 North Flagler Drive, 20th Floor
West Palm Beach, Florida 33401
(O) 561-832-5900 (F) 561-833-4209
Email: jfoglietta@ciklinlubitz.com

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From: Alan Rose [mailto:ARose@mrachek-law.com]
Sent: Friday, May 29, 2015 1:31 PM
To: O'Connell, Brian M.; Foglietta, Joy A

Cc: Eliot Ivan Bernstein; Eliot Ivan Bernstein; Eliot Ivan Bernstein; John P. Morrissey; Ted Bernstein; Peter J. Feaman, Esq.

Subject: RE: Sale of St. Andrews--Lighting Fixtures

To All:

I have spoken to Mr. Feaman, as a potential claimant/creditor, and he has advised that he has no objection to leaving the three lighting fixtures in the house, and escrowing the from the same the appraised value of \$1,325.

Four of five of the personal property beneficiaries (Ted, Pam, Lisa, Jill) have advised that they have objection either, so the only potential holdout appears to be Eliot, although he has not responded in any way to my email below.

The PR apparently has no personal objection to what I have proposed, so long as Eliot would agree, but apparently is unwilling even to ask Mr. Eliot Bernstein (as the lone objector and holdout) to change his mind and do the right thing, so here goes:

TO Mr. Eliot Bernstein,

Please do the right thing here and agree to the sale of the fixtures, with the money held in escrow. You may recall, with your son's KIA we agreed you could have the KIA immediately and if there was a dispute later as to whether this was a proper and completed gift, the issue could be decided then. Please show the beneficiaries, your sons, nieces and nephews, the same courtesy on this issue, rather than continue to burn estate and trust assets.

If Eliot is unwilling to agree, the Trustee nevertheless requests and demands that the PR do the rational and reasonable thing.

Alan

From: Alan Rose

Sent: Thursday, May 28, 2015 9:10 AM

To: 'O'Connell, Brian M.'; 'Foglietta, Joy A'

Cc: 'Eliot Ivan Bernstein'; 'Eliot Ivan Bernstein'; 'Eliot Ivan Bernstein'; 'John P. Morrissey'; 'Ted Bernstein'; 'Peter J. Feaman, Esq.'

Subject: Sale of St. Andrews--Lighting Fixtures

This email is intended to address solely the lighting fixtures (three chandeliers) affixed to the house at 7020 Lions Head Lane in St. Andrews Country Club.

I believe there is or could be a disputed issue whether these lighting fixtures are owned by the Shirley Bernstein Trust, because they are affixed to the house, or by the Estate of Simon Bernstein, which owns all of the personal property located within the house. The value of the chandeliers is low – \$1,325 in total for all three – meaning this is an issue that does not warrant the amount of professional time and expense it will take to resolve it through litigation. The purpose of this letter is to propose a logical and fair solution, and to request that the PR implement this proposal, or a logical and reasonable alternative, asap.

The Trustee of the Shirley Bernstein Trust recommends to all that the chandeliers be sold as is, where is, with the House, which is set to close on June 10th. The appraised value, \$1,325, can be held by the Trustee pending further proceedings or can be paid-over to and held by the PR after the closing.

If the chandeliers do not go with the house, they will have to be (i) removed by a professional electrician, (ii) packaged moved and stored, and eventually (iii) either sold or given to someone. All five of Simon's children have furnished houses and are not in need of these chandeliers. These are not items of artistic significance or high monetary value. They simply are ordinary items as established through two independent appraisers, at \$1,325 total.

As I understand it, Eliot demanded that the chandeliers be given to him. I think that would be a huge mistake and a logistics nightmare, as explained below, but in any event Eliot refused the offer. It is my understanding that Simon and Shirley arranged to buy a home for Eliot's family to live, furnished that home (presumably with light fixtures), and allowed Eliot to live in the home for free. For whatever reasons, the home is not owned by Eliot, but is in a limited liability company, with Simon (now the Estate) retaining the bulk of the equity value by holding a \$365,000 second mortgage against the property. That is a non-performing asset which has been allowed to waste away under the direction of the Estate's PRs, Curator and now Successor PR.

It makes no sense to undertake significant expense to remove the fixtures from their current place in the house, and store them for some indefinite time period. And, while the PR is incurring those fees, the Trustee will be forced to give a credit to the buyer. I realize that Eliot is not concerned about the economics of any issue; however, I'm sure the ten grandchildren would be so concerned as must the fiduciaries.

Specifically, there'll need to be some downward adjustment of the purchase price of the house if the chandeliers are not included. I expect it will cost the Trust far more than the appraised value by way of a set off or credit, because the buyer not only will need to buy three new fixtures, at retail (not depreciated, used value as are the existing three chandeliers), and also have them delivered and professionally installed by licensed electrician. Second, the PR of the Estate will incur real expense in the process of removing, packing, moving, storing, and then again moving the chandeliers to a devise or final owner. With legal fees and costs, this issue if not logically and rationally resolved, likely will end up costing the ten grandchildren \$10,000 or more when all is said and done.

The only sensible thing to do is to have the Shirley Bernstein Trust sell the chandeliers and hold the \$1,325. In one sense, the least expensive solution would be for the Trust to buy the chandeliers from the Estate, for the full appraised value of \$1, 325. Those funds would be segregated and held by the PR, and a later date the Court can be determine who ultimately gets these funds as between: (i) the Shirley Trust; (ii) the Simon Estate, subject to priority of (a) the PR's professional fee, if the PR has not been paid in full from other sources; (b) the creditor, Stansbury; (c) the intended beneficiaries of the personal property, Simon's five children, in equal shares; or (d) someone else. Under this proposal, there will be no further legal fees, no electrician expenses, and the 10 grandchildren will be in the same place they are right now because otherwise the Shirley Trust (of which they are beneficiaries) will need to give a cash credit at closing to the buyers, which likely will exceed \$1,325, and the Simon Estate (of which they are the beneficiaries) will incur expense after expense.

What Ted as Trustee has proposed is an absolute win-win-win for everyone, and accounts for the disparate interests of the creditor, the fiduciary and the personal property beneficiaries. It also protects the assets in the estate, by avoiding incurring additional and untold expenses litigating who owns this relatively worthless property.

I realize this is a lengthy email to deal with what is a fairly simple issue in the scope of this case. But this issue is a microcosm of what Eliot has done and will continue to do to these estates and trusts. If anyone has a more practical or logical proposal, other than simply giving everything to Eliot or giving into every one of his demands, the Trustee is open to hear it. We look forward to hearing from everyone, especially the PR, as soon as possible.

Alan B. Rose, Esq.

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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Wednesday, June 3, 2015 12:40 AM
To: Foglietta, Joy A; O'Connell, Brian M.
Cc: Eliot Ivan Bernstein; Eliot Ivan Bernstein; Eliot Ivan Bernstein; John P. Morrissey; Ted Bernstein; Peter J. Feaman, Esq.
Subject: RE: Sale of St. Andrews--Lighting Fixtures

I sent the contract, which simply shows that the fixtures were included (as I represented). Now I am awaiting some response.

Anyway, we can sell the House "as is" with three old, used, practically worthless (in my opinion) fixtures, and the Trust will pay the Estate \$1,325; or the Estate can fight the Trust, remove the old, used, worthless and unattractive chandeliers; and then the Trust will need to buy the buyers three brand new, modern fixtures from a lighting retailer and have them installed, probably at the total cost of more than \$5k and hopefully less than \$10k. The winner in that is the buyer, who gets to pick out three new chandeliers paid for by the beneficiaries of the Trust. The losers are the beneficiaries of the trust; the property beneficiaries (because in the end, I predict the chandeliers will be sold for scrap and you will have spent hundreds or thousands to remove, pack, store, etc.); and the beneficiaries of the Estate who are burning money over this issue. Eliot probably thinks he wins because his wishes get priority over everything else, including common sense, and in the end he has no need for these chandeliers and will probably refuse to take them. The PR may end up a loser in this process if he remove chandeliers which do not belong to him.

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From: Foglietta, Joy A [mailto:JFoglietta@ciklinlubitz.com]
Sent: Friday, May 29, 2015 1:51 PM
To: Alan Rose; O'Connell, Brian M.
Cc: Eliot Ivan Bernstein; Eliot Ivan Bernstein; Eliot Ivan Bernstein; John P. Morrissey; Ted Bernstein; Peter J. Feaman, Esq.
Subject: RE: Sale of St. Andrews--Lighting Fixtures

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Best,

Joielle A. Foglietta, Esq.
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(O) 561-832-5900 (F) 561-833-4209
Email: jfoglietta@ciklinlubitz.com

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Sent: Friday, May 29, 2015 1:31 PM
To: O'Connell, Brian M.; Foglietta, Joy A

Cc: Eliot Ivan Bernstein; Eliot Ivan Bernstein; Eliot Ivan Bernstein; John P. Morrissey; Ted Bernstein; Peter J. Feaman, Esq.

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Alan

From: Alan Rose

Sent: Thursday, May 28, 2015 9:10 AM

To: 'O'Connell, Brian M.'; 'Foglietta, Joy A'

Cc: 'Eliot Ivan Bernstein'; 'Eliot Ivan Bernstein'; 'Eliot Ivan Bernstein'; 'John P. Morrissey'; 'Ted Bernstein'; 'Peter J. Feaman, Esq.'

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Alan B. Rose, Esq.

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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Monday, June 1, 2015 3:08 PM
To: Eliot Ivan Bernstein; Eliot Ivan Bernstein; Eliot Ivan Bernstein
Cc: John P. Morrissey; O'Connell, Brian M.; Foglietta, Joy A; Peter J. Feaman, Esq.; Lessne, Steven
Subject: RE: Judge Coates

As you know, we notified Judge Coates of the potential Proskauer conflict issue raised by Eliot through Crystal Cox, to give the Court the change to recuse if it feels it appropriate, rather than raise this issue at Thursday's hearing and potentially waste a lot of everyone's time and money.

None of the parties appears to have any issue as to Judge Coates, including my client and me.

Eliot seems to have issues, as he complained via the internet posting listed below, but has not responded to my email requesting his position, and now the most recent internet postings suggest that my client is the only one concerned with Judge Coates, which is not true.

If Eliot has a problem with a former Proskauer lawyer acting as the judge handling this case, he needs to speak up now. If Eliot replies by email stating an objection because Judge Coates formerly worked at Proskauer, my client has no objection and I'm sure the other counsel would have no objection to jointly asking Judge Coates to step down now.

However, if Judge Coates does not recuse himself, and if Eliot remains silent now, it will be too late to begin objecting and complaining later, after Eliot starts losing or suffering adverse rulings. Under Rule 2.330(e), and given Eliot's knowledge of this issue on or before May 22nd, today would be the last day of the 10 day period for objections. Any later complaints likely would be untimely.

From: Alan Rose
Sent: Wednesday, May 27, 2015 11:44 AM
To: 'Eliot Ivan Bernstein'; 'Eliot Ivan Bernstein'; 'Eliot Ivan Bernstein'
Cc: 'John P. Morrissey'; 'O'Connell, Brian M.'; 'Foglietta, Joy A'; 'Peter J. Feaman, Esq.'
Subject: RE: Judge Coates

Now that Brian has set a hearing before Judge Coates, Eliot needs to speak now if he contests the court's ability to hear this case. Silence equals acceptance and waiver of any objections in my view.

Eliot has filed at least two and probably more motions to disqualify Judge Colin, and already has started with nonsense about Judge Coates.

For the record, we have no objection to Judge Coates. But Eliot may and he needs to assert that objection or waive it. There is no point having a hearing and wasting time just to have Eliot complain that day about Judge Coates.

Also for the record, the "journalist" Eliot corresponds and communicates with, Crystal Cox, posted the following highlighted material:

Friday, May 22, 2015

Was Howard Coates REALLY picked Randomly as a Judge in this Case? REALLY? Seriously? A former Proskauer Rose attorney? WOW

Was with Proskauer Rose for 10 years and now on the iViewit SCANDAL in Florida?? Are you Kidding, WOW
Well this should be interesting, hopefully lawful !!

Bio

<http://15thcircuit.co.palm-beach.fl.us/web/judge-coates>

[http://ballotpedia.org/Howard K. Coates](http://ballotpedia.org/Howard_K._Coates)

<http://www.avvo.com/attorneys/33401-fl-howard-coates-1273629.html>

News on ..

<http://www.palmbeachpost.com/news/news/crime-law/scott-picks-three-for-palm-beach-county-judgeships/njZNL/>

Judge Coates was at Proskauer between 1991 and 2000; I believe those are some of the years Proskauer represented iViewIt and possibly during the times that Eliot sued that firm. Eliot has alleged that during these years is when Proskauer stole his patents. It was an unpleasant lawsuit for the firm I'm sure, and no doubt Eliot made it as unpleasant as possible for the partners of "Porksour Rose". Eliot lost his claim in federal court back in 2008 and I believe owes the firm a sanction award imposed by Judge Scheindlin, but he has not given up on that firm and continues to mention it in recent filings.

The point here is that Eliot must advise the parties of his position and the PR needs to get this resolved before there a number of hearings.

Also, you have set too many issues for one 30 minute hearing, particularly when it would be the Judge's first involvement in the case, in my opinion.

Alan B. Rose, Esq.

arose@Mrachek-Law.com

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West Palm Beach, Florida 33401

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-----Original Message-----

From: Alan Rose

Sent: Tuesday, May 26, 2015 11:52 AM

To: 'Eliot Ivan Bernstein'; 'Eliot Ivan Bernstein'; 'Eliot Ivan Bernstein'

Cc: 'John P. Morrissey'; 'O'Connell, Brian M.'; 'Foglietta, Joy A'; 'Peter J. Feaman, Esq.'

Subject: Judge Coates

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Please advise.

Alan B. Rose

Mrachek, Fitzgerald, Rose, Konopka, Thomas & Weiss, P.A.

Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Monday, June 1, 2015 3:08 PM
To: Eliot Ivan Bernstein; Eliot Ivan Bernstein; Eliot Ivan Bernstein
Cc: John P. Morrissey; O'Connell, Brian M.; Foglietta, Joy A; Peter J. Feaman, Esq.; Lessne, Steven
Subject: RE: Judge Coates

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Sent: Wednesday, May 27, 2015 11:44 AM
To: 'Eliot Ivan Bernstein'; 'Eliot Ivan Bernstein'; 'Eliot Ivan Bernstein'
Cc: 'John P. Morrissey'; 'O'Connell, Brian M.'; 'Foglietta, Joy A'; 'Peter J. Feaman, Esq.'
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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Friday, May 29, 2015 1:31 PM
To: O'Connell, Brian M.; Foglietta, Joy A
Cc: Eliot Ivan Bernstein; Eliot Ivan Bernstein; Eliot Ivan Bernstein; John P. Morrissey; Ted Bernstein; Peter J. Feaman, Esq.
Subject: RE: Sale of St. Andrews--Lighting Fixtures

To All:

I have spoken to Mr. Feaman, as a potential claimant/creditor, and he has advised that he has no objection to leaving the three lighting fixtures in the house, and escrowing the from the same the appraised value of \$1,325.

Four of five of the personal property beneficiaries (Ted, Pam, Lisa, Jill) have advised that they have objection either, so the only potential holdout appears to be Eliot, although he has not responded in any way to my email below.

The PR apparently has no personal objection to what I have proposed, so long as Eliot would agree, but apparently is unwilling even to ask Mr. Eliot Bernstein (as the lone objector and holdout) to change his mind and do the right thing, so here goes:

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If Eliot is unwilling to agree, the Trustee nevertheless requests and demands that the PR do the rational and reasonable thing.

Alan

From: Alan Rose
Sent: Thursday, May 28, 2015 9:10 AM
To: 'O'Connell, Brian M.'; 'Foglietta, Joy A'
Cc: 'Eliot Ivan Bernstein'; 'Eliot Ivan Bernstein'; 'Eliot Ivan Bernstein'; 'John P. Morrissey'; 'Ted Bernstein'; 'Peter J. Feaman, Esq.'
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This email is intended to address solely the lighting fixtures (three chandeliers) affixed to the house at 7020 Lions Head Lane in St. Andrews Country Club.

I believe there is or could be a disputed issue whether these lighting fixtures are owned by the Shirley Bernstein Trust, because they are affixed to the house, or by the Estate of Simon Bernstein, which owns all of the personal property located within the house. The value of the chandeliers is low – \$1,325 in total for all three – meaning this is an issue that does not warrant the amount of professional time and expense it will take to resolve it through litigation. The purpose of this letter is to propose a logical and fair solution, and to request that the PR implement this proposal, or a logical and reasonable alternative, asap.

The Trustee of the Shirley Bernstein Trust recommends to all that the chandeliers be sold as is, where is, with the House, which is set to close on June 10th. The appraised value, \$1,325, can be held by the Trustee pending further proceedings or can be paid-over to and held by the PR after the closing.

If the chandeliers do not go with the house, they will have to be (i) removed by a professional electrician, (ii) packaged moved and stored, and eventually (iii) either sold or given to someone. All five of Simon's children have furnished houses and are not in need of these chandeliers. These are not items of artistic significance or high monetary value. They simply are ordinary items as established through two independent appraisers, at \$1,325 total.

As I understand it, Eliot demanded that the chandeliers be given to him. I think that would be a huge mistake and a logistics nightmare, as explained below, but in any event Eliot refused the offer. It is my understanding that Simon and Shirley arranged to buy a home for Eliot's family to live, furnished that home (presumably with light fixtures), and allowed Eliot to live in the home for free. For whatever reasons, the home is not owned by Eliot, but is in a limited liability company, with Simon (now the Estate) retaining the bulk of the equity value by holding a \$365,000 second mortgage against the property. That is a non-performing asset which has been allowed to waste away under the direction of the Estate's PRs, Curator and now Successor PR.

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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Friday, May 29, 2015 1:31 PM
To: O'Connell, Brian M.; Foglietta, Joy A
Cc: Eliot Ivan Bernstein; Eliot Ivan Bernstein; Eliot Ivan Bernstein; John P. Morrissey; Ted Bernstein; Peter J. Feaman, Esq.
Subject: RE: Sale of St. Andrews--Lighting Fixtures

To All:

I have spoken to Mr. Feaman, as a potential claimant/creditor, and he has advised that he has no objection to leaving the three lighting fixtures in the house, and escrowing the from the same the appraised value of \$1,325.

Four of five of the personal property beneficiaries (Ted, Pam, Lisa, Jill) have advised that they have objection either, so the only potential holdout appears to be Eliot, although he has not responded in any way to my email below.

The PR apparently has no personal objection to what I have proposed, so long as Eliot would agree, but apparently is unwilling even to ask Mr. Eliot Bernstein (as the lone objector and holdout) to change his mind and do the right thing, so here goes:

TO Mr. Eliot Bernstein,

Please do the right thing here and agree to the sale of the fixtures, with the money held in escrow. You may recall, with your son's KIA we agreed you could have the KIA immediately and if there was a dispute later as to whether this was a proper and completed gift, the issue could be decided then. Please show the beneficiaries, your sons, nieces and nephews, the same courtesy on this issue, rather than continue to burn estate and trust assets.

If Eliot is unwilling to agree, the Trustee nevertheless requests and demands that the PR do the rational and reasonable thing.

Alan

From: Alan Rose
Sent: Thursday, May 28, 2015 9:10 AM
To: 'O'Connell, Brian M.'; 'Foglietta, Joy A'
Cc: 'Eliot Ivan Bernstein'; 'Eliot Ivan Bernstein'; 'Eliot Ivan Bernstein'; 'John P. Morrissey'; 'Ted Bernstein'; 'Peter J. Feaman, Esq.'
Subject: Sale of St. Andrews--Lighting Fixtures

This email is intended to address solely the lighting fixtures (three chandeliers) affixed to the house at 7020 Lions Head Lane in St. Andrews Country Club.

I believe there is or could be a disputed issue whether these lighting fixtures are owned by the Shirley Bernstein Trust, because they are affixed to the house, or by the Estate of Simon Bernstein, which owns all of the personal property located within the house. The value of the chandeliers is low – \$1,325 in total for all three – meaning this is an issue that does not warrant the amount of professional time and expense it will take to resolve it through litigation. The purpose of this letter is to propose a logical and fair solution, and to request that the PR implement this proposal, or a logical and reasonable alternative, asap.

The Trustee of the Shirley Bernstein Trust recommends to all that the chandeliers be sold as is, where is, with the House, which is set to close on June 10th. The appraised value, \$1,325, can be held by the Trustee pending further proceedings or can be paid-over to and held by the PR after the closing.

If the chandeliers do not go with the house, they will have to be (i) removed by a professional electrician, (ii) packaged moved and stored, and eventually (iii) either sold or given to someone. All five of Simon's children have furnished houses and are not in need of these chandeliers. These are not items of artistic significance or high monetary value. They simply are ordinary items as established through two independent appraisers, at \$1,325 total.

As I understand it, Eliot demanded that the chandeliers be given to him. I think that would be a huge mistake and a logistics nightmare, as explained below, but in any event Eliot refused the offer. It is my understanding that Simon and Shirley arranged to buy a home for Eliot's family to live, furnished that home (presumably with light fixtures), and allowed Eliot to live in the home for free. For whatever reasons, the home is not owned by Eliot, but is in a limited liability company, with Simon (now the Estate) retaining the bulk of the equity value by holding a \$365,000 second mortgage against the property. That is a non-performing asset which has been allowed to waste away under the direction of the Estate's PRs, Curator and now Successor PR.

It makes no sense to undertake significant expense to remove the fixtures from their current place in the house, and store them for some indefinite time period. And, while the PR is incurring those fees, the Trustee will be forced to give a credit to the buyer. I realize that Eliot is not concerned about the economics of any issue; however, I'm sure the ten grandchildren would be so concerned as must the fiduciaries.

Specifically, there'll need to be some downward adjustment of the purchase price of the house if the chandeliers are not included. I expect it will cost the Trust far more than the appraised value by way of a set off or credit, because the buyer not only will need to buy three new fixtures, at retail (not depreciated, used value as are the existing three chandeliers), and also have them delivered and professionally installed by licensed electrician. Second, the PR of the Estate will incur real expense in the process of removing, packing, moving, storing, and then again moving the chandeliers to a devise or final owner. With legal fees and costs, this issue if not logically and rationally resolved, likely will end up costing the ten grandchildren \$10,000 or more when all is said and done.

The only sensible thing to do is to have the Shirley Bernstein Trust sell the chandeliers and hold the \$1,325. In one sense, the least expensive solution would be for the Trust to buy the chandeliers from the Estate, for the full appraised value of \$1, 325. Those funds would be segregated and held by the PR, and a later date the Court can be determine who ultimately gets these funds as between: (i) the Shirley Trust; (ii) the Simon Estate, subject to priority of (a) the PR's professional fee, if the PR has not been paid in full from other sources; (b) the creditor, Stansbury; (c) the intended beneficiaries of the personal property, Simon's five children, in equal shares; or (d) someone else. Under this proposal, there will be no further legal fees, no electrician expenses, and the 10 grandchildren will be in the same place they are right now because otherwise the Shirley Trust (of which they are beneficiaries) will need to give a cash credit at closing to the buyers, which likely will exceed \$1,325, and the Simon Estate (of which they are the beneficiaries) will incur expense after expense.

What Ted as Trustee has proposed is an absolute win-win-win for everyone, and accounts for the disparate interests of the creditor, the fiduciary and the personal property beneficiaries. It also protects the assets in the estate, by avoiding incurring additional and untold expenses litigating who owns this relatively worthless property.

I realize this is a lengthy email to deal with what is a fairly simple issue in the scope of this case. But this issue is a microcosm of what Eliot has done and will continue to do to these estates and trusts. If anyone has a more practical or logical proposal, other than simply giving everything to Eliot or giving into every one of his demands, the Trustee is open to hear it. We look forward to hearing from everyone, especially the PR, as soon as possible.

Alan B. Rose, Esq.

arose@Mrachek-Law.com

561.355.6991



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West Palm Beach, Florida 33401
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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Friday, May 29, 2015 12:16 PM
To: O'Connell, Brian M.; Foglietta, Joy A; Eliot Ivan Bernstein; john@jmorrisseylaw.com; Jill lantoni & Jill & Guy lantoni; lisa@friedsteins.com; Ted Bernstein
Subject: RE: Payment to Hall & Hall Appraisers
Attachments: 20150529120546794.pdf

See attached letter to Brian O'Connell.

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991

-----Original Message-----

From: Alan Rose
Sent: Friday, May 15, 2015 5:11 PM
To: 'O'Connell, Brian M.'; 'Foglietta, Joy A'; 'Eliot Ivan Bernstein'; 'john@jmorrisseylaw.com'; 'Jill lantoni & Jill & Guy lantoni'; 'Lisa Friedstein & Lisa & Jeffrey Friedstein (lisa@friedsteins.com)'; 'Ted Bernstein'
Subject: Payment to Hall & Hall Appraisers

We have been ordered to pay, from the Simon Bernstein Trust, the expense of the PR in obtaining a new appraisal of the personal items at the Lions Head (St. Andrews) property.

We paid \$500 initially which was used for assistants and now must pay the bill to Hall & Hall, see attached.

There already is an order commanding such payments; but if anyone objects please do so by Monday 5:00 pm.

If so, I suspect Mr. O'Connell will take the issue to the Court. Otherwise, we'll send out the payment.

Alan B. Rose, Esq.
arose@Mrachek-Law.com
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From: Alan Rose <ARose@mrachek-law.com>
Sent: Thursday, May 28, 2015 3:12 PM
To: Eliot Ivan Bernstein; Eliot Ivan Bernstein; Eliot Ivan Bernstein
Cc: John P. Morrissey; O'Connell, Brian M.; Foglietta, Joy A; Peter J. Feaman, Esq.
Subject: RE: Judge Coates

Can each of you reply to confirm receipt of this email. I am having some email issue and want to make sure each of you received this important email.

We need to address this issue asap

From: Alan Rose
Sent: Wednesday, May 27, 2015 11:44 AM
To: 'Eliot Ivan Bernstein'; 'Eliot Ivan Bernstein'; 'Eliot Ivan Bernstein'
Cc: 'John P. Morrissey'; 'O'Connell, Brian M.'; 'Foglietta, Joy A'; 'Peter J. Feaman, Esq.'
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The point here is that Eliot must advise the parties of his position and the PR needs to get this resolved before there a number of hearings.

Also, you have set too many issues for one 30 minute hearing, particularly when it would be the Judge's first involvement in the case, in my opinion.

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Alan B. Rose
Mrachek, Fitzgerald, Rose, Konopka, Thomas & Weiss, P.A.

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Cc: John P. Morrissey; O'Connell, Brian M.; Foglietta, Joy A; Peter J. Feaman, Esq.
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Eliot Ivan Bernstein

From: Alan Rose <ARose@mrachek-law.com>
Sent: Thursday, May 28, 2015 9:10 AM
To: O'Connell, Brian M.; Foglietta, Joy A
Cc: Eliot Ivan Bernstein; Eliot Ivan Bernstein; Eliot Ivan Bernstein; John P. Morrissey; Ted Bernstein; Peter J. Feaman, Esq.
Subject: Sale of St. Andrews--Lighting Fixtures

This email is intended to address solely the lighting fixtures (three chandeliers) affixed to the house at 7020 Lions Head Lane in St. Andrews Country Club.

I believe there is or could be a disputed issue whether these lighting fixtures are owned by the Shirley Bernstein Trust, because they are affixed to the house, or by the Estate of Simon Bernstein, which owns all of the personal property located within the house. The value of the chandeliers is low – \$1,325 in total for all three – meaning this is an issue that does not warrant the amount of professional time and expense it will take to resolve it through litigation. The purpose of this letter is to propose a logical and fair solution, and to request that the PR implement this proposal, or a logical and reasonable alternative, asap.

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