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

Case Numbers:

The Honorable Rosemarie Scher

ELIOT BERNSTEIN, individually;  
ELIOT BERNSTEIN as a beneficiary of the  
2008 SIMON L. BERNSTEIN TRUST  
AGREEMENT, as amended and restated in the  
SIMON L. BERNSTEIN AMENDED AND  
RESTATED TRUST AGREEMENT dated  
July 25, 2012 and as Legal Guardian of  
JOSHUA BERNSTEIN, JACOB BERNSTEIN,  
and DANIEL BERNSTEIN,

Plaintiffs,

v.

THEODORE STUART BERNSTEIN, individually;  
THEODORE STUART BERNSTEIN, as Successor  
Trustee of the 2008 SIMON L. BERNSTEIN  
TRUST AGREEMENT, as amended and restated in the  
SIMON L. BERNSTEIN AMENDED AND RESTATED  
TRUST AGREEMENT dated July 25, 2012;  
ALEXANDRA BERNSTEIN;  
ERIC BERNSTEIN;  
MICHAEL BERNSTEIN;  
MOLLY SIMON;  
JULIA IANTONI;  
MAX FRIEDSTEIN;  
CARLY FRIEDSTEIN;  
JOHN AND JANE DOE 1-5000,

Defendants.

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**URGENT MOTION FOR COURT TO INSTANTLY AND PRIOR TO ANY FURTHER  
HEARINGS OR CONSIDERATION OF PLEADINGS IN THESE MATTERS REMOVE**

**ON ITS OWN MOTION UNDER FLORIDA STATUTE 736.0706 TED BERNSTEIN AS FIDUCIARY FROM ANY AND ALL FIDUCIARY ROLES IN THE ESTATE & TRUSTS OF SIMON AND SHIRLEY BERNSTEIN FOR INVOLVEMENT IN, FRAUD UPON THE COURT, FRAUD UPON THE BENEFICIARIES, FRAUD UPON THE CREDITOR, FELONY BREACHES OF FIDUCIARY DUTIES, ADVERSE INTERESTS, CONFLICTS OF INTEREST AND MORE**

**COMES NOW, Eliot Ivan Bernstein ("Eliot" or "Plaintiff"),**

**INTRODUCTION**

**PROVEN AND ADMITTED FRAUD UPON THE COURT, FORGERY, FRAUDULENT NOTARIZATIONS, FRAUD UPON BENEFICIARIES AND MORE BY COURT APPOINTED OFFICERS/ATTORNEYS/FIDUCIARIES INVOLVED IN THE SIMON AND SHIRLEY BERNSTEIN ESTATES AND TRUSTS WITH TED BERNSTEIN AS ACTING FIDUCIARY (PR & TRUSTEE) IN PROVEN CRIMES COMMITTED BY TED BERNSTEIN'S RETAINED COUNSEL, INCLUDING FRAUD UPON THIS COURT, AS CAUSE FOR REMOVAL OF TED BERNSTEIN BY THIS COURT ON ITS OWN MOTION**

1. **\*\*\*ALL REFERENCES TO ANY ESTATE AND TRUST DOCUMENTS REFERENCED HEREIN THAT WERE PRODUCED BY FORMER FIDUCIARIES AND COUNSEL TESCHER AND SPALLINA ARE NOT VALIDATION OR CONFIRMATION OF THE DOCUMENTS AUTHENTICITY NOR DO THEY GIVE FORCE AND EFFECT TO THEM AS THERE ARE NO ORIGINAL DOCUMENTS AT THIS TIME TO VALIDATE THEM AGAINST. THIS LACK OF ORIGINAL DOCUMENTS COMES DESPITE A COURT ORDER<sup>1</sup> FOR THE PRIOR CO-PR's and CO-TRUSTEES, ATTORNEYS AT LAW, ROBERT**

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<sup>1</sup> Colin Order for Production of Tescher and Spallina Records, etc.