

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Thursday, July 2, 2015 11:48 AM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** McDowell, Sherri H.; O'Connell, Brian M.  
**Subject:** FW: BERNSTEIN / Dates for case management conference

Eliot,

Please confirm you are available on July 30<sup>th</sup> for a status conference. This is just a hearing to set further hearings. We really need to get hearings set in this matter and this date seems to work for others.

I look forward to hearing from you.

Best,

---

**Joelle A. Foglietta, Esq.**  
Ciklin Lubitz & O'Connell  
515 North Flagler Drive, 20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
(O) 561-832-5900 (F) 561-833-4209  
Email: [jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

**From:** McDowell, Sherri H.  
**Sent:** Thursday, July 02, 2015 11:44 AM  
**To:** 'Alan Rose'; Ken Pollock; 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](mailto: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

July 30<sup>th</sup> is available for all that have responded. We will notice the status conference for that date.

---

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

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of

this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

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

**Sent:** Thursday, July 02, 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](mailto: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](mailto: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, 20<sup>th</sup> Floor

West Palm Beach, Florida 33401

(O) 561-832-5900 (F) 561-833-4209

Email: [smcdowell@ciklinlubitz.com](mailto:smcdowell@ciklinlubitz.com)

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination,

distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Monday, June 1, 2015 5:06 PM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Crispin, Ashley N.; Lobdell, Sharon R.; McDowell, Sherri H.; Thomas, Cynthia J; Candice Schwager @ Schwager Law Firm; 'Barbara Stone'; '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

We are taking possession of the records.

---

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

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@gmail.com](mailto:iviewit@gmail.com)]  
**Sent:** Monday, June 01, 2015 5:02 PM  
**To:** Foglietta, Joy A  
**Cc:** O'Connell, Brian M.; Crispin, Ashley N.; Lobdell, Sharon R.; McDowell, Sherri H.; Thomas, Cynthia J; Candice Schwager @ Schwager Law Firm; 'Barbara Stone'; '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

Those items were to be inventoried under that court order as well as the office. I am not sure why you are not just taking possession of the items and instead leaving them in Ted's possession. eb

---

**From:** Foglietta, Joy A [mailto:[JFoglietta@ciklinlubitz.com](mailto:JFoglietta@ciklinlubitz.com)]  
**Sent:** Monday, June 1, 2015 4:43 PM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Crispin, Ashley N.; Lobdell, Sharon R.; McDowell, Sherri H.; Thomas, Cynthia J  
**Subject:** RE: Bernstein

That was a different court order. Nothing is set in stone, however, we are trying to go sometime this week.

---

Joelle A. Foglietta, Esq.  
Ciklin Lubitz & O'Connell  
515 North Flagler Drive, 20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
(O) 561-832-5900 (F) 561-833-4209

Email: [jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

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

**Sent:** Monday, June 01, 2015 4:41 PM

**To:** Foglietta, Joy A

**Cc:** O'Connell, Brian M.; Crispin, Ashley N.; Lobdell, Sharon R.; McDowell, Sherri H.; Thomas, Cynthia J

**Subject:** RE: Bernstein

When are you going to the home and when are you going to the office. Also, I was allowed to come by Court Order to the house for the inventorying and stay outside the home, as was Ted. Will Ted be violating the court order? Eliot

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]

**Sent:** Monday, June 1, 2015 4:29 PM

**To:** 'Eliot Ivan Bernstein'

**Cc:** O'Connell, Brian M.; Crispin, Ashley N.; Lobdell, Sharon R.; McDowell, Sherri H.; Thomas, Cynthia J

**Subject:** RE: Bernstein

That is what I wanted to talk to you about. Ted has objected to your being at the house absent a court order. As such, two people from my office will be going to the St. Andrews house and will catalogue the home office records. Once that is done we can set up a time to discuss same.

Best,

---

**Joelle A. Foglietta, Esq.**

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

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

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

**Sent:** Saturday, May 30, 2015 4:31 AM

**To:** Foglietta, Joy A

**Cc:** 'Andrew Dietz @ Rock-It Cargo USA, Inc.'; 'CANDICE BERNSTEIN'; 'Caroline Prochotska Rogers Esq.'; 'Eliot I. Bernstein'; 'Michele M. Mulrooney ~ Partner @ Venable LLP'; Candice Schwager @ Schwager Law Firm; 'Barbara Stone'; 'Barbara Stone'

**Subject:** RE: Bernstein

I thought we were scheduling a time to go there and inventory the paperwork etc. and going to the office to do same, what is a good time this next week? Also, were you getting the production document out? eb

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]

**Sent:** Friday, May 29, 2015 12:47 PM

**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Lobdell, Sharon R.  
**Subject:** Bernstein

Eliot,

I would like to speak with you today regarding the personal property at St. Andrews. What time are you available?

Best,

---

**Joelle A. Foglietta, Esq.**  
Ciklin Lubitz & O'Connell  
515 North Flagler Drive, 20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
(O) 561-832-5900 (F) 561-833-4209  
Email: [foglietta@ciklinlubitz.com](mailto:foglietta@ciklinlubitz.com)

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Monday, June 1, 2015 5:06 PM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Crispin, Ashley N.; Lobdell, Sharon R.; McDowell, Sherri H.; Thomas, Cynthia J; Candice Schwager @ Schwager Law Firm; 'Barbara Stone'; '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

We are taking possession of the records.

---

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

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@gmail.com](mailto:iviewit@gmail.com)]  
**Sent:** Monday, June 01, 2015 5:02 PM  
**To:** Foglietta, Joy A  
**Cc:** O'Connell, Brian M.; Crispin, Ashley N.; Lobdell, Sharon R.; McDowell, Sherri H.; Thomas, Cynthia J; Candice Schwager @ Schwager Law Firm; 'Barbara Stone'; '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

Those items were to be inventoried under that court order as well as the office. I am not sure why you are not just taking possession of the items and instead leaving them in Ted's possession. eb

---

**From:** Foglietta, Joy A [mailto:[JFoglietta@ciklinlubitz.com](mailto:JFoglietta@ciklinlubitz.com)]  
**Sent:** Monday, June 1, 2015 4:43 PM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Crispin, Ashley N.; Lobdell, Sharon R.; McDowell, Sherri H.; Thomas, Cynthia J  
**Subject:** RE: Bernstein

That was a different court order. Nothing is set in stone, however, we are trying to go sometime this week.

---

Joelle A. Foglietta, Esq.  
Ciklin Lubitz & O'Connell  
515 North Flagler Drive, 20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
(O) 561-832-5900 (F) 561-833-4209

Email: [jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

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

**Sent:** Monday, June 01, 2015 4:41 PM

**To:** Foglietta, Joy A

**Cc:** O'Connell, Brian M.; Crispin, Ashley N.; Lobdell, Sharon R.; McDowell, Sherri H.; Thomas, Cynthia J

**Subject:** RE: Bernstein

When are you going to the home and when are you going to the office. Also, I was allowed to come by Court Order to the house for the inventorying and stay outside the home, as was Ted. Will Ted be violating the court order? Eliot

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]

**Sent:** Monday, June 1, 2015 4:29 PM

**To:** 'Eliot Ivan Bernstein'

**Cc:** O'Connell, Brian M.; Crispin, Ashley N.; Lobdell, Sharon R.; McDowell, Sherri H.; Thomas, Cynthia J

**Subject:** RE: Bernstein

That is what I wanted to talk to you about. Ted has objected to your being at the house absent a court order. As such, two people from my office will be going to the St. Andrews house and will catalogue the home office records. Once that is done we can set up a time to discuss same.

Best,

---

**Joelle A. Foglietta, Esq.**

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

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

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

**Sent:** Saturday, May 30, 2015 4:31 AM

**To:** Foglietta, Joy A

**Cc:** 'Andrew Dietz @ Rock-It Cargo USA, Inc.'; 'CANDICE BERNSTEIN'; 'Caroline Prochotska Rogers Esq.'; 'Eliot I. Bernstein'; 'Michele M. Mulrooney ~ Partner @ Venable LLP'; Candice Schwager @ Schwager Law Firm; 'Barbara Stone'; 'Barbara Stone'

**Subject:** RE: Bernstein

I thought we were scheduling a time to go there and inventory the paperwork etc. and going to the office to do same, what is a good time this next week? Also, were you getting the production document out? eb

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]

**Sent:** Friday, May 29, 2015 12:47 PM

**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Lobdell, Sharon R.  
**Subject:** Bernstein

Eliot,

I would like to speak with you today regarding the personal property at St. Andrews. What time are you available?

Best,

---

**Joelle A. Foglietta, Esq.**  
Ciklin Lubitz & O'Connell  
515 North Flagler Drive, 20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
(O) 561-832-5900 (F) 561-833-4209  
Email: [foglietta@ciklinlubitz.com](mailto:foglietta@ciklinlubitz.com)

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Monday, June 1, 2015 4:43 PM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Crispin, Ashley N.; Lobdell, Sharon R.; McDowell, Sherri H.; Thomas, Cynthia J  
**Subject:** RE: Bernstein

That was a different court order. Nothing is set in stone, however, we are trying to go sometime this week.

---

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

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@gmail.com](mailto:iviewit@gmail.com)]  
**Sent:** Monday, June 01, 2015 4:41 PM  
**To:** Foglietta, Joy A  
**Cc:** O'Connell, Brian M.; Crispin, Ashley N.; Lobdell, Sharon R.; McDowell, Sherri H.; Thomas, Cynthia J  
**Subject:** RE: Bernstein

When are you going to the home and when are you going to the office. Also, I was allowed to come by Court Order to the house for the inventorying and stay outside the home, as was Ted. Will Ted be violating the court order? Eliot

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]  
**Sent:** Monday, June 1, 2015 4:29 PM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Crispin, Ashley N.; Lobdell, Sharon R.; McDowell, Sherri H.; Thomas, Cynthia J  
**Subject:** RE: Bernstein

That is what I wanted to talk to you about. Ted has objected to your being at the house absent a court order. As such, two people from my office will be going to the St. Andrews house and will catalogue the home office records. Once that is done we can set up a time to discuss same.

Best,

---

Joieille A. Foglietta, Esq.  
Ciklin Lubitz & O'Connell  
515 North Flagler Drive, 20<sup>th</sup> Floor  
West Palm Beach, Florida 33401

(O) 561-832-5900 (F) 561-833-4209  
Email: [ifoglietta@ciklinlubitz.com](mailto:ifoglietta@ciklinlubitz.com)

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

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

**Sent:** Saturday, May 30, 2015 4:31 AM

**To:** Foglietta, Joy A

**Cc:** 'Andrew Dietz @ Rock-It Cargo USA, Inc.'; 'CANDICE BERNSTEIN'; 'Caroline Prochotska Rogers Esq.'; 'Eliot I. Bernstein'; 'Michele M. Mulrooney ~ Partner @ Venable LLP'; Candice Schwager @ Schwager Law Firm; 'Barbara Stone'; 'Barbara Stone'

**Subject:** RE: Bernstein

I thought we were scheduling a time to go there and inventory the paperwork etc. and going to the office to do same, what is a good time this next week? Also, were you getting the production document out? eb

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]

**Sent:** Friday, May 29, 2015 12:47 PM

**To:** 'Eliot Ivan Bernstein'

**Cc:** O'Connell, Brian M.; Lobdell, Sharon R.

**Subject:** Bernstein

Eliot,

I would like to speak with you today regarding the personal property at St. Andrews. What time are you available?

Best,

---

**Joelle A. Foglietta, Esq.**

Ciklin Lubitz & O'Connell  
515 North Flagler Drive, 20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
(O) 561-832-5900 (F) 561-833-4209  
Email: [ifoglietta@ciklinlubitz.com](mailto:ifoglietta@ciklinlubitz.com)

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Monday, June 1, 2015 4:29 PM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Crispin, Ashley N.; Lobdell, Sharon R.; McDowell, Sherri H.; Thomas, Cynthia J  
**Subject:** RE: Bernstein

That is what I wanted to talk to you about. Ted has objected to your being at the house absent a court order. As such, two people from my office will be going to the St. Andrews house and will catalogue the home office records. Once that is done we can set up a time to discuss same.

Best,

---

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

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@gmail.com](mailto:iviewit@gmail.com)]  
**Sent:** Saturday, May 30, 2015 4:31 AM  
**To:** Foglietta, Joy A  
**Cc:** 'Andrew Dietz @ Rock-It Cargo USA, Inc.'; 'CANDICE BERNSTEIN'; 'Caroline Prochotska Rogers Esq.'; 'Eliot I. Bernstein'; 'Michele M. Mulrooney ~ Partner @ Venable LLP'; Candice Schwager @ Schwager Law Firm; 'Barbara Stone'; 'Barbara Stone'  
**Subject:** RE: Bernstein

I thought we were scheduling a time to go there and inventory the paperwork etc. and going to the office to do same, what is a good time this next week? Also, were you getting the production document out? eb

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]  
**Sent:** Friday, May 29, 2015 12:47 PM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Lobdell, Sharon R.  
**Subject:** Bernstein

Eliot,

I would like to speak with you today regarding the personal property at St. Andrews. What time are you available?

Best,

---

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

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <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,

---

**Joelle A. Foglietta, Esq.**  
Ciklin Lubitz & O'Connell  
515 North Flagler Drive, 20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
(O) 561-832-5900 (F) 561-833-4209  
Email: [jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

**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](mailto:arose@Mrachek-Law.com)  
561.355.6991



MRACHEK  
FITZGERALD  
ROSE  
KONOPKA  
THOMAS  
& WEISS, P.A.

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

**CONFIDENTIALITY NOTE:** THE INFORMATION CONTAINED IN THIS TRANSMISSION IS LEGALLY PRIVILEGED AND CONFIDENTIAL, INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU RECEIVE A COPY OF THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY (1) REPLY BY E-MAIL TO US, AND (2) DELETE THIS MESSAGE.

**TAX DISCLOSURE NOTE:** To ensure compliance with requirements imposed by the Internal Revenue Service (Circular 230), we inform and advise you that any tax advice contained in this communication (including

any attachments), unless otherwise specifically stated, was not intended or written to be used, and cannot be used, by any taxpayer for the purpose of (1) avoiding penalties that may be imposed under the Internal Revenue Code or (2) promoting, marketing or recommending to another party any transactions or matters addressed herein.

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>

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <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,

---

**Joelle A. Foglietta, Esq.**  
Ciklin Lubitz & O'Connell  
515 North Flagler Drive, 20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
(O) 561-832-5900 (F) 561-833-4209  
Email: [jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

**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](mailto:arose@Mrachek-Law.com)  
561.355.6991

The logo for Mrachek Fitzgerald Rose Konopka Thomas & Weiss, P.A. features a stylized 'M' and 'F' intertwined in blue and grey, with 'L A W' in a smaller box below. To the right, the firm's name is written vertically: 'MRACHEK', 'FITZGERALD', 'ROSE', 'KONOPKA', 'THOMAS', and '& WEISS, P.A.'.

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

**CONFIDENTIALITY NOTE:** THE INFORMATION CONTAINED IN THIS TRANSMISSION IS LEGALLY PRIVILEGED AND CONFIDENTIAL, INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU RECEIVE A COPY OF THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY (1) REPLY BY E-MAIL TO US, AND (2) DELETE THIS MESSAGE.

**TAX DISCLOSURE NOTE:** To ensure compliance with requirements imposed by the Internal Revenue Service (Circular 230), we inform and advise you that any tax advice contained in this communication (including

any attachments), unless otherwise specifically stated, was not intended or written to be used, and cannot be used, by any taxpayer for the purpose of (1) avoiding penalties that may be imposed under the Internal Revenue Code or (2) promoting, marketing or recommending to another party any transactions or matters addressed herein.

If there 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>

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <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,

---

**Joelle A. Foglietta, Esq.**  
Ciklin Lubitz & O'Connell  
515 North Flagler Drive, 20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
(O) 561-832-5900 (F) 561-833-4209  
Email: [jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

**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](mailto:arose@Mrachek-Law.com)  
561.355.6991

The logo for Mrachek Fitzgerald Rose Konopka Thomas & Weiss, P.A. features a stylized 'M' and 'F' intertwined in blue and grey, with 'L A W' in a smaller box below. To the right, the firm's name is written vertically: 'MRACHEK', 'FITZGERALD', 'ROSE', 'KONOPKA', 'THOMAS', and '& WEISS, P.A.'.

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

**CONFIDENTIALITY NOTE:** THE INFORMATION CONTAINED IN THIS TRANSMISSION IS LEGALLY PRIVILEGED AND CONFIDENTIAL, INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU RECEIVE A COPY OF THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY (1) REPLY BY E-MAIL TO US, AND (2) DELETE THIS MESSAGE.

**TAX DISCLOSURE NOTE:** To ensure compliance with requirements imposed by the Internal Revenue Service (Circular 230), we inform and advise you that any tax advice contained in this communication (including

any attachments), unless otherwise specifically stated, was not intended or written to be used, and cannot be used, by any taxpayer for the purpose of (1) avoiding penalties that may be imposed under the Internal Revenue Code or (2) promoting, marketing or recommending to another party any transactions or matters addressed herein.

If there 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>

## **Eliot Ivan Bernstein**

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Friday, May 29, 2015 12:47 PM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Lobdell, Sharon R.  
**Subject:** Bernstein

Eliot,

I would like to speak with you today regarding the personal property at St. Andrews. What time are you available?

Best,

---

**Joelle A. Foglietta, Esq.**  
Ciklin Lubitz & O'Connell  
515 North Flagler Drive, 20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
(O) 561-832-5900 (F) 561-833-4209  
Email: [jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Thursday, May 28, 2015 5:47 PM  
**To:** 'Peter M. Feaman'; Thomas, Cynthia J; arose@mrachek-law.com; mchandler@mrachek-law.com; iviewit@iviewit.tv; jilliantoni@gmail.com; john@jmorrisseylaw.com; gary@shendellpollock.com; estella@shendellpollock.com; grs@shendellpollock.com; ken@shendellpollock.com; britt@shendellpollock.com; psimon@stpcorp.com; dtescher@tescherlaw.com; ddustin@tescherlaw.com; rspallina@tescherspallina.com; kmoran@tescherspallina.com; lisa@friedsteins.com; lisa.friedstein@gmail.com  
**Cc:** O'Connell, Brian M.; Crispin, Ashley N.; Lazarchick, Melissa D.; Lobdell, Sharon R.  
**Subject:** RE: Estate of Simon L. Bernstein - AMENDED Notice of Hearing - Friday, May 29, 2015 10:00 a.m.

The things set in front of Judge Coates are my firms 2 outstanding fee petitions, the petition on Eliot's request for a loan, the petition to sell, store and move TPP from St. Andrews, and the petition for review of compensation of CBIZ

---

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

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

**From:** Peter M. Feaman [mailto:[pfeaman@feamanlaw.com](mailto:pfeaman@feamanlaw.com)]  
**Sent:** Thursday, May 28, 2015 5:33 PM  
**To:** Thomas, Cynthia J; arose@mrachek-law.com; mchandler@mrachek-law.com; iviewit@iviewit.tv; jilliantoni@gmail.com; john@jmorrisseylaw.com; gary@shendellpollock.com; estella@shendellpollock.com; grs@shendellpollock.com; ken@shendellpollock.com; britt@shendellpollock.com; psimon@stpcorp.com; dtescher@tescherlaw.com; ddustin@tescherlaw.com; rspallina@tescherspallina.com; kmoran@tescherspallina.com; lisa@friedsteins.com; lisa.friedstein@gmail.com  
**Cc:** O'Connell, Brian M.; Crispin, Ashley N.; Foglietta, Joy A; Lazarchick, Melissa D.; Lobdell, Sharon R.  
**Subject:** RE: Estate of Simon L. Bernstein - AMENDED Notice of Hearing - Friday, May 29, 2015 10:00 a.m.

I have lost track- What hearings are set over the next 10 days?

*Peter M. Feaman*

PETER M. FEAMAN, P.A.

3695 West Boynton Beach Boulevard

Suite 9

Boynton Beach, FL 33436

Telephone: 561-734-5552

Facsimile: 561-734-5554

[www.feamanlaw.com](http://www.feamanlaw.com)

**Confidentiality:** The email message and any attachment to this email message may contain privileged and confidential information, intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copy of this communication is strictly prohibited. If you receive this communication in error, please immediately notify the sender by return email and delete this message.

---

**From:** Thomas, Cynthia J [<mailto:CThomas@ciklinlubitz.com>]

**Sent:** Tuesday, May 26, 2015 12:40 PM

**To:** 'arose@mrachek-law.com'; 'mchandler@mrachek-law.com'; Peter M. Feaman; 'iviewit@iviewit.tv'; 'jilliantoni@gmail.com'; 'john@jmorrisseylaw.com'; 'gary@shendellpollock.com'; 'estella@shendellpollock.com'; 'grs@shendellpollock.com'; 'ken@shendellpollock.com'; 'britt@shendellpollock.com'; 'psimon@stpcorp.com'; 'dtescher@tescherlaw.com'; 'ddustin@tescherlaw.com'; 'rspallina@tescherspallina.com'; 'kmoran@tescherspallina.com'; 'lisa@friedsteins.com'; 'lisa.friedstein@gmail.com'

**Cc:** O'Connell, Brian M.; Crispin, Ashley N.; Foglietta, Joy A; Lazarchick, Melissa D.; Lobdell, Sharon R.

**Subject:** FW: Estate of Simon L. Bernstein - AMENDED Notice of Hearing - Friday, May 29, 2015 10:00 a.m.

An alternate date was provided to me by the Court. Thursday, June 4, 2015 at 4:00 p.m. (30 minutes).

Please let me know your availability by this afternoon (2:00 p.m.).

Thank you.

Cindy

---

**From:** Thomas, Cynthia J

**Sent:** Tuesday, May 26, 2015 11:53 AM

**To:** 'arose@mrachek-law.com'; 'mchandler@mrachek-law.com'; 'pfeaman@feamanlaw.com'; 'iviewit@iviewit.tv'; 'jilliantoni@gmail.com'; 'john@jmorrisseylaw.com'; 'gary@shendellpollock.com'; 'estella@shendellpollock.com'; 'grs@shendellpollock.com'; 'ken@shendellpollock.com'; 'britt@shendellpollock.com'; 'psimon@stpcorp.com'; 'dtescher@tescherlaw.com'; 'ddustin@tescherlaw.com'; 'rspallina@tescherspallina.com'; 'kmoran@tescherspallina.com'; 'lisa@friedsteins.com'; 'lisa.friedstein@gmail.com'

**Cc:** O'Connell, Brian M.; Crispin, Ashley N.; Foglietta, Joy A; Lazarchick, Melissa D.; McDowell, Sherri H.; Lobdell, Sharon R.

**Subject:** Estate of Simon L. Bernstein - AMENDED Notice of Hearing - Friday, May 29, 2015 10:00 a.m.

As you know the hearing scheduled for Thursday, May 28<sup>th</sup> in front of Judge Colin will not be proceeding. We have obtained a cancellation date from the North County Court for Friday, May 29, 2015 at 10:00 a.m. Please see the Amended Notice of Hearing attached.

Unless we hear otherwise by 2:00 p.m. today, the attached Notice will be filed with the Court.

Thank you.

Cindy

---

Cynthia J. Thomas

Probate Paralegal

Ciklin Lubitz & O'Connell

515 North Flagler Drive, 20<sup>th</sup> Floor

West Palm Beach, Florida 33401

(O) 561-832-5900 (F) 561-833-4209

Email: [cthomas@ciklinlubitz.com](mailto:cthomas@ciklinlubitz.com)

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of

this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

## **Eliot Ivan Bernstein**

---

**From:** Lobdell, Sharon R. <SLobdell@ciklinlubitz.com> on behalf of Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Thursday, May 21, 2015 8:44 AM  
**To:** 'Eliot Ivan Bernstein'  
**Subject:** Accepted: Brian O'Connell + Joy + Candice + Eliot

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Tuesday, May 19, 2015 3:19 PM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Lobdell, Sharon R.; McDowell, Sherri H.; Crispin, Ashley N.; 'Alan Rose'; 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.  
**Subject:** RE: BERNSTEIN

Eliot,

There are 3 lighting fixtures on the Hall & Hall appraisal listed for a total of \$1,325.00. You had previously told me that you wanted these fixtures. Please advise if this is still the case and, if so, if you will agree to the amount of \$1,325.00 being charged against your share of the monies from the sale of the personal property (if the Court approves the sale of same on May 28<sup>th</sup>), after payments of expenses and obligations. It is our understanding that Alan Rose, on behalf of Ted, has requested that if such fixtures are to be removed from the St. Andrews home, it be done by a licensed insured electrician. This is something you can coordinate with him.

We look forward to hearing from you.

Best,

---

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

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Thursday, May 7, 2015 4:12 PM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; McDowell, Sherri H.; Crispin, Ashley N.; Lobdell, Sharon R.  
**Subject:** RE: Letters regarding TPP at Lions Head

On page 12 of the attached, Ben says that his understanding is that whatever was at the condo and st Andrews is now at st Andrews, which he based on a Spallina email and he assumed that that is where the items were. I do not have a copy of that Spallina email. Can you please send to me so I can see what Ben was basing that on?

I also need the attachment to the March 18th email and to the June 4<sup>th</sup> email.

Thanks,

---

**Joelle A. Foglietta, Esq.**  
Ciklin Lubitz & O'Connell  
515 North Flagler Drive, 20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
(O) 561-832-5900 (F) 561-833-4209  
Email: [jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Thursday, May 07, 2015 6:47 AM  
**To:** Foglietta, Joy A; O'Connell, Brian M.  
**Cc:** 'JoAnne M. Denison Esq. @ Denison & Associates, PC'; 'Barbara Stone'; 'Barbara Stone'; Candice Schwager @ Schwager Law Firm; Kevin 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:** Letters regarding TPP at Lions Head

Brian and Joy,

Here are the letters Ben wrote regarding the TPP of Shirley Condo being stored at Lions Head. They confirm that the property was at Saint Andrews and this is what led to Ben getting an order to inspect Saint Andrews to determine if it was there. We were not getting the order to re inventory to see what was in Saint Andrews as we already had their inventory and there were no claims it was moved or missing. Judge Colin ordered the re inventory to make sure the Condo items were stored at Saint Andrews. I know you were not there at the time but the parole evidence of what transpired to get the orders is clear that they claimed it was at Saint Andrews and no claims were made it was sold with condo as you can see. Joy, I would also like a statement from you regarding when Alan Rose told you the TPP was sold, I was under the impression when we spoke after the hearing when you got your order to inspect that Alan Rose came over to you and told you that it would not be there at inspection and you told Candice and I what he had just stated to

you. Please provide any records you have that identify that he told you it was sold at any time before that please. Thanks, 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](mailto:iviewit@iviewit.tv)  
<http://www.iviewit.tv>

---

**NOTICE:** Due to Presidential Executive Orders, the National Security Agency may have read this email without warning, warrant, or notice. They may do this without any judicial or legislative oversight and it can happen to ordinary Americans like you and me. You have no recourse nor protection save to vote against any incumbent endorsing such unlawful acts.

**CONFIDENTIALITY NOTICE:**

This message and any attachments are covered by the Electronic Communications Privacy Act, 18 U.S.C. SS 2510-2521. This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message or call (561) 245-8588. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

\*The Electronic Communications Privacy Act, 18 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this "Message," including attachments. The originator intended this Message for the specified recipients only; it may contain the originator's confidential and proprietary information. The originator hereby notifies unintended recipients that they have received this Message in error, and strictly proscribes their Message review, dissemination, copying, and content-based actions. Recipients-in-error shall notify the originator immediately by e-mail, and delete the original message.

Authorized carriers of this message shall expeditiously deliver this Message to intended recipients. See: Quon v. Arch.

\*Wireless Copyright Notice\*. Federal and State laws govern copyrights to this Message. You must have the originator's full written consent to alter, copy, or use this Message. Originator acknowledges others' copyrighted content in this Message. Otherwise, Copyright © 2011 by originator Eliot Ivan Bernstein, [iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) and [www.iviewit.tv](http://www.iviewit.tv). All Rights Reserved.

## **Eliot Ivan Bernstein**

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Thursday, May 7, 2015 9:37 AM  
**To:** 'Eliot Ivan Bernstein'  
**Subject:** RE: Production

I need the attachment to the June 4<sup>th</sup> email please.

---

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

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Thursday, May 07, 2015 7:02 AM  
**To:** Foglietta, Joy A  
**Subject:** FW: Production

---

**From:** Ben Brown [<mailto:bbrown@matbrolaw.com>]  
**Sent:** Wednesday, June 4, 2014 8:13 PM  
**To:** Eliot Ivan Bernstein  
**Cc:** Ben Brown  
**Subject:** RE: Production

Hi Eliot-

I attached the e-mails I based my statement on to the prior e-mail below. That is the information I have,  
I have not see anything about a mover, either; I gathered from the Spallina e-mail I attached to the e-mail below TS 4584-5 that the items were already at the St. Andrew's house at that time.  
I will just seek to have the appraiser confirm all of the items on the appraisal are now at St. Andrews house.

Regards,

**Ben Brown, Curator**

Benjamin P. Brown, Esq.

625 N. Flagler Drive  
Suite 401  
West Palm Beach, FL 33401  
P: (561) 651-4004, ext. 13  
F: (561) 651-4003  
[bbrown@matbrolaw.com](mailto:bbrown@matbrolaw.com)

This communication may contain information that is legally privileged, confidential or exempt from disclosures. If you are not the intended recipient, please note that any dissemination, distribution, or copying of this communication is strictly prohibited. Anyone who receives this message in error should notify the sender immediately by telephone or by return e-mail and delete it from his computer. IRS Circular 230 Notice: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. tax advice contained in this communication is not intended or written to be used, and cannot be used by any taxpayer, for the purpose of avoiding U.S. tax penalties.

---

**From:** Eliot Ivan Bernstein <[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)>  
**Sent:** Wednesday, June 04, 2014 6:31 PM  
**To:** Ben Brown  
**Cc:** Caroline Prochotska Rogers Esq.; Michele M. Mulrooney ~ Partner @ Venable LLP; Andrew R. Dietz @ Rock It Cargo USA; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Marc R. Garber Esq.; [tourcandy@gmail.com](mailto:tourcandy@gmail.com); Eliot I. Bernstein, Inventor ~ Iviewit Technologies, Inc.; Undisclosed List  
**Subject:** RE: Production

Who are you communicating regarding this that gave you that information, please provide all details of the moving of the properties and by whom, I did not see any costs related to a moving company in the production or any records regarding that? Eliot

---

**From:** Ben Brown [<mailto:bbrown@matbrolaw.com>]  
**Sent:** Wednesday, June 4, 2014 5:08 PM  
**To:** Eliot Ivan Bernstein; Linda McDaniel  
**Cc:** Ben Brown  
**Subject:** RE: Production

Eliot-

My understanding is that whatever was in the condo and at St. Andrew's is now at St. Andrew's. But I will confirm.

Regards,

Ben Brown, Curator

Benjamin P. Brown, Esq.  
625 North Flagler Drive  
Suite 401

West Palm Beach, Florida 33401

P: (561) 651-4004, ext. 13

F: (561) 651-4003

[bbrown@matbrolaw.com](mailto:bbrown@matbrolaw.com)

This communication may contain information that is legally privileged, confidential or exempt from disclosure. If you are not the intended recipient, please note that any dissemination, distribution, or copying of this communication is strictly prohibited. Anyone who receives this message in error should notify the sender immediately by telephone or by return e-mail and delete it from his computer. IRS Circular 230 Notice: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. tax advice contained in this communication is not intended or written to be used, and cannot be used by any taxpayer, for the purpose of avoiding U.S. tax penalties.

---

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

**Sent:** Tuesday, June 03, 2014 3:48 PM

**To:** Ben Brown; Linda McDaniel

**Cc:** Caroline Prochotska Rogers Esq.; Michele M. Mulrooney ~ Partner @ Venable LLP; Andrew R. Dietz @ Rock It Cargo USA; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Marc R. Garber Esq.; [tourcandy@gmail.com](mailto:tourcandy@gmail.com); Eliot I. Bernstein, Inventor ~ Iviewit Technologies, Inc.

**Subject:** FW: Production

Ben, on first glance and I will look a bit deeper at these, what jumps out is that the Estate listed the furniture contents of both the house and condo at 51,135k and that appears to be the amount they listed the furniture on Simon's inventory and accounting as his possessions. The Condo appears to be in her trust but the furnishings and other personal property appear to have been transferred to Simon on her death. Therefore, the contents of the Condo would be assets of the Estate of Simon, not Shirley or her trust and therefore should be marshaled by you as the Curator as they are listed as an Estate asset of Simon. Thanks, Eliot

---

**From:** Ben Brown [[bbrown@matbrolaw.com](mailto:bbrown@matbrolaw.com)]

**Sent:** Tuesday, June 3, 2014 3:23 PM

**To:** Eliot Ivan Bernstein

**Cc:** Ben Brown; Linda McDaniel

**Subject:** RE: Production

Eliot-

Linda can confirm, but I am pretty sure all the documents we received from T&S were copies, other than the promissory note referenced in the attached e-mail. We have the jewelry listed on the appraisal in the firm's SDB. JPM and SUB have sent the documents to transfer the accounts there (checking and IRA). The Curator has access to the SUB account, it was used to pay the fees for the Curator (and costs associated with the Kia transfer, to reimburse advances as shown on this firm's invoice).

Regarding the Kia, it was not listed on the inventory, which is one of the reasons the Curator asked for leave to transfer it to your son; your position was that it had been a pre-death gift (and you provided facts to support that). Ted's position is that your father held title, so it should be considered a distribution from the

Estate to your son's sub-trust. Those positions were not resolved by the Court, instead the Court permitted the Curator to take actions to transfer it to your son's name, and the order reserved determination of your and Ted's competing positions for later. The documents surrounding those proceedings initiated by the Curator, which you have, would be the only documentation at this time.

This is what I have on the furniture (attached). I can ask counsel to allow inspection of the TPP, or failing that move for a Court Order, but it would probably (likely) be better and cheaper to have the appraiser go back in there and confirm it is all there.

Regarding the condominium, it apparently was titled in the name of Shirley's Trust, and was not an Estate asset (see attached Spallina e-mail TS 4584-5).

Linda- so we all know the source of documents provided to Eliot, please start CUR bates stamping the documents I provide via e-mail, starting with these and numbering sequentially. Thank you.

Regards,

**Ben Brown, Curator**

Benjamin P. Brown, Esq.  
625 North Flagler Drive  
Suite 401  
West Palm Beach, Florida 33401  
P: (561) 651-4004, ext. 13  
F: (561) 651-4003  
[bbrown@matbrolaw.com](mailto:bbrown@matbrolaw.com)

This communication may contain information that is legally privileged, confidential or exempt from disclosure. If you are not the intended recipient, please note that any dissemination, distribution, or copying of this communication is strictly prohibited. Anyone who receives this message in error should notify the sender immediately by telephone or by return e-mail and delete it from his computer. IRS Circular 230 Notice: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. tax advice contained in this communication is not intended or written to be used, and cannot be used by any taxpayer, for the purpose of avoiding U.S. tax penalties.

---

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

**Sent:** Tuesday, June 03, 2014 11:23 AM

**To:** Ben Brown

**Cc:** Caroline Prochotska Rogers Esq.; Michele M. Mulrooney ~ Partner @ Venable LLP; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Marc R. Garber Esq.; Andrew R. Dietz @ Rock It Cargo USA; [tourcandy@gmail.com](mailto:tourcandy@gmail.com); Eliot I. Bernstein, Inventor ~ Ivewit Technologies, Inc.

**Subject:** Production

Ben,

Thank you for your document production. However, the documents were scanned in black and white and not color and therefore it is impossible to tell which ones are original and which are photocopies. Can you please rescan in color or

send me the color files if you have them and please note in a log those documents that you believe are the original documents that were provided to you by Tescher and Spallina. With so much FRAUD and FORGERY and ALTERCATION of documents already evidenced in these matters this is of utmost importance that we know what kind of document has been tendered. Also, please provide an accounting of all the estate assets in your possession at this time that were transferred, including the Jewelry and Furniture that was listed in the appraisals, etc. in detail and note any missing items. Also, I did not find yet any information regarding the distributions taken of assets by any party, including information relating to the alleged transfer of the KIA to my son or any information listing that it was ever even an asset of the Estate that was distributed at all. I believe much of my father's personal and business items are not listed and I think we should take a walk through of his home and his office to see if they are still there or have been removed. I believe the Condominium was sold but have never received any transaction details or accountings but I believe the furniture was an asset of Simon's that I am not sure where that might have gone. Thanks ~ 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](mailto:iviewit@iviewit.tv)  
<http://www.iviewit.tv>

---

**NOTICE:** Due to Presidential Executive Orders, the National Security Agency may have read this email without warning, warrant, or notice. They may do this without any judicial or legislative oversight and it can happen to ordinary Americans like you and me. You have no recourse nor protection save to vote against any incumbent endorsing such unlawful acts.

**CONFIDENTIALITY NOTICE:**

This message and any attachments are covered by the Electronic Communications Privacy Act, 18 U.S.C. SS 2510-2521. This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message or call (561) 245-8588. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

\*The Electronic Communications Privacy Act, 18 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this "Message," including attachments. The originator intended this Message for the specified recipients only; it may contain the originator's confidential and proprietary information. The originator hereby notifies unintended recipients that they have received this Message in error, and strictly proscribes their Message review, dissemination, copying, and content-based actions. Recipients-in-error shall notify the originator immediately by e-mail, and delete the original message. Authorized carriers of this message shall expeditiously deliver this Message to intended recipients. See: *Quon v. Arch.*\*  
\*Wireless Copyright Notice\*. Federal and State laws govern copyrights to this Message. You must have the originator's full written consent to alter, copy, or use this Message. Originator acknowledges others' copyrighted content in this Message. Otherwise, Copyright © 2011 by originator Eliot Ivan Bernstein, [iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) and [www.iviewit.tv](http://www.iviewit.tv). All Rights Reserved.

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Wednesday, May 6, 2015 5:18 PM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** McDowell, Sherri H.; O'Connell, Brian M.; Lobdell, Sharon R.  
**Subject:** Bernstein- RE: Transcript with info on Shirley's inventory at Primary Residence

We do not where in this transcript it says that the personal property from the Shirley condo was moved to St. Andrews.

Best,

---

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

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Thursday, April 30, 2015 1:31 PM  
**To:** Foglietta, Joy A  
**Subject:** Transcript with info on Shirley's inventory at Primary Residence

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](mailto:iviewit@iviewit.tv)  
<http://www.iviewit.tv>

---

**NOTICE:** Due to Presidential Executive Orders, the National Security Agency may have read this email without warning, warrant, or notice. They may do this without any judicial or legislative oversight and it can happen to ordinary Americans like you and me. You have no recourse nor protection save to vote against any incumbent endorsing such unlawful acts.

**CONFIDENTIALITY NOTICE:**

This message and any attachments are covered by the Electronic Communications Privacy Act, 18 U.S.C. SS 2510-2521. This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the

intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message or call (561) 245-8588. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

\*The Electronic Communications Privacy Act, 18 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this "Message," including attachments. The originator intended this Message for the specified recipients only; it may contain the originator's confidential and proprietary information. The originator hereby notifies unintended recipients that they have received this Message in error, and strictly proscribes their Message review, dissemination, copying, and content-based actions. Recipients-in-error shall notify the originator immediately by e-mail, and delete the original message.

Authorized carriers of this message shall expeditiously deliver this Message to intended recipients. See: *Quon v. Arch.*

\*Wireless Copyright Notice\*. Federal and State laws govern copyrights to this Message. You must have the originator's full written consent to alter, copy, or use this Message. Originator acknowledges others' copyrighted content in this Message. Otherwise, Copyright © 2011 by originator Eliot Ivan Bernstein, [iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) and [www.iviewit.tv](http://www.iviewit.tv). All Rights Reserved.

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Tuesday, May 5, 2015 11:27 AM  
**To:** 'Eliot Ivan Bernstein'; O'Connell, Brian M.  
**Cc:** Crispin, Ashley N.; McDowell, Sherri H.; Lobdell, Sharon R.  
**Subject:** RE: Bernstein- RE: Eliot request for loan

We still have not received the tax returns. As soon as we get them, I will let you know. We are still revising the production request as we continue to be provided additional information, but hope to get it out soon.

Also, I have emailed Mr. Rose to ask for a time when we can inspect the office.

Best,

---

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

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Tuesday, May 05, 2015 10:52 AM  
**To:** Foglietta, Joy A; O'Connell, Brian M.  
**Cc:** Crispin, Ashley N.; McDowell, Sherri H.; Lobdell, Sharon R.  
**Subject:** RE: Bernstein- RE: Eliot request for loan

Joy, what is going on with the production request you have been working on for several months to send to everyone? Also, where are the signed certified tax returns from the IRS that you ordered a few months ago? Eliot

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]  
**Sent:** Tuesday, May 5, 2015 10:20 AM  
**To:** 'Eliot Ivan Bernstein'; O'Connell, Brian M.  
**Cc:** Crispin, Ashley N.; McDowell, Sherri H.; Lobdell, Sharon R.  
**Subject:** RE: Bernstein- RE: Eliot request for loan

We are reviewing the information you sent us on the Shirley tangible personal property. Once our review is complete, we will determine what steps need to be taken, which I assume will be the filing of some type of petition with the Court.

---

Joelle A. Foglietta, Esq.  
Ciklin Lubitz & O'Connell

515 North Flagler Drive, 20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
(O) 561-832-5900 (F) 561-833-4209  
Email: [ifoglietta@ciklinlubitz.com](mailto:ifoglietta@ciklinlubitz.com)

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

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

**Sent:** Monday, May 04, 2015 7:55 PM

**To:** Foglietta, Joy A; O'Connell, Brian M.

**Cc:** Crispin, Ashley N.; McDowell, Sherri H.; Lobdell, Sharon R.; Candice Schwager @ Schwager Law Firm; 'JoAnne M. Denison Esq. @ Denison & Associates, PC'; 'Barbara Stone'; '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- RE: Eliot request for loan

Joy what are we doing about filing on the stolen properties from the Condo? I thought you were going to take steps to notify court and sheriff of theft of Personal Properties. I don't think we should sell anything as we don't know who the bene's are yet and so it seems bizarre to operate off documents we are not sure are valid at this time. Please let me know ASAP. Thanks

---

**From:** Foglietta, Joy A [[JFoglietta@ciklinlubitz.com](mailto:JFoglietta@ciklinlubitz.com)]

**Sent:** Monday, May 4, 2015 5:14 PM

**To:** 'Eliot Ivan Bernstein'; O'Connell, Brian M.

**Cc:** Crispin, Ashley N.; McDowell, Sherri H.; Lobdell, Sharon R.

**Subject:** Bernstein- RE: Eliot request for loan

Yes, we filed a petition for instructions. We did not call it an emergency petition for the reasons we discussed previously. We have set it for hearing this Thursday at 8:45am.

Best,

---

Joelle A. Foglietta, Esq.  
Ciklin Lubitz & O'Connell  
515 North Flagler Drive, 20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
(O) 561-832-5900 (F) 561-833-4209  
Email: [ifoglietta@ciklinlubitz.com](mailto:ifoglietta@ciklinlubitz.com)

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

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

**Sent:** Monday, May 04, 2015 4:59 PM

**To:** O'Connell, Brian M.; Foglietta, Joy A

**Subject:** Eliot request for loan

Hi Joy, are you filing the urgent motion for instructions on the 100,000.00 emergency loan we spoke of and you were going to file last week, not the stuff regarding the claims? eb

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](mailto:iviewit@iviewit.tv)  
<http://www.iviewit.tv>

---

**NOTICE:** Due to Presidential Executive Orders, the National Security Agency may have read this email without warning, warrant, or notice. They may do this without any judicial or legislative oversight and it can happen to ordinary Americans like you and me. You have no recourse nor protection save to vote against any incumbent endorsing such unlawful acts.

**CONFIDENTIALITY NOTICE:**

This message and any attachments are covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521. This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message or call (561) 245-8588. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

\*The Electronic Communications Privacy Act, 18 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this "Message," including attachments. The originator intended this Message for the specified recipients only; it may contain the originator's confidential and proprietary information. The originator hereby notifies unintended recipients that they have received this Message in error, and strictly proscribes their Message review, dissemination, copying, and content-based actions. Recipients-in-error shall notify the originator immediately by e-mail, and delete the original message. Authorized carriers of this message shall expeditiously deliver this Message to intended recipients. See: Quon v. Arch. \*Wireless Copyright Notice\*. Federal and State laws govern copyrights to this Message. You must have the originator's full written consent to alter, copy, or use this Message. Originator acknowledges others' copyrighted content in this Message. Otherwise, Copyright © 2011 by originator Eliot Ivan Bernstein, [iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) and [www.iviewit.tv](http://www.iviewit.tv). All Rights Reserved.

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Tuesday, May 5, 2015 10:20 AM  
**To:** 'Eliot Ivan Bernstein'; O'Connell, Brian M.  
**Cc:** Crispin, Ashley N.; McDowell, Sherri H.; Lobdell, Sharon R.  
**Subject:** RE: Bernstein- RE: Eliot request for loan

We are reviewing the information you sent us on the Shirley tangible personal property. Once our review is complete, we will determine what steps need to be taken, which I assume will be the filing of some type of petition with the Court.

---

**Joelle A. Foglietta, Esq.**  
Ciklin Lubitz & O'Connell  
515 North Flagler Drive, 20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
(O) 561-832-5900 (F) 561-833-4209  
Email: [jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Monday, May 04, 2015 7:55 PM  
**To:** Foglietta, Joy A; O'Connell, Brian M.  
**Cc:** Crispin, Ashley N.; McDowell, Sherri H.; Lobdell, Sharon R.; Candice Schwager @ Schwager Law Firm; 'JoAnne M. Denison Esq. @ Denison & Associates, PC'; 'Barbara Stone'; '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- RE: Eliot request for loan

Joy what are we doing about filing on the stolen properties from the Condo? I thought you were going to take steps to notify court and sheriff of theft of Personal Properties. I don't think we should sell anything as we don't know who the bene's are yet and so it seems bizarre to operate off documents we are not sure are valid at this time. Please let me know ASAP. Thanks

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]  
**Sent:** Monday, May 4, 2015 5:14 PM  
**To:** 'Eliot Ivan Bernstein'; O'Connell, Brian M.  
**Cc:** Crispin, Ashley N.; McDowell, Sherri H.; Lobdell, Sharon R.  
**Subject:** Bernstein- RE: Eliot request for loan

Yes, we filed a petition for instructions. We did not call it an emergency petition for the reasons we discussed previously. We have set it for hearing this Thursday at 8:45am.

Best,

---

Joelle A. Foglietta, Esq.

Ciklin Lubitz & O'Connell  
515 North Flagler Drive, 20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
(O) 561-832-5900 (F) 561-833-4209  
Email: [foglietta@ciklinlubitz.com](mailto:foglietta@ciklinlubitz.com)

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

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

**Sent:** Monday, May 04, 2015 4:59 PM

**To:** O'Connell, Brian M.; Foglietta, Joy A

**Subject:** Eliot request for loan

Hi Joy, are you filing the urgent motion for instructions on the 100,000.00 emergency loan we spoke of and you were going to file last week, not the stuff regarding the claims? eb

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](mailto:iviewit@iviewit.tv)  
<http://www.iviewit.tv>

---

**NOTICE:** Due to Presidential Executive Orders, the National Security Agency may have read this email without warning, warrant, or notice. They may do this without any judicial or legislative oversight and it can happen to ordinary Americans like you and me. You have no recourse nor protection save to vote against any incumbent endorsing such unlawful acts.

**CONFIDENTIALITY NOTICE:**

This message and any attachments are covered by the Electronic Communications Privacy Act, 18 U.S.C. SS 2510-2521. This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message or call (561) 245-8588. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

\*The Electronic Communications Privacy Act, 18 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this "Message," including attachments. The originator intended this Message for the specified recipients only; it may contain the originator's confidential and proprietary information. The originator hereby notifies unintended recipients that they have received this Message in error, and strictly proscribes their Message review, dissemination, copying, and content-based actions. Recipients-in-error shall notify the originator immediately by e-mail, and delete the original message.

Authorized carriers of this message shall expeditiously deliver this Message to intended recipients. See: *Quon v. Arch.*

\*Wireless Copyright Notice\*. Federal and State laws govern copyrights to this Message. You must have the originator's full written consent to alter, copy, or use this Message. Originator acknowledges others' copyrighted content in this Message. Otherwise, Copyright © 2011 by originator Eliot Ivan Bernstein, [iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) and [www.iviewit.tv](http://www.iviewit.tv). All Rights Reserved.

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Monday, May 4, 2015 5:14 PM  
**To:** 'Eliot Ivan Bernstein'; O'Connell, Brian M.  
**Cc:** Crispin, Ashley N.; McDowell, Sherri H.; Lobdell, Sharon R.  
**Subject:** Bernstein- RE: Eliot request for loan

Yes, we filed a petition for instructions. We did not call it an emergency petition for the reasons we discussed previously. We have set it for hearing this Thursday at 8:45am.

Best,

---

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

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Monday, May 04, 2015 4:59 PM  
**To:** O'Connell, Brian M.; Foglietta, Joy A  
**Subject:** Eliot request for loan

Hi Joy, are you filing the urgent motion for instructions on the 100,000.00 emergency loan we spoke of and you were going to file last week, not the stuff regarding the claims? eb

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](mailto:iviewit@iviewit.tv)  
<http://www.iviewit.tv>

---

**NOTICE:** Due to Presidential Executive Orders, the National Security Agency may have read this email without warning, warrant, or notice. They may do this without any judicial or legislative oversight and it can happen to ordinary Americans like you and me. You have no recourse nor protection save to vote against any incumbent endorsing such unlawful acts.

**CONFIDENTIALITY NOTICE:**

This message and any attachments are covered by the Electronic Communications Privacy Act, 18 U.S.C. SS 2510-2521.

This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message or call (561) 245-8588. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

\*The Electronic Communications Privacy Act, 18 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this "Message," including attachments. The originator intended this Message for the specified recipients only; it may contain the originator's confidential and proprietary information. The originator hereby notifies unintended recipients that they have received this Message in error, and strictly proscribes their Message review, dissemination, copying, and content-based actions. Recipients-in-error shall notify the originator immediately by e-mail, and delete the original message.

Authorized carriers of this message shall expeditiously deliver this Message to intended recipients. See: *Quon v. Arch.*

\*Wireless Copyright Notice\*. Federal and State laws govern copyrights to this Message. You must have the originator's full written consent to alter, copy, or use this Message. Originator acknowledges others' copyrighted content in this Message. Otherwise, Copyright © 2011 by originator Eliot Ivan Bernstein, [iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) and [www.iviewit.tv](http://www.iviewit.tv). All Rights Reserved.

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Thursday, April 30, 2015 4:50 PM  
**To:** McDowell, Sherri H.; 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; 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.; Lobdell, Sharon R.  
**Subject:** RE: BERNSTEIN  
**Attachments:** ORD - Extension on SofC for Eliot Bernstein - GRANTED - proposed.docx

Attached please find a revised proposed:

Order on the Personal Representative's "Petition for Instructions on Eliot Bernstein's Statements of Claim and Related Request for Reimbursement" and Eliot Bernstein's Request for Extension to File Statements of Claim

If we do not hear otherwise by tomorrow at 5pm, we will assume there are no objections and will submit the order to the Judge.

Best,

---

**Joelle A. Foglietta, Esq.**  
Ciklin Lubitz & O'Connell  
515 North Flagler Drive, 20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
(O) 561-832-5900 (F) 561-833-4209  
Email: [jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

**From:** McDowell, Sherri H.  
**Sent:** Thursday, April 02, 2015 8:33 AM  
**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; 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.; Lobdell, Sharon R.; Foglietta, Joy A  
**Subject:** BERNSTEIN

Attached please find proposed:

Order on the Personal Representative's "Petition for Instructions on Eliot Bernstein's Statements of Claim and Related Request for Reimbursement" and Eliot Bernstein's Request for Extension to File Statements of Claim

Please review and reply with any suggestions revisions or if acceptable as is.

Thank you.

---

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

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Thursday, April 30, 2015 4:37 PM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Lobdell, Sharon R.; McDowell, Sherri H.  
**Subject:** RE: Inspection & Tax Returns and Theft of Personal Properties of Simon and Shirley Bernstein

Eliot,

Please clarify what you mean in paragraph 2 of your email, below.

Best,

---

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

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Friday, April 24, 2015 7:53 PM  
**To:** O'Connell, Brian M.; Foglietta, Joy A  
**Cc:** 'JoAnne M. Denison Esq. @ Denison & Associates, PC'; Candice Schwager @ Schwager Law Firm; 'Barbara Stone'; '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:** FW: Inspection & Tax Returns and Theft of Personal Properties of Simon and Shirley Bernstein

Hi Brian and Joy,

Did you get the new inspection and re-inventorying of items in the Simon Estate Personal Properties? If so please send over ASAP. Also, have you received the new certified IRS tax returns you ordered? Please provide a date and time you believe you will receive these items if you have not already got them. I also noted that in the Deposition of Donald Tescher he and Alan Rose made claims that Personal Properties were sold by Ted that were properties of the Estate of Simon and the beneficiaries of which Ted is neither a beneficiary nor fiduciary and had no rights to steal them and sell them. As you are now aware the items that were supposed to be stored in the garages of the Saint Andrews home from Shirley's Condo are not there as was told the Court and others as the garages were virtually empty when you went to inspect them. Since you have an old inventory of some of the items and those were not there at the re-inventory it would be prudent as the fiduciary in charge of the items to immediately notify the Court that the items were not there as stated to the Court by Alan Rose, Esq. and Ted Bernstein and that the items at this time appear stolen and then contact state criminal authorities for the crimes that constitutes. I have sent you the information from the Tescher deposition several months ago and that admission that items had been sold by Ted when he sold the Condo should have been sufficient to warrant notifying the judge and authorities and this new information is further proof of the crime.

Also, I noted that the Estate of Simon's inventory alleges to have personal property of Shirley's listed on it that appears not to have been recorded in the inventories of Shirley's Estate prepared by either Tescher & Spallina PA or Ted Bernstein. Tescher & Spallina PA listed \$25,000.00 of un-itemized Personal Property and Ted's recent inventory shows \$0.00 of Personal Properties. From the appraisals of the contents of the home and condo items and the jewelry appraisals of Shirley's jewelry, we know that none of Personal Properties in excess of the \$25,000.00 or \$0.00 stated on the inventory is listed on her inventory. The items should have been inventoried in Shirley's Estate, which would have had to have been done prior to any transfer to Simon via her Will and the only items that could be transferred legally to Simon were those for \$25,000.00 or \$0.00. This could have led to millions of dollars of un-inventoried items vanishing into thin air upon the improper transfer to Simon of items of Shirley's without accounting for them on Shirley's Inventory. How can beneficiaries of Simon know if \$10,000,000.00 of Personal Properties was transferred to Simon by Shirley when she died if items were not inventoried and then when Simon died if Ted stole all but the Personal Property of Shirley's found magically to appear in Simon's inventory prepared to state only a few items by those who may have stolen them. The amount of items Shirley could have transferred to Simon is only \$25,000.00 or \$0.00 as that is all that is claimed and you now have evidence of items worth far more items and this raises the specter of further fraud and theft by Tescher and Spallina and Ted who were in charge of the inventorying and items from the Estates of both Simon and Shirley. Since the items not listed on Shirley's inventory are in your possession and custody now could you please explain what you intend to do about notifying the Court of this serious problem in the items you received improperly. It is not merely enough to state that Shirley transferred everything to Simon as we now are not sure what else was transferred and not inventoried and stolen prior to the inventory of Simon.

Please respond ASAP regarding these matters as the more time that passes the more crimes that may occur with the properties that are in your custody but in Ted's possession.

Thank you and have a great weekend!

Eliot

---

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

**Sent:** Sunday, April 19, 2015 8:18 AM

**To:** 'Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell ([boconnell@ciklinlubitz.com](mailto:boconnell@ciklinlubitz.com))'; 'Joelle "Joy" A. Foglietta, Esquire @ Ciklin Lubitz Martens & O'Connell ([jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com))'

**Cc:** 'JoAnne M. Denison Esq. @ Denison & Associates, PC ([jdenison@surfree.com](mailto:jdenison@surfree.com))'; Candice Schwager @ Schwager Law Firm ([candiceschwager@icloud.com](mailto:candiceschwager@icloud.com)); 'Andrew Dietz @ Rock-It Cargo USA, Inc. ([andyd@rockitcargo.com](mailto:andyd@rockitcargo.com))'; 'CANDICE BERNSTEIN ([tourcandy@gmail.com](mailto:tourcandy@gmail.com))'; 'Caroline Prochotska Rogers Esq. ([caroline@cprogers.com](mailto:caroline@cprogers.com))'; 'Eliot I. Bernstein ([iviewit@iviewit.tv](mailto:iviewit@iviewit.tv))'; 'Marc R. Garber Esq. ([marcrgarber@gmail.com](mailto:marcrgarber@gmail.com))'; 'Marc R. Garber Esq. @ Flaster Greenberg P.C. ([marc.garber@flastergreenberg.com](mailto:marc.garber@flastergreenberg.com))'; 'Michele M. Mulrooney ~ Partner @ Venable LLP ([mmulrooney@Venable.com](mailto:mmulrooney@Venable.com))'

**Subject:** Inspection & Tax Returns

Hi Brian and Joy,

Did you get the new inspection and re-inventorying of items in the Simon Estate Personal Properties? If so please send over ASAP. Also, have you ordered and received the new certified IRS tax returns you were ordering? Please provide a date and time you believe you will receive these items if you have not already got them. Thanks, 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](mailto:iviewit@iviewit.tv)

---

**NOTICE:** Due to Presidential Executive Orders, the National Security Agency may have read this email without warning, warrant, or notice. They may do this without any judicial or legislative oversight and it can happen to ordinary Americans like you and me. You have no recourse nor protection save to vote against any incumbent endorsing such unlawful acts.

**CONFIDENTIALITY NOTICE:**

This message and any attachments are covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521. This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message or call (561) 245-8588. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

\*The Electronic Communications Privacy Act, 18 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this "Message," including attachments. The originator intended this Message for the specified recipients only; it may contain the originator's confidential and proprietary information. The originator hereby notifies unintended recipients that they have received this Message in error, and strictly proscribes their Message review, dissemination, copying, and content-based actions. Recipients-in-error shall notify the originator immediately by e-mail, and delete the original message. Authorized carriers of this message shall expeditiously deliver this Message to intended recipients. See: *Quon v. Arch. Wireless Copyright Notice*\*. Federal and State laws govern copyrights to this Message. You must have the originator's full written consent to alter, copy, or use this Message. Originator acknowledges others' copyrighted content in this Message. Otherwise, Copyright © 2011 by originator Eliot Ivan Bernstein, [iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) and [www.iviewit.tv](http://www.iviewit.tv). All Rights Reserved.

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Thursday, April 30, 2015 3:02 PM  
**To:** 'Eliot Ivan Bernstein'  
**Subject:** RE: Transcript with info on Shirley's inventory at Primary Residence

Where in this is the statement you were talking about?

---

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

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Thursday, April 30, 2015 1:31 PM  
**To:** Foglietta, Joy A  
**Subject:** Transcript with info on Shirley's inventory at Primary Residence

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](mailto:iviewit@iviewit.tv)  
<http://www.iviewit.tv>

---

**NOTICE:** Due to Presidential Executive Orders, the National Security Agency may have read this email without warning, warrant, or notice. They may do this without any judicial or legislative oversight and it can happen to ordinary Americans like you and me. You have no recourse nor protection save to vote against any incumbent endorsing such unlawful acts.

**CONFIDENTIALITY NOTICE:**

This message and any attachments are covered by the Electronic Communications Privacy Act, 18 U.S.C. SS 2510-2521. This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message or call (561) 245-8588. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

\*The Electronic Communications Privacy Act, 18 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this "Message," including attachments. The originator intended this Message for the specified recipients only; it may contain the originator's confidential and proprietary information. The originator hereby notifies unintended recipients that they have received this Message in error, and strictly proscribes their Message review, dissemination, copying, and content-based actions. Recipients-in-error shall notify the originator immediately by e-mail, and delete the original message.

Authorized carriers of this message shall expeditiously deliver this Message to intended recipients. See: Quon v. Arch.

\*Wireless Copyright Notice\*. Federal and State laws govern copyrights to this Message. You must have the originator's full written consent to alter, copy, or use this Message. Originator acknowledges others' copyrighted content in this Message. Otherwise, Copyright © 2011 by originator Eliot Ivan Bernstein, [iViewit@iViewit.tv](mailto:iViewit@iViewit.tv) and [www.iViewit.tv](http://www.iViewit.tv). All Rights Reserved.

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Thursday, April 30, 2015 12:55 PM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; McDowell, Sherri H.; Lobdell, Sharon R.  
**Subject:** Bernstein

Eliot,

Can you please send me the hearing transcript and notate the part of it where alan and ted told the court that the items from Shirley's condo were packed and moved to st. andrews that contradicts the tescher depo?

Once I have that, I can do a petition.

Best,

---

**Joelle A. Foglietta, Esq.**  
Ciklin Lubitz & O'Connell  
515 North Flagler Drive, 20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
(O) 561-832-5900 (F) 561-833-4209  
Email: [jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

## **Eliot Ivan Bernstein**

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Wednesday, April 22, 2015 5:44 PM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** McDowell, Sherri H.; Lobdell, Sharon R.; O'Connell, Brian M.  
**Subject:** Bernstein

Eliot,

We just confirmed that none of the items set for the hearing tomorrow have to do with the Simone Estate or the Simon Trust. As such, we will not be attending tomorrow's hearing.

Best,

---

**Joelle A. Foglietta, Esq.**  
Ciklin Lubitz & O'Connell  
515 North Flagler Drive, 20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
(O) 561-832-5900 (F) 561-833-4209  
Email: [jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Wednesday, April 22, 2015 3:38 PM  
**To:** 'Eliot Ivan Bernstein'  
**Subject:** RE: Bernstein

I just asked him- I will let you know if he responds

---

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

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Wednesday, April 22, 2015 3:33 PM  
**To:** Foglietta, Joy A  
**Subject:** RE: Bernstein

Can you check with Alan?

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]  
**Sent:** Wednesday, April 22, 2015 3:02 PM  
**To:** 'Eliot Ivan Bernstein'  
**Subject:** RE: Bernstein

No we are not getting a court reporter

---

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

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Wednesday, April 22, 2015 2:48 PM  
**To:** Foglietta, Joy A  
**Subject:** RE: Bernstein

Are you providing a transcriber or can you check if anyone is like Alan? Also, need to speak about II Fed action on depositions, please call as we are under time frame on those. Thanks, eb

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]

**Sent:** Wednesday, April 22, 2015 12:14 PM

**To:** 'Eliot Ivan Bernstein'

**Subject:** RE: Bernstein

I am available at the office  
Brian will be attending tomorrow

---

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

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

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

**Sent:** Wednesday, April 22, 2015 5:51 AM

**To:** Foglietta, Joy A

**Subject:** RE: Bernstein

Are you referring to the attached two orders? Also, need to speak with you ASAP and will you be attending the hearing tomorrow? eb

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]

**Sent:** Tuesday, April 21, 2015 4:33 PM

**To:** 'Eliot Ivan Bernstein'

**Cc:** O'Connell, Brian M.; McDowell, Sherri H.; Lobdell, Sharon R.

**Subject:** Bernstein

Eliot,

Do you have any court orders entered on any motions to dismiss on or about 4/15/15?

Best,

---

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

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you



## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Wednesday, April 22, 2015 3:02 PM  
**To:** 'Eliot Ivan Bernstein'  
**Subject:** RE: Bernstein

No we are not getting a court reporter

---

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

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Wednesday, April 22, 2015 2:48 PM  
**To:** Foglietta, Joy A  
**Subject:** RE: Bernstein

Are you providing a transcriber or can you check if anyone is like Alan? Also, need to speak about II Fed action on depositions, please call as we are under time frame on those. Thanks, eb

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]  
**Sent:** Wednesday, April 22, 2015 12:14 PM  
**To:** 'Eliot Ivan Bernstein'  
**Subject:** RE: Bernstein

I am available at the office  
Brian will be attending tomorrow

---

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

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Wednesday, April 22, 2015 5:51 AM  
**To:** Foglietta, Joy A  
**Subject:** RE: Bernstein

Are you referring to the attached two orders? Also, need to speak with you ASAP and will you be attending the hearing tomorrow? eb

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]  
**Sent:** Tuesday, April 21, 2015 4:33 PM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; McDowell, Sherri H.; Lobdell, Sharon R.  
**Subject:** Bernstein

Eliot,

Do you have any court orders entered on any motions to dismiss on or about 4/15/15?

Best,

---

**Joelle A. Foglietta, Esq.**  
Ciklin Lubitz & O'Connell  
515 North Flagler Drive, 20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
(O) 561-832-5900 (F) 561-833-4209  
Email: [jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Wednesday, April 22, 2015 12:14 PM  
**To:** 'Eliot Ivan Bernstein'  
**Subject:** RE: Bernstein

I am available at the office  
Brian will be attending tomorrow

---

**Joelle A. Foglietta, Esq.**  
Ciklin Lubitz & O'Connell  
515 North Flagler Drive, 20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
(O) 561-832-5900 (F) 561-833-4209  
Email: [jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Wednesday, April 22, 2015 5:51 AM  
**To:** Foglietta, Joy A  
**Subject:** RE: Bernstein

Are you referring to the attached two orders? Also, need to speak with you ASAP and will you be attending the hearing tomorrow? eb

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]  
**Sent:** Tuesday, April 21, 2015 4:33 PM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; McDowell, Sherri H.; Lobdell, Sharon R.  
**Subject:** Bernstein

Eliot,

Do you have any court orders entered on any motions to dismiss on or about 4/15/15?

Best,

---

**Joelle A. Foglietta, Esq.**  
Ciklin Lubitz & O'Connell  
515 North Flagler Drive, 20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
(O) 561-832-5900 (F) 561-833-4209  
Email: [jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of

this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

## **Eliot Ivan Bernstein**

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Tuesday, April 21, 2015 4:33 PM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; McDowell, Sherri H.; Lobdell, Sharon R.  
**Subject:** Bernstein

Eliot,

Do you have any court orders entered on any motions to dismiss on or about 4/15/15?

Best,

---

**Joelle A. Foglietta, Esq.**  
Ciklin Lubitz & O'Connell  
515 North Flagler Drive, 20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
(O) 561-832-5900 (F) 561-833-4209  
Email: [jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Monday, April 20, 2015 10:42 AM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; McDowell, Sherri H.; Lobdell, Sharon R.  
**Subject:** RE: Inspection & Tax Returns

We have not received the new appraisal yet. The appraiser's assistant had a family emergency and was unexpectedly out of the office the entire week so the report is a little delayed. We requested the tax returns, however, have not yet received them. I will follow up.

---

**Joelle A. Foglietta, Esq.**  
Ciklin Lubitz & O'Connell  
515 North Flagler Drive, 20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
(O) 561-832-5900 (F) 561-833-4209  
Email: [jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Sunday, April 19, 2015 8:18 AM  
**To:** O'Connell, Brian M.; Foglietta, Joy A  
**Cc:** 'JoAnne M. Denison Esq. @ Denison & Associates, PC'; Candice Schwager @ Schwager Law Firm; '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:** Inspection & Tax Returns

Hi Brian and Joy,

Did you get the new inspection and re-inventorying of items in the Simon Estate Personal Properties? If so please send over ASAP. Also, have you ordered and received the new certified IRS tax returns you were ordering? Please provide a date and time you believe you will receive these items if you have not already got them. Thanks, 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](mailto:iviewit@iviewit.tv)  
<http://www.iviewit.tv>

---

**NOTICE:** Due to Presidential Executive Orders, the National Security Agency may have read this email without warning, warrant, or notice. They may do this without any judicial or legislative oversight and it can happen to ordinary

Americans like you and me. You have no recourse nor protection save to vote against any incumbent endorsing such unlawful acts.

**CONFIDENTIALITY NOTICE:**

This message and any attachments are covered by the Electronic Communications Privacy Act, 18 U.S.C. SS 2510-2521. This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message or call (561) 245-8588. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

\*The Electronic Communications Privacy Act, 18 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this "Message," including attachments. The originator intended this Message for the specified recipients only; it may contain the originator's confidential and proprietary information. The originator hereby notifies unintended recipients that they have received this Message in error, and strictly proscribes their Message review, dissemination, copying, and content-based actions. Recipients-in-error shall notify the originator immediately by e-mail, and delete the original message.

Authorized carriers of this message shall expeditiously deliver this Message to intended recipients. See: Quon v. Arch.

\*Wireless Copyright Notice\*. Federal and State laws govern copyrights to this Message. You must have the originator's full written consent to alter, copy, or use this Message. Originator acknowledges others' copyrighted content in this Message. Otherwise, Copyright © 2011 by originator Eliot Ivan Bernstein, [iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) and [www.iviewit.tv](http://www.iviewit.tv). All Rights Reserved.

## **Eliot Ivan Bernstein**

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Friday, April 10, 2015 2:46 PM  
**To:** 'Eliot Ivan Bernstein'; O'Connell, Brian M.  
**Cc:** 'Candy'; Crispin, Ashley N.  
**Subject:** RE: Inventory of Slmon Office Assets

Eliot,

My office followed up with the appraiser and he said he will be working on remainder of the report this weekend and hopes to have a final copy to us by Tuesday or Wednesday of next week. He said he will call us at the beginning of the week to give me a status.

Have a great weekend.

---

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

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Friday, April 10, 2015 7:56 AM  
**To:** O'Connell, Brian M.; Foglietta, Joy A  
**Cc:** 'JoAnne M. Denison Esq. @ Denison & Associates, PC'; Candice Schwager @ Schwager Law Firm; '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:** Inventory of Slmon Office Assets

Hi Brian and Joy,

Have we scheduled or completed the inventory of Simon's offices and contents therein? 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](mailto:iviewit@iviewit.tv)  
<http://www.iviewit.tv>

---

**NOTICE:** Due to Presidential Executive Orders, the National Security Agency may have read this email without warning, warrant, or notice. They may do this without any judicial or legislative oversight and it can happen to ordinary Americans like you and me. You have no recourse nor protection save to vote against any incumbent endorsing such unlawful acts.

**CONFIDENTIALITY NOTICE:**

This message and any attachments are covered by the Electronic Communications Privacy Act, 18 U.S.C. SS 2510-2521. This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message or call (561) 245-8588. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

\*The Electronic Communications Privacy Act, 18 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this "Message," including attachments. The originator intended this Message for the specified recipients only; it may contain the originator's confidential and proprietary information. The originator hereby notifies unintended recipients that they have received this Message in error, and strictly proscribes their Message review, dissemination, copying, and content-based actions. Recipients-in-error shall notify the originator immediately by e-mail, and delete the original message.

Authorized carriers of this message shall expeditiously deliver this Message to intended recipients. See: *Quon v. Arch.*

\*Wireless Copyright Notice\*. Federal and State laws govern copyrights to this Message. You must have the originator's full written consent to alter, copy, or use this Message. Originator acknowledges others' copyrighted content in this Message. Otherwise, Copyright © 2011 by originator Eliot Ivan Bernstein, [iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) and [www.iviewit.tv](http://www.iviewit.tv). All Rights Reserved.

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Monday, April 6, 2015 3:13 PM  
**To:** Foglietta, Joy A; 'Candy'; 'Eliot Ivan Bernstein'  
**Subject:** RE: Bernstein

Disregard my below email

---

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

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

---

**From:** Foglietta, Joy A  
**Sent:** Monday, April 06, 2015 3:11 PM  
**To:** 'Candy'; 'Eliot Ivan Bernstein'  
**Subject:** Bernstein

Can I have Christopher Prindle's contact info?

---

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

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

## **Eliot Ivan Bernstein**

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Monday, April 6, 2015 3:11 PM  
**To:** 'Candy'; 'Eliot Ivan Bernstein'  
**Subject:** Bernstein

Can I have Christopher Prindle's contact info?

---

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

CONFIDENTIALITY NOTICE: The information contained in this E-mail message is attorney-client privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Monday, March 30, 2015 4:14 PM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; McDowell, Sherri H.; Lobdell, Sharon R.  
**Subject:** RE: Brians Letters  
**Attachments:** LETTERS of Admin - BMO - Successor - signed 7-24-14.pdf; ORD - 7-24-14 - APPT  
SUCCESSOR PR - BMO.pdf

See attached.

Joelle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

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

**Sent:** Monday, March 30, 2015 1:47 PM

**To:** Foglietta, Joy A

**Subject:** Brians Letters

Joy, can you send me Brian's letters that match these dockets. Thanks, eb  
Docket 213      LADM - LETTERS OF ADMINISTRATION Book 26942 - Page 284  
Filing Date:      25-JUL-2014

And

214      OAPR - ORDER APPOINTING PERSONAL REP  
Filing Date:      25-JUL-2014  
Filing Party:      COLIN, JUDGE MARTIN H  
Disposition Amount:  
Docket Text:      SUCCESSOR

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](mailto:iviewit@iviewit.tv)  
<http://www.iviewit.tv>

---

**NOTICE:** Due to Presidential Executive Orders, the National Security Agency may have read this email without warning, warrant, or notice. They may do this without any judicial or legislative oversight and it can happen to ordinary

Americans like you and me. You have no recourse nor protection save to vote against any incumbent endorsing such unlawful acts.

**CONFIDENTIALITY NOTICE:**

This message and any attachments are covered by the Electronic Communications Privacy Act, 18 U.S.C. SS 2510-2521. This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message or call (561) 245-8588. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

\*The Electronic Communications Privacy Act, 18 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this "Message," including attachments. The originator intended this Message for the specified recipients only; it may contain the originator's confidential and proprietary information. The originator hereby notifies unintended recipients that they have received this Message in error, and strictly proscribes their Message review, dissemination, copying, and content-based actions. Recipients-in-error shall notify the originator immediately by e-mail, and delete the original message.

Authorized carriers of this message shall expeditiously deliver this Message to intended recipients. See: Quon v. Arch.

\*Wireless Copyright Notice\*. Federal and State laws govern copyrights to this Message. You must have the originator's full written consent to alter, copy, or use this Message. Originator acknowledges others' copyrighted content in this Message. Otherwise, Copyright © 2011 by originator Eliot Ivan Bernstein, [iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) and [www.iviewit.tv](http://www.iviewit.tv). All Rights Reserved.

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Thursday, March 26, 2015 5:32 PM  
**To:** 'Eliot Ivan Bernstein'  
**Subject:** RE: Do you have a copy of order you wrote today. thanks!

Just sent to you in another email

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Thursday, March 26, 2015 5:15 PM  
**To:** Foglietta, Joy A  
**Subject:** Do you have a copy of order you wrote today. thanks!

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](mailto:iviewit@iviewit.tv)  
<http://www.iviewit.tv>

---

**NOTICE:** Due to Presidential Executive Orders, the National Security Agency may have read this email without warning, warrant, or notice. They may do this without any judicial or legislative oversight and it can happen to ordinary Americans like you and me. You have no recourse nor protection save to vote against any incumbent endorsing such unlawful acts.

**CONFIDENTIALITY NOTICE:**

This message and any attachments are covered by the Electronic Communications Privacy Act, 18 U.S.C. SS 2510-2521. This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message or call (561) 245-8588. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

\*The Electronic Communications Privacy Act, 18 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this "Message," including attachments. The originator intended this Message for the specified recipients only; it may contain the originator's confidential and proprietary information. The originator hereby notifies unintended recipients that they have received this Message in error, and strictly proscribes their Message review, dissemination, copying, and content-

based actions. Recipients-in-error shall notify the originator immediately by e-mail, and delete the original message. Authorized carriers of this message shall expeditiously deliver this Message to intended recipients. See: Quon v. Arch. \*Wireless Copyright Notice\*. Federal and State laws govern copyrights to this Message. You must have the originator's full written consent to alter, copy, or use this Message. Originator acknowledges others' copyrighted content in this Message. Otherwise, Copyright © 2011 by originator Eliot Ivan Bernstein, [iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) and [www.iviewit.tv](http://www.iviewit.tv). All Rights Reserved.

## **Eliot Ivan Bernstein**

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Thursday, March 26, 2015 5:31 PM  
**To:** 'Alan Rose'; 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Crispin, Ashley N.; McDowell, Sherri H.; Lobdell, Sharon R.  
**Subject:** Bernstein  
**Attachments:** ORD -AMENDED- PET Take Possession, Store, Inspect & Appraise TTP - trust pays and estate pays office - per court ruling at hearing on 3-26-15.pdf

Please see, attached, the order you agreed to this afternoon (just typed up). We will be sending this over to the judge.

Best,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz & O'Connell  
515 North Flagler Drive  
20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
Tel: 561-832-5900  
Fax: 561-833-4209

This email message and any attached files are confidential and are intended solely for the use of the addressee(s). This email message may contain material protected by attorney-client, work product, and/or other privileges. If you are not the intended recipient or the person responsible for delivering this confidential communication to the intended recipient, you have received this communication in error and any review, use, dissemination, forwarding, printing, copying or other distribution of this email message and any attachment is strictly prohibited. If you have received this email message in error, please notify the sender immediately by a return email message and, please, permanently delete the original message.

## **Eliot Ivan Bernstein**

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Tuesday, March 24, 2015 11:36 AM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Crispin, Ashley N.; Lobdell, Sharon R.; McDowell, Sherri H.  
**Subject:** RE: Shirley Bernstein Trust -- Sale of 7020 Lions Head Lane property

Eliot,

The petition for TPP inspection/appraisal and storage will be filed today and we will have it heard tomorrow with Mr. Rose's motion to sell the property. Pending the Court's authorization, we have our appraiser standing by to do the inspection and appraisal Friday and if necessary Monday before the closing occurs on Tuesday to ensure that the TPP is kept in its original condition and safeguarded in order for us to conduct the inspection/appraisal. We also have quotes from various movers and storage facilities in preparation for us taking possession and storing the TPP. Please call me at your convenience to discuss further.

Best,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@gmail.com](mailto:iviewit@gmail.com)]  
**Sent:** Tuesday, March 24, 2015 10:15 AM  
**To:** Foglietta, Joy A  
**Subject:** RE: Shirley Bernstein Trust -- Sale of 7020 Lions Head Lane property

What is good for you?

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]  
**Sent:** Tuesday, March 24, 2015 10:08 AM  
**To:** 'Eliot Ivan Bernstein'  
**Subject:** RE: Shirley Bernstein Trust -- Sale of 7020 Lions Head Lane property

Eliot,

What time is good for us to discuss the below?

Best,

Joielle A. Foglietta, Esquire

---

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

**Sent:** Tuesday, March 24, 2015 7:58 AM

**To:** O'Connell, Brian M.; Foglietta, Joy A

**Cc:** 'Andrew Dietz @ Rock-It Cargo USA, Inc.'; 'CANDICE BERNSTEIN'; 'Caroline Prochotska Rogers Esq.'; 'Eliot I. Bernstein'; 'Michele M. Mulrooney ~ Partner @ Venable LLP'; 'JoAnne M. Denison Esq. @ Denison & Associates, PC'

**Subject:** FW: Shirley Bernstein Trust -- Sale of 7020 Lions Head Lane property

Brian and Joy,

Below are some of my concerns in response to Alan's letter below in any attempted sale of my mother and father's home.

1. Yes, I oppose.
  - a. Ted is not a qualified trustee now and we believe he was improperly and illegally inserted in the document by his former counsel Tescher and Spallina (who represented him from the day my dad died in Shirley's estate and trust until they were removed for their frauds, etc. and where Spallina admitted altering a Shirley Trust document to benefit Ted) and have so challenged the trust and Ted as Trustee for these reasons and more. If it is found that Ted was a fraudulent trustee later the property will have to be returned to the beneficiaries as we will be seeking in the Shirley Condo instance as well and the expense will be obscene. In fact, Ted signed in Shirley's condo sale a tax form as PR of her estate when the estate was already closed by my deceased father through fraud and no successor had been chosen, this is also under current investigation.
  - b. There have been no trust accountings to determine anything of the value of the trust corpus in violation of statutes and while we appreciate Alan's statements that nothing is there we do not believe him or Ted.
  - c. There are claims by the PR of Simon's estate, Mr. O'Connell that Ted is not a valid trustee in Simon's Trust as well.
  - d. There are claims by Creditor Counsel Feaman that Alan and Ted are violating attorney conduct codes, fiduciary duties and law.
  - e. There is litigation surrounding the Lions Head Lane property, including but not limited to, counter complaint, petitions and motions involving home in Shirley's estate and trust.
  - f. Ted has sold one property already, Shirley's condo and distributed to improper beneficiaries including his family which is wholly cut out of Shirley's estate and trusts, against the advice of counsel per the PB Sheriff report.
  - g. The beneficiaries are unknown at this time and thus the whole sale could be challenged later as part of ongoing fraud.
  - h. The Trust documents have not been verified and there are challenges to whole document pending.
  - i. Sheriff Report indicates Ted has knowingly made improper distributions against the advice of counsel.
  - j. There is an order for a re-inventorying, we want this done before any transfer of property to any place as this will increase costs and may cause further loss.
  - k. The home is being sold at firesale price, in fact Nestler Poletto weeks before Simon died had property valued at 3.2 Million dollars, market has only increased in value since. The two properties were listed for over 6M dollars in 2012 and since market has risen in value not decreased and they are trying to sell them for over 60% less than worth.
  - l. They have made ludicrous claims about the condition of the home, why did Nestler not point that out when listing it at 3.2 Million only 2.5 years ago?
  - m. The sale was kept secret from beneficiaries as with the Condo sale which we still have no transaction details regarding in violation of Statutes.

- n. Alan Rose is personally conflicted from representation as a Counter Defendant in Counter Complaint and should resign with his client.
- 2. The trustee and the beneficiaries are unknown at this time and Ted has a trust construction lawsuit so who are the beneficiaries Alan refers to and have they ever been notified of this sale, as me and my children have not been.
  - a. Most of their motion is full of false statements.
- 3. According to Alan and Mr. Tescher at his deposition personal properties of Simon's estate were sold with the Condo, contradicting Alan and Ted's statements to the Court stating it was transferred to Lions Head Lane. Tescher and Rose claimed they intended on "truing up" missing items that still are unaccounted for. We believe that Ted is trying to dump properties knowing he is not now qualified and further tamper with the Estate properties of Simon in efforts to evade criminal investigations through this scheme to uncover the prior alleged thefts that are under ongoing investigation.

Eliot

---

**From:** Alan Rose [<mailto:ARose@mraction-law.com>]  
**Sent:** Monday, March 23, 2015 10:52 PM  
**To:** Eliot Ivan Bernstein; Eliot Ivan Bernstein  
**Cc:** John P. Morrissey; Ted Bernstein; O'Connell, Brian M.; Foglietta, Joy A  
**Subject:** Shirley Bernstein Trust -- Sale of 7020 Lions Head Lane property

Mr. Eliot Bernstein:

1. Do you oppose the sale of the Trust's house in St. Andrews Country Club? If so, can you advise as to the reasons.

On behalf of the Trustee, and all of the other beneficiaries I'm sure, I would urge you to reconsider any objection or opposition to this sale.

We have filed and served the attached Motion to Approve Sale, and set it for hearing this Wednesday due to the time urgency imposed under the circumstances of this offer

2. Also, there is within the house property of the estate of Simon that has been and will continue to be safeguarded within the house and / or moved to some storage facility under control of Brian O'Connell. That property, in total, likely has limited positive economic value after storage and moving expenses, and the expenses of Mr. O'Connell to handle it, but whatever value there is will be preserved by Mr. O'Connell. That property has been stored at no expense to the estate since Simon's death, and probably should be divvied up among beneficiaries, but that is a decision for Mr. O'Connell.

Counsel for Ted S. Bernstein

---

**From:** [eservice@myflcourtaccess.com](mailto:eservice@myflcourtaccess.com) [mailto:[eservice@myflcourtaccess.com](mailto:eservice@myflcourtaccess.com)]  
**Sent:** Monday, March 23, 2015 7:16 PM  
**To:** undisclosed-recipients  
**Subject:** SERVICE OF COURT DOCUMENT - CASE NUMBER 502014CP003698XXXXSB

## Notice of Service of Court Documents

### Filing Information

Filing #: 25222848  
 Filing Time: 03/23/2015 07:16:12 PM ET  
 Filer: Alan B Rose 561-655-2250  
 Court: Fifteenth Judicial Circuit in and for Palm Beach County, Florida  
 Case #: 502014CP003698XXXXSB  
 Court Case #: 2014CP003698  
 Case Style: IN RE: Estate of Not Available

## Documents

Title	File
Motion	M-Approve Sale of Trust Property.pdf
Notice Of Hearing	NOH on M-Approve Sale of Trust Propert

## E-service recipients selected for service:

Name	Email Address
Alan B Rose	<a href="mailto:arose@mrachek-law.com">arose@mrachek-law.com</a>
	<a href="mailto:mchandler@mrachek-law.com">mchandler@mrachek-law.com</a>
John P Morrissey	<a href="mailto:john@jmorrisseylaw.com">john@jmorrisseylaw.com</a>
William H. Glasko	<a href="mailto:bill@palmettobaylaw.com">bill@palmettobaylaw.com</a>
	<a href="mailto:eservice@palmettobaylaw.com">eservice@palmettobaylaw.com</a>
Pamela Bernstein	<a href="mailto:psimon@stpcorp.com">psimon@stpcorp.com</a>
Lisa Friedstein	<a href="mailto:lisa.friedstein@gmail.com">lisa.friedstein@gmail.com</a>
Jill Iantoni	<a href="mailto:jilliantoni@gmail.com">jilliantoni@gmail.com</a>
Pamela Beth Simon	<a href="mailto:psimon@stpcorp.com">psimon@stpcorp.com</a>
Brian M O'connell	<a href="mailto:service@ciklinlubitz.com">service@ciklinlubitz.com</a>
	<a href="mailto:slobdell@ciklinlubitz.com">slobdell@ciklinlubitz.com</a>
Eliot Ivan Bernstein	<a href="mailto:iviewit@iviewit.tv">iviewit@iviewit.tv</a>
	<a href="mailto:iviewit@gmail.com">iviewit@gmail.com</a>
	<a href="mailto:tourcandy@gmail.com">tourcandy@gmail.com</a>
John J. Pankauski	<a href="mailto:courtfilings@pankauskilawfirm.com">courtfilings@pankauskilawfirm.com</a>

Name	Email Address
	<a href="mailto:john@pankauskilawfirm.com">john@pankauskilawfirm.com</a>
John P Morrissey	<a href="mailto:john@jmorrisseylaw.com">john@jmorrisseylaw.com</a>
Joielle A Foglietta	<a href="mailto:service@ciklinlubitz.com">service@ciklinlubitz.com</a>
	<a href="mailto:slobdell@ciklinlubitz.com">slobdell@ciklinlubitz.com</a>

**E-service recipients deselected for service:**

Name	Email Address
No Matching Entries	

This is an automatic email message generated by the Florida Courts E-Filing Portal. This email address does not receive email.

Thank you,  
The Florida Courts E-Filing Portal

request\_id#:25222848; Audit#:86587516; UCN#:502014CP003698XXXXSB;

## **Eliot Ivan Bernstein**

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Tuesday, March 24, 2015 10:38 AM  
**To:** 'Eliot Ivan Bernstein'  
**Subject:** RE: Shirley Bernstein Trust -- Sale of 7020 Lions Head Lane property

I can talk now – 561-820-0320

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@gmail.com](mailto:iviewit@gmail.com)]  
**Sent:** Tuesday, March 24, 2015 10:15 AM  
**To:** Foglietta, Joy A  
**Subject:** RE: Shirley Bernstein Trust -- Sale of 7020 Lions Head Lane property

What is good for you?

---

**From:** Foglietta, Joy A [mailto:[JFoglietta@ciklinlubitz.com](mailto:JFoglietta@ciklinlubitz.com)]  
**Sent:** Tuesday, March 24, 2015 10:08 AM  
**To:** 'Eliot Ivan Bernstein'  
**Subject:** RE: Shirley Bernstein Trust -- Sale of 7020 Lions Head Lane property

Eliot,

What time is good for us to discuss the below?

Best,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@gmail.com](mailto:iviewit@gmail.com)]  
**Sent:** Tuesday, March 24, 2015 7:58 AM  
**To:** O'Connell, Brian M.; Foglietta, Joy A  
**Cc:** 'Andrew Dietz @ Rock-It Cargo USA, Inc.'; 'CANDICE BERNSTEIN'; 'Caroline Prochotska Rogers Esq.'; 'Eliot I. Bernstein'; 'Michele M. Mulrooney ~ Partner @ Venable LLP'; 'JoAnne M. Denison Esq. @ Denison & Associates, PC'  
**Subject:** FW: Shirley Bernstein Trust -- Sale of 7020 Lions Head Lane property

Brian and Joy,

Below are some of my concerns in response to Alan's letter below in any attempted sale of my mother and father's home.

1. Yes, I oppose.
  - a. Ted is not a qualified trustee now and we believe he was improperly and illegally inserted in the document by his former counsel Tescher and Spallina (who represented him from the day my dad died in Shirley's estate and trust until they were removed for their frauds, etc. and where Spallina admitted altering a Shirley Trust document to benefit Ted) and have so challenged the trust and Ted as Trustee for these reasons and more. If it is found that Ted was a fraudulent trustee later the property will have to be returned to the beneficiaries as we will be seeking in the Shirley Condo instance as well and the expense will be obscene. In fact, Ted signed in Shirley's condo sale a tax form as PR of her estate when the estate was already closed by my deceased father through fraud and no successor had been chosen, this is also under current investigation.
  - b. There have been no trust accountings to determine anything of the value of the trust corpus in violation of statutes and while we appreciate Alan's statements that nothing is there we do not believe him or Ted.
  - c. There are claims by the PR of Simon's estate, Mr. O'Connell that Ted is not a valid trustee in Simon's Trust as well.
  - d. There are claims by Creditor Counsel Feaman that Alan and Ted are violating attorney conduct codes, fiduciary duties and law.
  - e. There is litigation surrounding the Lions Head Lane property, including but not limited to, counter complaint, petitions and motions involving home in Shirley's estate and trust.
  - f. Ted has sold one property already, Shirley's condo and distributed to improper beneficiaries including his family which is wholly cut out of Shirley's estate and trusts, against the advice of counsel per the PB Sheriff report.
  - g. The beneficiaries are unknown at this time and thus the whole sale could be challenged later as part of ongoing fraud.
  - h. The Trust documents have not been verified and there are challenges to whole document pending.
  - i. Sheriff Report indicates Ted has knowingly made improper distributions against the advice of counsel.
  - j. There is an order for a re-inventorying, we want this done before any transfer of property to any place as this will increase costs and may cause further loss.
  - k. The home is being sold at firesale price, in fact Nestler Poletto weeks before Simon died had property valued at 3.2 Million dollars, market has only increased in value since. The two properties were listed for over 6M dollars in 2012 and since market has risen in value not decreased and they are trying to sell them for over 60% less than worth.
  - l. They have made ludicrous claims about the condition of the home, why did Nestler not point that out when listing it at 3.2 Million only 2.5 years ago?
  - m. The sale was kept secret from beneficiaries as with the Condo sale which we still have no transaction details regarding in violation of Statutes.
  - n. Alan Rose is personally conflicted from representation as a Counter Defendant in Counter Complaint and should resign with his client.
2. The trustee and the beneficiaries are unknown at this time and Ted has a trust construction lawsuit so who are the beneficiaries Alan refers to and have they ever been notified of this sale, as me and my children have not been.
  - a. Most of their motion is full of false statements.
3. According to Alan and Mr. Tescher at his deposition personal properties of Simon's estate were sold with the Condo, contradicting Alan and Ted's statements to the Court stating it was transferred to Lions Head Lane. Tescher and Rose claimed they intended on "truing up" missing items that still are unaccounted for. We believe that Ted is trying to dump properties knowing he is not now qualified and further tamper with the Estate properties of Simon in efforts to evade criminal investigations through this scheme to uncover the prior alleged thefts that are under ongoing investigation.

---

**From:** Alan Rose [<mailto:ARose@mrachek-law.com>]  
**Sent:** Monday, March 23, 2015 10:52 PM  
**To:** Eliot Ivan Bernstein; Eliot Ivan Bernstein  
**Cc:** John P. Morrissey; Ted Bernstein; O'Connell, Brian M.; Foglietta, Joy A  
**Subject:** Shirley Bernstein Trust -- Sale of 7020 Lions Head Lane property

Mr. Eliot Bernstein:

1. Do you oppose the sale of the Trust's house in St. Andrews Country Club? If so, can you advise as to the reasons.

On behalf of the Trustee, and all of the other beneficiaries I'm sure, I would urge you to reconsider any objection or opposition to this sale.

We have filed and served the attached Motion to Approve Sale, and set it for hearing this Wednesday due to the time urgency imposed under the circumstances of this offer

2. Also, there is within the house property of the estate of Simon that has been and will continue to be safeguarded within the house and / or moved to some storage facility under control of Brian O'Connell. That property, in total, likely has limited positive economic value after storage and moving expenses, and the expenses of Mr. O'Connell to handle it, but whatever value there is will be preserved by Mr. O'Connell. That property has been stored at no expense to the estate since Simon's death, and probably should be divvied up among beneficiaries, but that is a decision for Mr. O'Connell.

Counsel for Ted S. Bernstein

---

**From:** [eservice@myflcourtaccess.com](mailto:eservice@myflcourtaccess.com) [mailto:[eservice@myflcourtaccess.com](mailto:eservice@myflcourtaccess.com)]  
**Sent:** Monday, March 23, 2015 7:16 PM  
**To:** undisclosed-recipients  
**Subject:** SERVICE OF COURT DOCUMENT - CASE NUMBER 502014CP003698XXXXSB

## Notice of Service of Court Documents

### Filing Information

Filing #: 25222848  
Filing Time: 03/23/2015 07:16:12 PM ET  
Filer: Alan B Rose 561-655-2250  
Court: Fifteenth Judicial Circuit in and for Palm Beach County, Florida  
Case #: 502014CP003698XXXXSB  
Court Case #: 2014CP003698  
Case Style: IN RE: Estate of Not Available

## Documents

Title	File
Motion	M-Approve Sale of Trust Property.pdf
Notice Of Hearing	NOH on M-Approve Sale of Trust Propert

### E-service recipients selected for service:

Name	Email Address
Alan B Rose	<a href="mailto:arose@mracheck-law.com">arose@mracheck-law.com</a>
	<a href="mailto:mchandler@mracheck-law.com">mchandler@mracheck-law.com</a>
John P Morrissey	<a href="mailto:john@jmorrisseylaw.com">john@jmorrisseylaw.com</a>
William H. Glasko	<a href="mailto:bill@palmettobaylaw.com">bill@palmettobaylaw.com</a>
	<a href="mailto:eservice@palmettobaylaw.com">eservice@palmettobaylaw.com</a>
Pamela Bernstein	<a href="mailto:psimon@stpcorp.com">psimon@stpcorp.com</a>
Lisa Friedstein	<a href="mailto:lisa.friedstein@gmail.com">lisa.friedstein@gmail.com</a>
Jill Iantoni	<a href="mailto:jilliantoni@gmail.com">jilliantoni@gmail.com</a>
Pamela Beth Simon	<a href="mailto:psimon@stpcorp.com">psimon@stpcorp.com</a>
Brian M O'Connell	<a href="mailto:service@ciklinlubitz.com">service@ciklinlubitz.com</a>
	<a href="mailto:slobdell@ciklinlubitz.com">slobdell@ciklinlubitz.com</a>
Eliot Ivan Bernstein	<a href="mailto:iviewit@iviewit.tv">iviewit@iviewit.tv</a>
	<a href="mailto:iviewit@gmail.com">iviewit@gmail.com</a>
	<a href="mailto:tourcandy@gmail.com">tourcandy@gmail.com</a>
John J. Pankauski	<a href="mailto:courtfilings@pankauskilawfirm.com">courtfilings@pankauskilawfirm.com</a>
	<a href="mailto:john@pankauskilawfirm.com">john@pankauskilawfirm.com</a>
John P Morrissey	<a href="mailto:john@jmorrisseylaw.com">john@jmorrisseylaw.com</a>
Joelle A Foglietta	<a href="mailto:service@ciklinlubitz.com">service@ciklinlubitz.com</a>
	<a href="mailto:slobdell@ciklinlubitz.com">slobdell@ciklinlubitz.com</a>

### E-service recipients deselected for service:

Name	Email Address
No Matching Entries	

This is an automatic email message generated by the Florida Courts E-Filing Portal. This email address does not receive email.

Thank you,  
The Florida Courts E-Filing Portal

request\_id#:25222848; Audit#:86587516; UCN#:502014CP003698XXXXSB;

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Tuesday, March 24, 2015 10:08 AM  
**To:** 'Eliot Ivan Bernstein'  
**Subject:** RE: Shirley Bernstein Trust -- Sale of 7020 Lions Head Lane property

Eliot,

What time is good for us to discuss the below?

Best,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@gmail.com](mailto:iviewit@gmail.com)]  
**Sent:** Tuesday, March 24, 2015 7:58 AM  
**To:** O'Connell, Brian M.; Foglietta, Joy A  
**Cc:** 'Andrew Dietz @ Rock-It Cargo USA, Inc.'; 'CANDICE BERNSTEIN'; 'Caroline Prochotska Rogers Esq.'; 'Eliot I. Bernstein'; 'Michele M. Mulrooney ~ Partner @ Venable LLP'; 'JoAnne M. Denison Esq. @ Denison & Associates, PC'  
**Subject:** FW: Shirley Bernstein Trust -- Sale of 7020 Lions Head Lane property

Brian and Joy,

Below are some of my concerns in response to Alan's letter below in any attempted sale of my mother and father's home.

1. Yes, I oppose.
  - a. Ted is not a qualified trustee now and we believe he was improperly and illegally inserted in the document by his former counsel Tescher and Spallina (who represented him from the day my dad died in Shirley's estate and trust until they were removed for their frauds, etc. and where Spallina admitted altering a Shirley Trust document to benefit Ted) and have so challenged the trust and Ted as Trustee for these reasons and more. If it is found that Ted was a fraudulent trustee later the property will have to be returned to the beneficiaries as we will be seeking in the Shirley Condo instance as well and the expense will be obscene. In fact, Ted signed in Shirley's condo sale a tax form as PR of her estate when the estate was already closed by my deceased father through fraud and no successor had been chosen, this is also under current investigation.
  - b. There have been no trust accountings to determine anything of the value of the trust corpus in violation of statutes and while we appreciate Alan's statements that nothing is there we do not believe him or Ted.
  - c. There are claims by the PR of Simon's estate, Mr. O'Connell that Ted is not a valid trustee in Simon's Trust as well.
  - d. There are claims by Creditor Counsel Feaman that Alan and Ted are violating attorney conduct codes, fiduciary duties and law.
  - e. There is litigation surrounding the Lions Head Lane property, including but not limited to, counter complaint, petitions and motions involving home in Shirley's estate and trust.

- f. Ted has sold one property already, Shirley's condo and distributed to improper beneficiaries including his family which is wholly cut out of Shirley's estate and trusts, against the advice of counsel per the PB Sheriff report.
- g. The beneficiaries are unknown at this time and thus the whole sale could be challenged later as part of ongoing fraud.
- h. The Trust documents have not been verified and there are challenges to whole document pending.
- i. Sheriff Report indicates Ted has knowingly made improper distributions against the advice of counsel.
- j. There is an order for a re-inventorying, we want this done before any transfer of property to any place as this will increase costs and may cause further loss.
- k. The home is being sold at firesale price, in fact Nestler Poletto weeks before Simon died had property valued at 3.2 Million dollars, market has only increased in value since. The two properties were listed for over 6M dollars in 2012 and since market has risen in value not decreased and they are trying to sell them for over 60% less than worth.
- l. They have made ludicrous claims about the condition of the home, why did Nestler not point that out when listing it at 3.2 Million only 2.5 years ago?
- m. The sale was kept secret from beneficiaries as with the Condo sale which we still have no transaction details regarding in violation of Statutes.
- n. Alan Rose is personally conflicted from representation as a Counter Defendant in Counter Complaint and should resign with his client.

2. The trustee and the beneficiaries are unknown at this time and Ted has a trust construction lawsuit so who are the beneficiaries Alan refers to and have they ever been notified of this sale, as me and my children have not been.
  - a. Most of their motion is full of false statements.
3. According to Alan and Mr. Tescher at his deposition personal properties of Simon's estate were sold with the Condo, contradicting Alan and Ted's statements to the Court stating it was transferred to Lions Head Lane. Tescher and Rose claimed they intended on "truing up" missing items that still are unaccounted for. We believe that Ted is trying to dump properties knowing he is not now qualified and further tamper with the Estate properties of Simon in efforts to evade criminal investigations through this scheme to uncover the prior alleged thefts that are under ongoing investigation.

Eliot

---

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

**Sent:** Monday, March 23, 2015 10:52 PM

**To:** Eliot Ivan Bernstein; Eliot Ivan Bernstein

**Cc:** John P. Morrissey; Ted Bernstein; O'Connell, Brian M.; Foglietta, Joy A

**Subject:** Shirley Bernstein Trust -- Sale of 7020 Lions Head Lane property

Mr. Eliot Bernstein:

1. Do you oppose the sale of the Trust's house in St. Andrews Country Club? If so, can you advise as to the reasons.

On behalf of the Trustee, and all of the other beneficiaries I'm sure, I would urge you to reconsider any objection or opposition to this sale.

We have filed and served the attached Motion to Approve Sale, and set it for hearing this Wednesday due to the time urgency imposed under the circumstances of this offer

2. Also, there is within the house property of the estate of Simon that has been and will continue to be safeguarded within the house and / or moved to some storage facility under control of Brian O'Connell. That property, in total, likely has limited positive economic value after storage and moving expenses, and the expenses of Mr.

O'Connell to handle it, but whatever value there is will be preserved by Mr. O'Connell. That property has been stored at no expense to the estate since Simon's death, and probably should be divvied up among beneficiaries, but that is a decision for Mr. O'Connell.

Counsel for Ted S. Bernstein

---

**From:** [eservice@myflcourtaccess.com](mailto:eservice@myflcourtaccess.com) [mailto:[eservice@myflcourtaccess.com](mailto:eservice@myflcourtaccess.com)]  
**Sent:** Monday, March 23, 2015 7:16 PM  
**To:** undisclosed-recipients  
**Subject:** SERVICE OF COURT DOCUMENT - CASE NUMBER 502014CP003698XXXXSB

## Notice of Service of Court Documents

### Filing Information

Filing #: 25222848  
Filing Time: 03/23/2015 07:16:12 PM ET  
Filer: Alan B Rose 561-655-2250  
Court: Fifteenth Judicial Circuit in and for Palm Beach County, Florida  
Case #: 502014CP003698XXXXSB  
Court Case #: 2014CP003698  
Case Style: IN RE: Estate of Not Available

### Documents

Title	File
Motion	M-Approve Sale of Trust Property.pdf
Notice Of Hearing	NOH on M-Approve Sale of Trust Propert

### E-service recipients selected for service:

Name	Email Address
Alan B Rose	<a href="mailto:arose@mrachek-law.com">arose@mrachek-law.com</a>
	<a href="mailto:mchandler@mrachek-law.com">mchandler@mrachek-law.com</a>
John P Morrissey	<a href="mailto:john@jmorrisseylaw.com">john@jmorrisseylaw.com</a>
William H. Glasko	<a href="mailto:bill@palmettobaylaw.com">bill@palmettobaylaw.com</a>
	<a href="mailto:eservice@palmettobaylaw.com">eservice@palmettobaylaw.com</a>

Name	Email Address
Pamela Bernstein	<a href="mailto:psimon@stpcorp.com">psimon@stpcorp.com</a>
Lisa Friedstein	<a href="mailto:lisa.friedstein@gmail.com">lisa.friedstein@gmail.com</a>
Jill Iantoni	<a href="mailto:jilliantoni@gmail.com">jilliantoni@gmail.com</a>
Pamela Beth Simon	<a href="mailto:psimon@stpcorp.com">psimon@stpcorp.com</a>
Brian M O'connell	<a href="mailto:service@ciklinlubitz.com">service@ciklinlubitz.com</a>
	<a href="mailto:slobdell@ciklinlubitz.com">slobdell@ciklinlubitz.com</a>
Eliot Ivan Bernstein	<a href="mailto:iviewit@iviewit.tv">iviewit@iviewit.tv</a>
	<a href="mailto:iviewit@gmail.com">iviewit@gmail.com</a>
	<a href="mailto:tourcandy@gmail.com">tourcandy@gmail.com</a>
John J. Pankauski	<a href="mailto:courtfilings@pankauskilawfirm.com">courtfilings@pankauskilawfirm.com</a>
	<a href="mailto:john@pankauskilawfirm.com">john@pankauskilawfirm.com</a>
John P Morrissey	<a href="mailto:john@jmorrisseylaw.com">john@jmorrisseylaw.com</a>
Joielle A Foglietta	<a href="mailto:service@ciklinlubitz.com">service@ciklinlubitz.com</a>
	<a href="mailto:slobdell@ciklinlubitz.com">slobdell@ciklinlubitz.com</a>

**E-service recipients deselected for service:**

Name	Email Address
No Matching Entries	

This is an automatic email message generated by the Florida Courts E-Filing Portal. This email address does not receive email.

Thank you,  
The Florida Courts E-Filing Portal

request\_id#:25222848; Audit#:86587516; UCN#:502014CP003698XXXXSB;

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Tuesday, March 24, 2015 7:45 AM  
**To:** Eliot Ivan Bernstein  
**Cc:** O'Connell, Brian M.; CANDICE BERNSTEIN; Crispin, Ashley N.; McDowell, Sherri H.; Lobdell, Sharon R.  
**Subject:** Re: SERVICE OF COURT DOCUMENT - CASE NUMBER 502014CP003698XXXXSB

Eliot,

I spoke to Alan Rose yesterday and will call you later today when I finish in Court to discuss the below.

Sent from my iPad

> On Mar 23, 2015, at 9:19 PM, "Eliot Ivan Bernstein" <iviewit@iviewit.tv> wrote:

>

> Brian and Joy,

>

> I am not sure if you received these court filings but it looks like Ted and Alan are trying to sell my father's house without any notice to parties of details etc. as we found out through a Zillow alert. We filed a Lis Pendens, the one Colin took for consideration months ago but it was probably improperly filed. However, I think the Estate needs to file one or something similar for the personal properties in that home that appear to be being sold with the house with no authorization from Estate beneficiaries to sell the items. As well, this appears an attempt to confuse and prevent the re-inventorying ordered by the Court in further efforts to cover up the alleged theft of the items from Simon's estate. Will the Estate be filing a new motion to compel the inventorying and preclude any sale until we have that fully resolved? Joy you stated in our last meeting that you were filing a new motion to comply with the court ordered inventorying so it might be a good time, especially where we now have information that they may have improperly sold items from Tescher's deposition that contradicts Ted's claim to the Court that all the items are in the Lions Head home from Shirley. It is remarkable they are trying this sale with a trust construction pending, a removal of Ted pending in Shirley's trust and a stayed counter complaint pending that all involve the home and properties. We also have similar claims of criminal misconduct regarding Ted and the prior PR's in Simon's estate regarding the personal property and this attempted sale will just compound problems for everyone. Let me know what you intend to do regarding these motions and hearings filed by Alan and in regards to safe keeping the personal properties, he has scheduled a hearing for 3/25/2015 at 8:45am.

>

> Thanks,

> Eliot

>

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

> Sent: Monday, March 23, 2015 7:16 PM

> Subject: SERVICE OF COURT DOCUMENT - CASE NUMBER 502014CP003698XXXXSB

>

>

> Notice of Service of Court Documents

>

> Filing Information

> Filing #:

>

> 25222848

>  
> Filing Time:  
>  
> 03/23/2015 07:16:12 PM ET  
>  
> Filer:  
>  
> Alan B Rose 561-655-2250  
>  
> Court:  
>  
> Fifteenth Judicial Circuit in and for Palm Beach County, Florida  
>  
> Case #:  
>  
> 502014CP003698XXXXSB  
>  
> Court Case #:  
>  
> 2014CP003698  
>  
> Case Style:  
>  
> IN RE: Estate of Not Available  
>  
>  
> Documents  
> Title  
>  
> File  
>  
> Motion  
>  
> M-Approve Sale of Trust Property.pdf  
>  
> Notice Of Hearing  
>  
> NOH on M-Approve Sale of Trust Property.pdf  
>  
>  
> E-service recipients selected for service:  
> Name  
>  
> Email Address  
>  
> Alan B Rose  
>  
> arose@mrachek-law.com<mailto:arose@mrachek-law.com>  
>  
>  
> mchandler@mrachek-law.com<mailto:mchandler@mrachek-law.com>  
>

> John P Morrissey  
>  
> john@jmorrisseylaw.com<mailto:john@jmorrisseylaw.com>  
>  
> William H. Glasko  
>  
> bill@palmettobaylaw.com<mailto:bill@palmettobaylaw.com>  
>  
>  
> eservice@palmettobaylaw.com<mailto:eservice@palmettobaylaw.com>  
>  
> Pamela Bernstein  
>  
> psimon@stpcorp.com<mailto:psimon@stpcorp.com>  
>  
> Lisa Friedstein  
>  
> lisa.friedstein@gmail.com<mailto:lisa.friedstein@gmail.com>  
>  
> Jill Iantoni  
>  
> jilliantoni@gmail.com<mailto:jilliantoni@gmail.com>  
>  
> Pamela Beth Simon  
>  
> psimon@stpcorp.com<mailto:psimon@stpcorp.com>  
>  
> Brian M O'connell  
>  
> service@ciklinlubitz.com<mailto:service@ciklinlubitz.com>  
>  
>  
> slobdell@ciklinlubitz.com<mailto:slobdell@ciklinlubitz.com>  
>  
>  
> Eliot Ivan Bernstein  
>  
> iviewit@iviewit.tv<mailto:iviewit@iviewit.tv>  
>  
>  
> iviewit@gmail.com<mailto:iviewit@gmail.com>  
>  
>  
> tourcandy@gmail.com<mailto:tourcandy@gmail.com>  
>  
> John J. Pankauski  
>  
> courtfilings@pankauskilawfirm.com<mailto:courtfilings@pankauskilawfirm.com>  
>  
>  
> john@pankauskilawfirm.com<mailto:john@pankauskilawfirm.com>  
>  
> John P Morrissey

>  
> john@jmorrisseylaw.com<mailto:john@jmorrisseylaw.com>  
>  
> Joelle A Foglietta  
>  
> service@ciklinlubitz.com<mailto:service@ciklinlubitz.com>  
>  
>  
> slobdell@ciklinlubitz.com<mailto:slobdell@ciklinlubitz.com>  
>  
>  
>  
> E-service recipients deselected for service:  
> Name  
>  
> Email Address  
>  
> No Matching Entries  
>  
>  
> This is an automatic email message generated by the Florida Courts E-Filing Portal. This email address does not receive email.  
>  
> Thank you,  
> The Florida Courts E-Filing Portal  
>  
> The following identifier(s) are associated with this transaction:  
> request\_id#:25222848;Audit#:86587516;UCN#:502014CP003698XXXXSB;  
> <Motion.pdf>  
> <Notice Of Hearing.pdf>

## **Eliot Ivan Bernstein**

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Monday, March 23, 2015 6:23 PM  
**To:** 'Eliot Ivan Bernstein'  
**Subject:** RE: Bernstein

I just did- thanks!

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Monday, March 23, 2015 6:01 PM  
**To:** Foglietta, Joy A  
**Subject:** RE: Bernstein

I did a few hours ago, did you and Trish not get those? eb

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]  
**Sent:** Monday, March 23, 2015 5:47 PM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Crispin, Ashley N.; McDowell, Sherri H.; Lobdell, Sharon R.  
**Subject:** Bernstein

Eliot,

Will you please email us copies of the motion(s) to dismiss filed in the Simon Trust action?

Thanks,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz & O'Connell  
515 North Flagler Drive  
20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
Tel: 561-832-5900  
Fax: 561-833-4209

This email message and any attached files are confidential and are intended solely for the use of the addressee(s). This email message may contain material protected by attorney-client, work product, and/or other privileges. If you are not the intended recipient or the person responsible for delivering this confidential communication to the intended

recipient, you have received this communication in error and any review, use, dissemination, forwarding, printing, copying or other distribution of this email message and any attachment is strictly prohibited. If you have received this email message in error, please notify the sender immediately by a return email message and, please, permanently delete the original message.

## **Eliot Ivan Bernstein**

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Monday, March 23, 2015 5:47 PM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Crispin, Ashley N.; McDowell, Sherri H.; Lobdell, Sharon R.  
**Subject:** Bernstein

Eliot,

Will you please email us copies of the motion(s) to dismiss filed in the Simon Trust action?

Thanks,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz & O'Connell  
515 North Flagler Drive  
20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
Tel: 561-832-5900  
Fax: 561-833-4209

This email message and any attached files are confidential and are intended solely for the use of the addressee(s). This email message may contain material protected by attorney-client, work product, and/or other privileges. If you are not the intended recipient or the person responsible for delivering this confidential communication to the intended recipient, you have received this communication in error and any review, use, dissemination, forwarding, printing, copying or other distribution of this email message and any attachment is strictly prohibited. If you have received this email message in error, please notify the sender immediately by a return email message and, please, permanently delete the original message.

## **Eliot Ivan Bernstein**

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Friday, March 13, 2015 12:36 PM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** McDowell, Sherri H.  
**Subject:** Bernstein

Please send me the pleading you filed in the Simon Trust that is set for april 2<sup>nd</sup>- thanks!

Joielle A. Foglietta, Esquire  
Ciklin Lubitz & O'Connell  
515 North Flagler Drive  
20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
Tel: 561-832-5900  
Fax: 561-833-4209

This email message and any attached files are confidential and are intended solely for the use of the addressee(s). This email message may contain material protected by attorney-client, work product, and/or other privileges. If you are not the intended recipient or the person responsible for delivering this confidential communication to the intended recipient, you have received this communication in error and any review, use, dissemination, forwarding, printing, copying or other distribution of this email message and any attachment is strictly prohibited. If you have received this email message in error, please notify the sender immediately by a return email message and, please, permanently delete the original message.

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Thursday, March 12, 2015 3:50 PM  
**To:** 'Eliot Ivan Bernstein'; 'Candice Bernstein'  
**Cc:** O'Connell, Brian M.; McDowell, Sherri H.; Lobdell, Sharon R.; Crispin, Ashley N.  
**Subject:** RE: Simon Bernstein Estate, per our discussion yesterday, SB Lexington death benefit plan link to information

You mentioned a tax return with the VEBA info...

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Thursday, March 12, 2015 3:36 PM  
**To:** Foglietta, Joy A; 'Candice Bernstein'  
**Cc:** O'Connell, Brian M.; McDowell, Sherri H.; Lobdell, Sharon R.; Crispin, Ashley N.  
**Subject:** RE: Simon Bernstein Estate, per our discussion yesterday, SB Lexington death benefit plan link to information

Hi Joy, what tax return are you referring to? Thanks, eb

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]  
**Sent:** Thursday, March 12, 2015 3:08 PM  
**To:** 'Candice Bernstein'; 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; McDowell, Sherri H.; Lobdell, Sharon R.; Crispin, Ashley N.  
**Subject:** RE: Simon Bernstein Estate, per our discussion yesterday, SB Lexington death benefit plan link to information

Thank you.

Also, I am going to need the tax return we discussed if we are going to look into the VEBA stuff any further.

Thanks,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Candice Bernstein [<mailto:tourcandy@gmail.com>]  
**Sent:** Wednesday, March 11, 2015 12:39 PM  
**To:** Foglietta, Joy A  
**Subject:** Simon Bernstein Estate, per our discussion yesterday, SB Lexington death benefit plan link to information

Hello Joy,

The link below directs to info regarding the SB Lexington employee benefit plan as we discussed yesterday. Thank you!

<http://www.nonprofitfacts.com/IL/S-B-Lexington-Inc-Death-Benefit-Plan-United-Bank-Of-Illinois-N-A.html>

Candice Bernstein

**CONFIDENTIALITY NOTICE:**

This message and any attachments are covered by the Electronic Communications Privacy Act, 18 U.S.C. SS 2510-2521. This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message or call (561) 245-8588. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

\*The Electronic Communications Privacy Act, 18 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this "Message," including attachments. The originator intended this Message for the specified recipients only; it may contain the originator's confidential and proprietary information. The originator hereby notifies unintended recipients that they have received this Message in error, and strictly proscribes their Message review, dissemination, copying, and content-based actions. Recipients-in-error shall notify the originator immediately by e-mail, and delete the original message. Authorized carriers of this message shall expeditiously deliver this Message to intended recipients. See: Quon v. Arch. \*Wireless Copyright Notice\*. Federal and State laws govern copyrights to this Message. You must have the originator's full written consent to alter, copy, or use this Message. Originator acknowledges others' copyrighted content in this Message. Otherwise, Copyright © 2011 by originator Eliot Ivan Bernstein, [tourcandy@gmail.com](mailto:tourcandy@gmail.com) All Rights Reserved.

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Thursday, March 12, 2015 3:08 PM  
**To:** 'Candice Bernstein'; 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; McDowell, Sherri H.; Lobdell, Sharon R.; Crispin, Ashley N.  
**Subject:** RE: Simon Bernstein Estate, per our discussion yesterday, SB Lexington death benefit plan link to information

Thank you.

Also, I am going to need the tax return we discussed if we are going to look into the VEBA stuff any further.

Thanks,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Candice Bernstein [mailto:[tourcandy@gmail.com](mailto:tourcandy@gmail.com)]  
**Sent:** Wednesday, March 11, 2015 12:39 PM  
**To:** Foglietta, Joy A  
**Subject:** Simon Bernstein Estate, per our discussion yesterday, SB Lexington death benefit plan link to information

Hello Joy,

The link below directs to info regarding the SB Lexington employee benefit plan as we discussed yesterday. Thank you!

<http://www.nonprofitfacts.com/IL/S-B-Lexington-Inc-Death-Benefit-Plan-United-Bank-Of-Illinois-N-A.html>

Candice Bernstein

### CONFIDENTIALITY NOTICE:

This message and any attachments are covered by the Electronic Communications Privacy Act, 18 U.S.C. SS 2510-2521. This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message or call (561) 245-8588. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

\*The Electronic Communications Privacy Act, 18 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this "Message," including attachments. The originator intended this Message for the specified recipients only; it may contain the originator's confidential and proprietary information. The originator hereby notifies unintended recipients that they have received this Message in error, and strictly proscribes their Message review, dissemination, copying, and content-based actions. Recipients-in-error shall notify the originator immediately by e-mail, and delete the original message.

Authorized carriers of this message shall expeditiously deliver this Message to intended recipients. See: Quon v. Arch.

\*Wireless Copyright Notice\*. Federal and State laws govern copyrights to this Message. You must have the originator's full written consent to alter, copy, or use this Message. Originator acknowledges others' copyrighted content in this Message. Otherwise, Copyright © 2011 by originator Eliot Ivan Bernstein, [tourcandy@gmail.com](mailto:tourcandy@gmail.com) All Rights Reserved.

## **Eliot Ivan Bernstein**

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Tuesday, March 10, 2015 5:56 PM  
**To:** 'Eliot Ivan Bernstein'  
**Subject:** Bernstein  
**Attachments:** MOT Authorization to Enter into and Approval of Settlement Agreement - by BMO - 12-24-14.pdf

Eliot,

Please find the petition for authorization of settlement agreement, attached (the settlement agreement itself is attached as Exhibit A). Also, we look forward to your emails with the tax return and pleading filed in the simon trust action.

Best,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz & O'Connell  
515 North Flagler Drive  
20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
Tel: 561-832-5900  
Fax: 561-833-4209

This email message and any attached files are confidential and are intended solely for the use of the addressee(s). This email message may contain material protected by attorney-client, work product, and/or other privileges. If you are not the intended recipient or the person responsible for delivering this confidential communication to the intended recipient, you have received this communication in error and any review, use, dissemination, forwarding, printing, copying or other distribution of this email message and any attachment is strictly prohibited. If you have received this email message in error, please notify the sender immediately by a return email message and, please, permanently delete the original message.

## **Eliot Ivan Bernstein**

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Wednesday, March 4, 2015 4:54 PM  
**To:** 'Eliot Ivan Bernstein'  
**Subject:** RE: Bernstein

We will be cancelling the hearing scheduled for tomorrow

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Tuesday, March 03, 2015 9:04 PM  
**To:** Foglietta, Joy A  
**Subject:** RE: Bernstein

Ok that will work. Are we having the hearing for instruction on Thursday still? Thanks, eb

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]  
**Sent:** Tuesday, March 3, 2015 6:27 PM  
**To:** 'Eliot Ivan Bernstein'  
**Subject:** RE: Bernstein

Brian is available 1:30-3:30 but he will have to leave right at 3:30 for another meeting.

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Tuesday, March 03, 2015 6:19 PM  
**To:** Foglietta, Joy A  
**Subject:** RE: Bernstein

Hi Joy, I have court at 8:45am on the Oppenheimer case that day, if it finishes within an hour I would be able to make 10:30am but they did not put in an amount of time on their hearing request, so perhaps a bit later that afternoon if possible. Are we still having the Thursday hearing? lmk - Thanks, eb

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]  
**Sent:** Tuesday, March 3, 2015 5:38 PM  
**To:** Eliot Ivan Bernstein  
**Cc:** O'Connell, Brian M.; Lobdell, Sharon R.; McDowell, Sherri H.; Crispin, Ashley N.  
**Subject:** Bernstein

Elliot,

Are you available to come to our office for a meeting Tuesday, March 10<sup>th</sup> at 10am for 2 hours?

Best,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
515 North Flagler Drive  
20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
Tel: 561-832-5900  
Fax: 561-833-4209

This email message and any attached files are confidential and are intended solely for the use of the addressee(s). This email message may contain material protected by attorney-client, work product, and/or other privileges. If you are not the intended recipient or the person responsible for delivering this confidential communication to the intended recipient, you have received this communication in error and any review, use, dissemination, forwarding, printing, copying or other distribution of this email message and any attachment is strictly prohibited. If you have received this email message in error, please notify the sender immediately by a return email message and, please, permanently delete the original message.

## **Eliot Ivan Bernstein**

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Tuesday, March 3, 2015 6:27 PM  
**To:** 'Eliot Ivan Bernstein'  
**Subject:** RE: Bernstein

Brian is available 1:30-3:30 but he will have to leave right at 3:30 for another meeting.

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Tuesday, March 03, 2015 6:19 PM  
**To:** Foglietta, Joy A  
**Subject:** RE: Bernstein

Hi Joy, I have court at 8:45am on the Oppenheimer case that day, if it finishes within an hour I would be able to make 10:30am but they did not put in an amount of time on their hearing request, so perhaps a bit later that afternoon if possible. Are we still having the Thursday hearing? lmk - Thanks, eb

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]  
**Sent:** Tuesday, March 3, 2015 5:38 PM  
**To:** Eliot Ivan Bernstein  
**Cc:** O'Connell, Brian M.; Lobdell, Sharon R.; McDowell, Sherri H.; Crispin, Ashley N.  
**Subject:** Bernstein

Elliot,

Are you available to come to our office for a meeting Tuesday, March 10<sup>th</sup> at 10am for 2 hours?

Best,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
515 North Flagler Drive  
20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
Tel: 561-832-5900  
Fax: 561-833-4209

This email message and any attached files are confidential and are intended solely for the use of the addressee(s). This email message may contain material protected by attorney-client, work product, and/or other privileges. If you are not the intended recipient or the person responsible for delivering this confidential communication to the intended recipient, you have received this communication in error and any review, use, dissemination, forwarding, printing, copying or other distribution of this email message and any attachment is strictly prohibited. If you have received this email message in error, please notify the sender immediately by a return email message and, please, permanently delete the original message.

## **Eliot Ivan Bernstein**

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Tuesday, March 3, 2015 5:38 PM  
**To:** Eliot Ivan Bernstein  
**Cc:** O'Connell, Brian M.; Lobdell, Sharon R.; McDowell, Sherri H.; Crispin, Ashley N.  
**Subject:** Bernstein

Elliot,

Are you available to come to our office for a meeting Tuesday, March 10<sup>th</sup> at 10am for 2 hours?

Best,

Joelle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
515 North Flagler Drive  
20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
Tel: 561-832-5900  
Fax: 561-833-4209

This email message and any attached files are confidential and are intended solely for the use of the addressee(s). This email message may contain material protected by attorney-client, work product, and/or other privileges. If you are not the intended recipient or the person responsible for delivering this confidential communication to the intended recipient, you have received this communication in error and any review, use, dissemination, forwarding, printing, copying or other distribution of this email message and any attachment is strictly prohibited. If you have received this email message in error, please notify the sender immediately by a return email message and, please, permanently delete the original message.

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Thursday, February 12, 2015 1:25 PM  
**To:** Alan B. Rose Esq.; Eliot Ivan Bernstein  
**Cc:** O'Connell, Brian M.; Crispin, Ashley N.; Lobdell, Sharon R.; McDowell, Sherri H.; 'John P. Morrissey'  
**Subject:** RE: New Hearing times

Mr. O'Connell is available on March 31<sup>st</sup> and April 1<sup>st</sup> only.

Best,

Joelle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** O'Connell, Brian M.  
**Sent:** Thursday, February 12, 2015 6:11 AM  
**To:** Lobdell, Sharon R.; Foglietta, Joy A; Crispin, Ashley N.  
**Subject:** Fwd: New Hearing times

Sent from my iPhone

Begin forwarded message:

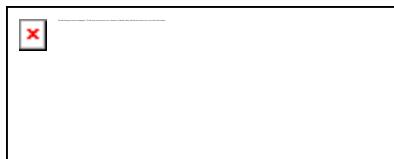
**From:** Alan Rose <[ARose@mrachek-law.com](mailto:ARose@mrachek-law.com)>  
**Date:** February 11, 2015 at 4:38:39 PM EST  
**To:** Eliot Ivan Bernstein <[iviewit@gmail.com](mailto:iviewit@gmail.com)>  
**Cc:** "John P. Morrissey" <[john@jmorrisseylaw.com](mailto:john@jmorrisseylaw.com)>, "O'Connell, Brian M." <[boconnell@ciklinlubitz.com](mailto:boconnell@ciklinlubitz.com)>  
**Subject:** RE: New Hearing times

The 31<sup>st</sup>, 1<sup>st</sup> and 7<sup>th</sup> would work for me, subject to others' availability.

In my last email, I did ask you to specify the nature of the alleged grounds for the extension of time to file late claim. We may need to set a short deposition on that issue, to enable a decision whether an extension is appropriate.

I'd appreciate a response to that and the other questions I raised in that email.

Alan B. Rose, Esq.  
[arose@Mrachek-Law.com](mailto: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

**CONFIDENTIALITY NOTE:** THE INFORMATION CONTAINED IN THIS TRANSMISSION IS LEGALLY PRIVILEGED AND CONFIDENTIAL, INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU RECEIVE A COPY OF THIS COMMUNICATION IN ERROR, PLEASE **IMMEDIATELY** (1) REPLY BY E-MAIL TO US, AND (2) DELETE THIS MESSAGE.

**TAX DISCLOSURE NOTE:** To ensure compliance with requirements imposed by the Internal Revenue Service (Circular 230), we inform and advise you that any tax advice contained in this communication (including any attachments), unless otherwise specifically stated, was not intended or written to be used, and cannot be used, by any taxpayer for the purpose of (1) avoiding penalties that may be imposed under the Internal Revenue Code or (2) promoting, marketing or recommending to another party any transactions or matters addressed herein.

If there 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:** Eliot Ivan Bernstein [<mailto:iviewit@gmail.com>]  
**Sent:** Wednesday, February 11, 2015 11:01 AM  
**To:** Alan Rose; Marie Chandler; Alan Rose; [attorneys@matbrolaw.com](mailto:attorneys@matbrolaw.com); Benjamin P. Brown; [bhenry@matbrolaw.com](mailto:bhenry@matbrolaw.com); Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell ; [ddustin@tescherspallina.com](mailto:ddustin@tescherspallina.com); Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A.; Gary R. Shendell; Irwin J. Block @ The Law Office of Irwin J. Block PL; John J. Pankauski; John J. Pankauski; John P. Morrissey Esq. @ John P. Morrissey, P.A. ; [john@pankauskilawfirm.com](mailto:john@pankauskilawfirm.com); 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, Esquere @ Mark R. Manceri, P.A.; Mimi K. McAndrews; [mrmlaw1@gmail.com](mailto:mrmlaw1@gmail.com); Pamela Beth Simon; Peter Feaman; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.; [pmatwiczyk@matbrolaw.com](mailto:pmatwiczyk@matbrolaw.com); Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A.; [service@feamanlaw.com](mailto:service@feamanlaw.com); William M. Pearson; Charles D. Rubin ~ Managing Partner @ Gutter Chaves Josepher Rubin Forman Fleisher Miller PA; JILL BERNSTEIN IANTONI; Lisa Friedstein  
**Cc:** 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.; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Michele M. Mulrooney ~ Partner @ Venable LLP  
**Subject:** New Hearing times

All,

I have requested *additional* one half hour hearing times to hear 2 motions. Please reply if one of these dates will not work for you by today. The times available are as follows,

March 31 @ 9:30

April 1 @ 9:30

April 6 @ 9:00

April 7 @ 9:30

The one half hour hearing will be to continue the unheard motion from our last hearing, Regarding case # 502012CP004391XXXXSB, Motion to grant an extension to the claims filed on Aug. 22, 2014 and Regarding case # 502014CP003698XXXXSB Motion to compel Trustee Accounting for Shirley Bernstein Trust.

Please note it is very important to resolve and settle the issue regarding the claims filed on August 22, 2014, as it is now critical for the three minor children beneficiaries health and education that have already been damaged by certain of the fiduciaries and attorneys at law involved.

Thank you for your prompt attention to these matters,

Eliot I. Bernstein  
Inventor  
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](mailto:iviewit@iviewit.tv)  
<http://www.iviewit.tv>  
<http://iviewit.tv/inventor/index.htm>  
<http://iviewit.tv/wordpress>  
<http://www.facebook.com/#!/iviewit>  
<http://www.youtube.com/user/eliotbernstein?feature=mhum>

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](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/wordpress/?p=594>

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/i1Ao1BYvyoQ>

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 Televison 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=DuIHQDcwQfM>

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](https://www.facebook.com/iviewit?ref=tn_tnmn#!/note.php?note_id=319280841435989)

Other Websites I like:

<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>  
<http://www.justice4every1.com>  
<http://www.schwagerfirm.com>  
<http://www.eldermurderabuseandexploitation.blogspot.com>  
<https://mccormickestatefraud.wordpress.com>  
<http://www.nationallibertyalliance.org>  
<http://www.AAAPG.net>

[www.corruptny.com](http://www.corruptny.com)  
[www.corruptWA.com](http://www.corruptWA.com)  
[www.killingseniors.com](http://www.killingseniors.com)  
[www.guardianpredators.com](http://www.guardianpredators.com)  
[www.guardianshipexposed.com](http://www.guardianshipexposed.com)  
<http://www.hangthebankers.com>  
[www.ddaweb.org](http://www.ddaweb.org)  
<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

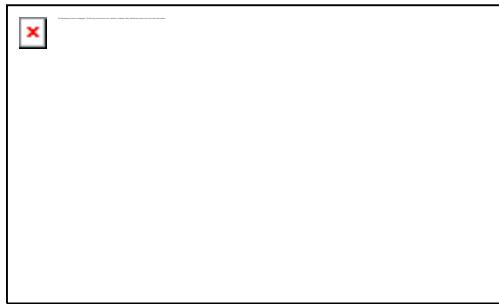
"Is life so dear or peace so sweet as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take, but as for me, give me liberty, or give me death!" - Patrick Henry

"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

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



**NOTICE:** Due to Presidential Executive Orders, the National Security Agency may have read this email without warning, warrant, or notice. They may do this without any judicial or legislative oversight and it can happen to ordinary Americans like you and me. You have no recourse nor protection save to vote against any incumbent endorsing such unlawful acts.

**CONFIDENTIALITY NOTICE:**

This message and any attachments are covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521. This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message or call (561) 245-8588. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

\*The Electronic Communications Privacy Act, 18 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this "Message," including attachments. The originator intended this Message for the specified recipients only; it may contain the originator's confidential and proprietary information. The originator hereby notifies unintended recipients that they have received this Message in error, and strictly proscribes their Message review, dissemination, copying, and content-based actions. Recipients-in-error shall notify the originator immediately by e-mail, and delete the original message. Authorized carriers of this message shall expeditiously deliver this Message to intended recipients. See: *Quon v. Arch.*

\*Wireless Copyright Notice\*. Federal and State laws govern copyrights to this Message. You must have the originator's full written consent to alter, copy, or use this Message. Originator acknowledges others' copyrighted content in this Message. Otherwise, Copyright © 2011 by originator Eliot Ivan Bernstein, [iViewit@iViewit.tv](mailto:iViewit@iViewit.tv) and [www.iViewit.tv](http://www.iViewit.tv). All Rights Reserved.

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Tuesday, February 3, 2015 10:01 AM  
**To:** Eliot Ivan Bernstein  
**Cc:** O'Connell, Brian M.; Crispin, Ashley N.; McDowell, Sherri H.; Lobdell, Sharon R.; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.; Alan Rose; 'John P. Morrissey'; Irwin J. Block @ The Law Office of Irwin J. Block PL; 'psimon@stpcorp.com'; 'jilliantoni@gmail.com'; 'lisa@friedsteins.com'  
**Subject:** Bernstein- RE: Regarding hearings for cases # 502014CP003698XXXXSB and 502012CP004391XXXXSB hearing times requested.

Mr. O'Connell is available at the respective times listed below on April 1<sup>st</sup>, 2<sup>nd</sup>, 8<sup>th</sup> and 9<sup>th</sup> and on March 3<sup>rd</sup> at 11:30am.

Mr. O'Connell is not available on February 19 at 11:30am, February 20 at 9:30am, February 23 at 10:00am.

Best,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** O'Connell, Brian M.  
**Sent:** Tuesday, February 03, 2015 6:39 AM  
**To:** Lobdell, Sharon R.; Foglietta, Joy A; Crispin, Ashley N.  
**Subject:** Fwd: Regarding hearings for cases # 502014CP003698XXXXSB and 502012CP004391XXXXSB hearing times requested.

Sent from my iPhone

Begin forwarded message:

**From:** Eliot Ivan Bernstein <[iviewit@gmail.com](mailto:iviewit@gmail.com)>  
**Date:** February 2, 2015 at 3:43:33 PM EST  
**To:** "Alan B. Rose Esq." <[arose@pm-law.com](mailto:arose@pm-law.com)>, "Alan B. Rose Esq." <[mchandler@mrachek-law.com](mailto:mchandler@mrachek-law.com)>, <[arose@mrachek-law.com](mailto:arose@mrachek-law.com)>, <[attorneys@matbrolaw.com](mailto:attorneys@matbrolaw.com)>, "Benjamin P. Brown" <[bbrown@matbrolaw.com](mailto:bbrown@matbrolaw.com)>, <[bhenry@matbrolaw.com](mailto:bhenry@matbrolaw.com)>, "Brian M. O'Connell PA ~ Partner @ Ciklin Lubitz Martens & O'Connell " <[boconnell@ciklinlubitz.com](mailto:boconnell@ciklinlubitz.com)>, <[ddustin@tescherspallina.com](mailto:ddustin@tescherspallina.com)>, "Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A." <[dtescher@tescherspallina.com](mailto:dtescher@tescherspallina.com)>, "Gary R. Shendell" <[gary@shendellpollock.com](mailto:gary@shendellpollock.com)>, "Irwin J. Block @ The Law Office of Irwin J. Block PL" <[ijb@ijblegal.com](mailto:ijb@ijblegal.com)>, "John J. Pankauski" <[courtfilings@pankauskilawfirm.com](mailto:courtfilings@pankauskilawfirm.com)>, "John J. Pankauski" <[Michelle@Pankauskilawfirm.com](mailto:Michelle@Pankauskilawfirm.com)>, "John P. Morrissey Esq. @ John P. Morrissey, P.A. "

<[john@jmorrisseylaw.com](mailto:john@jmorrisseylaw.com)>, <[john@pankauskilawfirm.com](mailto:john@pankauskilawfirm.com)>, "Kenneth S. Pollock" <[ken@shendellpollock.com](mailto:ken@shendellpollock.com)>, "Kimberly Moran ~ Legal Assistant / Notary Public @ Tescher & Spallina, P.A." <[kmoran@tescherspallina.com](mailto:kmoran@tescherspallina.com)>, "L. Louis Mrachek Esq. @ PAGE, MRACHEK, FITZGERALD, ROSE, KONOPKA, THOMAS & WEISS, P.A." <[lmrachek@mrachek-law.com](mailto:lmrachek@mrachek-law.com)>, "Lindsay Baxley aka Lindsay Giles @ Life Insurance Concepts" <[lindsay@lifeinsuranceconcepts.com](mailto:lindsay@lifeinsuranceconcepts.com)>, "Mark R. Manceri, Esquere @ Mark R. Manceri, P.A." <[mrmlaw@comcast.net](mailto:mrmlaw@comcast.net)>, "Mimi K. McAndrews" <[mimi@shendellpollock.com](mailto:mimi@shendellpollock.com)>, <[mrmlaw1@gmail.com](mailto:mrmlaw1@gmail.com)>, Pamela Beth Simon <[psimon@stpcorp.com](mailto:psimon@stpcorp.com)>, Peter Feaman <[mkoskey@feamanlaw.com](mailto:mkoskey@feamanlaw.com)>, "Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A." <[pfeaman@feamanlaw.com](mailto:pfeaman@feamanlaw.com)>, <[pmatwicz@matbrolaw.com](mailto:pmatwicz@matbrolaw.com)>, "Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A." <[rspallina@tescherspallina.com](mailto:rspallina@tescherspallina.com)>, <[service@feamanlaw.com](mailto:service@feamanlaw.com)>, "William M. Pearson" <[wpearsonlaw@bellsouth.net](mailto:wpearsonlaw@bellsouth.net)>, "Charles D. Rubin ~ Managing Partner @ Gutter Chaves Josepher Rubin Forman Fleisher Miller PA" <[crubin@floridatax.com](mailto:crubin@floridatax.com)>, JILL BERNSTEIN IANTONI <[jilliantoni@gmail.com](mailto:jilliantoni@gmail.com)>, Lisa Friedstein <[lisa@friedsteins.com](mailto:lisa@friedsteins.com)>  
**Cc:** "Andrew Dietz @ Rock-It Cargo USA, Inc." <[andyd@rockitcargo.com](mailto:andyd@rockitcargo.com)>, CANDICE BERNSTEIN <[tourcandy@gmail.com](mailto:tourcandy@gmail.com)>, Caroline Prochotska Rogers Esq. <[caroline@cprogers.com](mailto:caroline@cprogers.com)>, "Eliot I. Bernstein" <[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)>, "Marc R. Garber Esq." <[marcrgarber@gmail.com](mailto:marcrgarber@gmail.com)>, "Marc R. Garber Esq. @ Flaster Greenberg P.C." <[marc.garber@flastergreenberg.com](mailto:marc.garber@flastergreenberg.com)>, "Marc R. Garber Esq. @ Flaster Greenberg P.C." <[marcrgarber@verizon.net](mailto:marcrgarber@verizon.net)>, "Michele M. Mulrooney ~ Partner @ Venable LLP" <[mmulrooney@Venable.com](mailto:mmulrooney@Venable.com)>

**Subject: Regarding hearings for cases # 502014CP003698XXXXSB and 502012CP004391XXXXSB hearing times requested.**

Regarding case # 502014CP003698XXXXSB and in preparation to secure court hearing times for the pending motion to remove Ted as Successor Trustee, below are *additional* court hearing times for 2 hours that are available per Judge Colin's JA as the last batch Alan Rose claimed to "think" he was unavailable for the end of March times. We have notified the Court of the continued scheduling problems for our hearings as it is becoming burdensome on them and we will be forwarding any problems with these dates to Judge Colin to review and address. Please only respond if you are planning on attending the hearing or representing a party in the hearing who has standing in these matters.

April 1 at 10:00am

April 2 at 1:30pm

April 8 at 10:00am

April 9 at 10:00am

In addition, I have requested one half hour hearing to hear 2 motions. The times available are as follows,

February 19 at 11:30am

February 20 at 9:30am

February 23 at 10:00am

March 3 at 11:30am

The one half hour hearing will be to continue the unheard motion from our last hearing, Regarding case # 502012CP004391XXXXSB, Motion to grant an extension to the claims filed on Aug. 22, 2014 and Regarding case # 502014CP003698XXXXSB Motion to compel Trustee Accounting for Shirley Bernstein Trust.

Also, since I did not hear objections for the UMC Motion to Move the Case to Colin from Judge Keyeser, I will choose one of the dates circulated and file for the hearing and serve notice.

Thank you for your prompt attention to these matters,

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

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](mailto:iviewit@iviewit.tv)

<http://www.iviewit.tv>

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

<http://iviewit.tv/wordpress>

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

<http://www.myspace.com/iviewit>

<http://iviewit.tv/wordpresseliot>

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

<http://tedbernsteinreport.blogspot.com>

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](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/wordpress/?p=594>

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/i1Ao1BYvyoQ>

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 Televison Interview Dick Woelfle Network 125

<http://youtu.be/WEgSXJFqrhQ>

Eliot for President in 2012 Campaign Speech 1 with No Top Teeth, Don't Laugh, Very Important

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

Eliot for President in 2012 Campaign Speech 2 with No Top OR Bottom Teeth, Don't Laugh, Very Important

<http://www.youtube.com/watch?v=jbOP3U1q6mM>

Eliot for President in 2012 Campaign Speech 3 Very Important

[https://www.facebook.com/iviewit?ref=tn\\_tnmn#!/note.php?note\\_id=319280841435989](https://www.facebook.com/iviewit?ref=tn_tnmn#!/note.php?note_id=319280841435989)

Other Websites I like:

<http://www.deniedpatent.com>

<http://exposecorruptcourts.blogspot.com>

<http://www.judgewatch.org/index.html>

<http://www.enddiscriminationnow.com>

<http://www.corruptcourts.org>

<http://www.makeourofficialsaccountable.com>

<http://www.parentadvocates.org>

<http://www.newyorkcourtcorruption.blogspot.com>

<http://cuomotarp.blogspot.com>  
<http://www.disbarthefloridabar.com>  
<http://www.trusteefraud.com/trusteefraud-blog>  
<http://www.constitutionalguardian.com>  
<http://www.americans4legalreform.com>  
<http://www.judicialaccountability.org>  
[www.electpollack.us](http://www.electpollack.us)  
<http://www.ruthmpollackesq.com>  
<http://www.attorneysabovethelaw.com>  
<http://heavensclimb.blogspot.com>  
<http://www.VoteForGreg.us> Greg Fischer  
<http://www.liberty-candidates.org/greg-fischer/>  
<http://www.facebook.com/pages/Vote-For-Greg/111952178833067>  
[www.justice4every1.com](http://www.justice4every1.com)  
<http://justice4every1.com/see-our-sister-site-mary-g-sykes>  
[www.schwagerfirm.com](http://www.schwagerfirm.com)  
[www.eldermurderabuseandexploitation.blogspot.com](http://www.eldermurderabuseandexploitation.blogspot.com)  
<https://mccormickestatefraud.wordpress.com>  
<http://www.nationallibertyalliance.org>  
[www.AAAPG.net](http://www.AAAPG.net)  
[www.corruptny.com](http://www.corruptny.com)  
[www.corruptWA.com](http://www.corruptWA.com)  
[www.killingseniors.com](http://www.killingseniors.com)  
[www.guardianpredators.com](http://www.guardianpredators.com)  
[www.guardianshipexposed.com](http://www.guardianshipexposed.com)  
<http://www.killallthelawyers.ws/law> (The Shakespearean Solution, The Butcher)

--  
"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

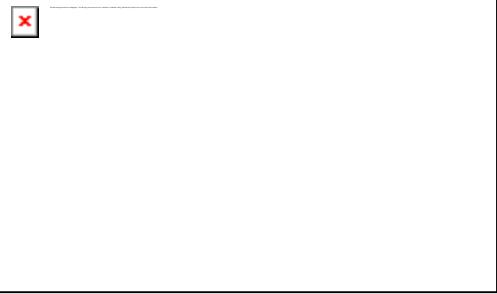
"Is life so dear or peace so sweet as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take, but as for me, give me liberty, or give me death!" - Patrick Henry

I live by the saying,

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



**NOTICE:** Due to Presidential Executive Orders, the National Security Agency may have read this email without warning, warrant, or notice. They may do this without any judicial or legislative oversight and it can happen to ordinary Americans like you and me. You have no recourse nor protection save to vote against any incumbent endorsing such unlawful acts.

**CONFIDENTIALITY NOTICE:**

This message and any attachments are covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521. This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message or call (561) 245-8588. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

\*The Electronic Communications Privacy Act, 18 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this "Message," including attachments. The originator intended this Message for the specified recipients only; it may contain the originator's confidential and proprietary information. The originator hereby notifies unintended recipients that they have received this Message in error, and strictly proscribes their Message review, dissemination, copying, and content-based actions. Recipients-in-error shall notify the originator immediately by e-mail, and delete the original message. Authorized carriers of this message shall expeditiously deliver this Message to intended recipients. See: *Quon v. Arch.*

\*Wireless Copyright Notice\*. Federal and State laws govern copyrights to this Message. You must have the originator's full written consent to alter, copy, or use this Message. Originator acknowledges others' copyrighted content in this Message. Otherwise, Copyright © 2011 by originator Eliot Ivan Bernstein, [iwatchit@iwatchit.tv](mailto:iwatchit@iwatchit.tv) and [www.iwatchit.tv](http://www.iwatchit.tv). All Rights Reserved.

## **Eliot Ivan Bernstein**

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Monday, January 19, 2015 3:45 PM  
**To:** Eliot Ivan Bernstein  
**Cc:** O'Connell, Brian M.; Crispin, Ashley N.; Lobdell, Sharon R.; McDowell, Sherri H.  
**Subject:** Bernstein

Elliot,

Will you please send us any information and documentation you have on Bernstein Family Realty and the 3 trusts of your children (which are members of BFR)?

Thanks,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
515 North Flagler Drive  
20<sup>th</sup> Floor  
West Palm Beach, Florida 33401  
Tel: 561-832-5900  
Fax: 561-833-4209

This email message and any attached files are confidential and are intended solely for the use of the addressee(s). This email message may contain material protected by attorney-client, work product, and/or other privileges. If you are not the intended recipient or the person responsible for delivering this confidential communication to the intended recipient, you have received this communication in error and any review, use, dissemination, forwarding, printing, copying or other distribution of this email message and any attachment is strictly prohibited. If you have received this email message in error, please notify the sender immediately by a return email message and, please, permanently delete the original message.

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Wednesday, January 7, 2015 12:10 PM  
**To:** 'Alan Rose'; Eliot Ivan Bernstein  
**Cc:** Alan B. Rose Esq.; Alan B. Rose Esq.; O'Connell, Brian M.; ddustin@tescherspallina.com; Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A.; Irwin J. Block @ The Law Office of Irwin J. Block PL; John P. Morrissey Esq. @ John P. Morrissey, P.A.; john@pankauskilawfirm.com; L. Louis Mrachek Esq. @ PAGE, MRACHEK, FITZGERALD, ROSE, KONOPKA, THOMAS & WEISS, P.A.; Peter Feaman; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.; Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A.; service@feamanlaw.com  
**Subject:** RE: Schedule Hearing for statements of claims from Aug. 22, 2014

Mr. O'Connell is currently available on the 13<sup>th</sup> only.

Joelle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Alan Rose [mailto:ARose@mrachek-law.com]  
**Sent:** Tuesday, January 06, 2015 4:19 PM  
**To:** Eliot Ivan Bernstein  
**Cc:** Alan B. Rose Esq.; Alan B. Rose Esq.; O'Connell, Brian M.; ddustin@tescherspallina.com; Donald R. Tescher ~ Attorney at Law @ Tescher & Spallina, P.A.; Irwin J. Block @ The Law Office of Irwin J. Block PL; John P. Morrissey Esq. @ John P. Morrissey, P.A.; john@pankauskilawfirm.com; L. Louis Mrachek Esq. @ PAGE, MRACHEK, FITZGERALD, ROSE, KONOPKA, THOMAS & WEISS, P.A.; Peter Feaman; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.; Robert L. Spallina, Esq. ~ Attorney at Law @ Tescher & Spallina, P.A.; service@feamanlaw.com; Foglietta, Joy A  
**Subject:** Re: Schedule Hearing for statements of claims from Aug. 22, 2014

13th is best for me

I know for sure I cannot do that Friday, and not sure about the Thursday date.

Depending what everyone else say, I could do the 13th

Alan B. Rose

On Jan 6, 2015, at 11:03, Eliot Ivan Bernstein <[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)> wrote:

The following are being noticed for one half hour hearing. Pursuant to Judge Colin's orders and approval for these hearings on December 23, 2014 the following dates and times are available. This email reflects a follow up to personal phone calls made on December 23, 2014 in attempt to schedule these hearings. Please reply timely or I will be forced to notify the Judge of the continued lack of cooperation, refusal to

return phone calls by some parties, and difficulties in scheduling hearings. Thank you for your time and efforts.

½ HOUR

January 13 @ 10:30am

January 15 @ 11:30am

January 16 @ 10:00am

234	SCLM - STATEMENT OF CLAIM		
-----	---------------------------	--	--

**Filing Date:** 22-AUG-2014

**Filing Party:**

**Disposition Amount:**

**Docket Text:** F/B: ELLIOT BERNSTEIN, CPY SENT TO ATTY E-FILED

235	SCLM - STATEMENT OF CLAIM		
-----	---------------------------	--	--

**Filing Date:** 22-AUG-2014

**Filing Party:**

**Disposition Amount:**

**Docket Text:** F/B ELIOT BERNSTEIN COPY SENT TO ATTY E FILED

264	PET - PETITION		
-----	----------------	--	--

**Filing Date:** 24-SEP-2014

**Filing Party:** O'CONNELL, BRIAN M

**Disposition Amount:**

**Docket Text:** PETITION FOR INSTRUCTIONS ON ELLIOT BERNSTEIN'S STATEMENTS OF CLAIM AND RELATED REQUEST FOR REIMBURSEMENT

## **Eliot Ivan Bernstein**

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Thursday, December 4, 2014 11:08 AM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Lobdell, Sharon R.; McDowell, Sherri H.; Labutka, Biddy  
**Subject:** RE: Eliot Bernstein

Elliot,

Ignore my previous email, I confused the 18<sup>th</sup> with another hearing we just set in this case.

As for the 18<sup>th</sup>, Mr. O'Connell has to travel outside the country on another matter. As such, we have requested that that the hearing currently scheduled for the 18<sup>th</sup> be moved. When we get additional dates and times we will get enough time to have the reimbursement motion heard as well.

Best,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Thursday, December 04, 2014 3:10 AM  
**To:** O'Connell, Brian M.; Foglietta, Joy A  
**Cc:** 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.; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Michele M. Mulrooney ~ Partner @ Venable LLP  
**Subject:** Eliot Bernstein

Hi Brian, can you please schedule for your hearing on the 18<sup>th</sup> my request for reimbursements/creditor claims with Judge Colin. Thank you, 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](mailto:iviewit@iviewit.tv)  
<http://www.iviewit.tv>

**NOTICE:** Due to Presidential Executive Orders, the National Security Agency may have read this email without warning, warrant, or notice. They may do this without any judicial or legislative oversight and it can happen to ordinary Americans like you and me. You have no recourse nor protection save to vote against any incumbent endorsing such unlawful acts.

**CONFIDENTIALITY NOTICE:**

This message and any attachments are covered by the Electronic Communications Privacy Act, 18 U.S.C. SS 2510-2521. This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message or call (561) 245-8588. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

\*The Electronic Communications Privacy Act, 18 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this "Message," including attachments. The originator intended this Message for the specified recipients only; it may contain the originator's confidential and proprietary information. The originator hereby notifies unintended recipients that they have received this Message in error, and strictly proscribes their Message review, dissemination, copying, and content-based actions. Recipients-in-error shall notify the originator immediately by e-mail, and delete the original message. Authorized carriers of this message shall expeditiously deliver this Message to intended recipients. See: Quon v. Arch.

\*Wireless Copyright Notice\*. Federal and State laws govern copyrights to this Message. You must have the originator's full written consent to alter, copy, or use this Message. Originator acknowledges others' copyrighted content in this Message. Otherwise, Copyright © 2011 by originator Eliot Ivan Bernstein, [iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) and [www.iviewit.tv](http://www.iviewit.tv). All Rights Reserved.

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Thursday, December 4, 2014 11:04 AM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Labutka, Biddy  
**Subject:** RE: Eliot Bernstein

Elliot,

Unfortunately there will not be enough time that day to have both motions heard. We will have to get another hearing date/time for the reimbursement motion.

Best,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Thursday, December 04, 2014 3:10 AM  
**To:** O'Connell, Brian M.; Foglietta, Joy A  
**Cc:** 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.; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Michele M. Mulrooney ~ Partner @ Venable LLP  
**Subject:** Eliot Bernstein

Hi Brian, can you please schedule for your hearing on the 18<sup>th</sup> my request for reimbursements/creditor claims with Judge Colin. Thank you, 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](mailto:iviewit@iviewit.tv)  
<http://www.iviewit.tv>

---

**NOTICE:** Due to Presidential Executive Orders, the National Security Agency may have read this email without warning, warrant, or notice. They may do this without any judicial or legislative oversight and it can happen to ordinary Americans like you and me. You have no recourse nor protection save to vote against any incumbent endorsing such unlawful acts.

**CONFIDENTIALITY NOTICE:**

This message and any attachments are covered by the Electronic Communications Privacy Act, 18 U.S.C. SS 2510-2521. This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message or call (561) 245-8588. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

\*The Electronic Communications Privacy Act, 18 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this "Message," including attachments. The originator intended this Message for the specified recipients only; it may contain the originator's confidential and proprietary information. The originator hereby notifies unintended recipients that they have received this Message in error, and strictly proscribes their Message review, dissemination, copying, and content-based actions. Recipients-in-error shall notify the originator immediately by e-mail, and delete the original message.

Authorized carriers of this message shall expeditiously deliver this Message to intended recipients. See: *Quon v. Arch.*

\*Wireless Copyright Notice\*. Federal and State laws govern copyrights to this Message. You must have the originator's full written consent to alter, copy, or use this Message. Originator acknowledges others' copyrighted content in this Message. Otherwise, Copyright © 2011 by originator Eliot Ivan Bernstein, [iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) and [www.iviewit.tv](http://www.iviewit.tv). All Rights Reserved.

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Wednesday, October 1, 2014 2:30 PM  
**To:** 'Eliot Ivan Bernstein'; O'Connell, Brian M.  
**Subject:** RE: September 24, 2014 Hearing

Elliot,

We are not ordering the Sept 24<sup>th</sup> hearing transcript, however, you are certainly free to do so.

Best,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Monday, September 29, 2014 1:46 PM  
**To:** O'Connell, Brian M.; Foglietta, Joy A  
**Subject:** September 24, 2014 Hearing

Hi Brian and Joy,

Are you ordering the Sept 24, 2014 hearing transcript and have you ordered any of the other missing ones? eb

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](mailto:iviewit@iviewit.tv)  
<http://www.iviewit.tv>

---

**NOTICE:** Due to Presidential Executive Orders, the National Security Agency may have read this email without warning, warrant, or notice. They may do this without any judicial or legislative oversight and it can happen to ordinary Americans like you and me. You have no recourse nor protection save to vote against any incumbent endorsing such unlawful acts.

**CONFIDENTIALITY NOTICE:**

This message and any attachments are covered by the Electronic Communications Privacy Act, 18 U.S.C. SS 2510-2521. This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message or call (561)

245-8588. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

\*The Electronic Communications Privacy Act, 18 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this "Message," including attachments. The originator intended this Message for the specified recipients only; it may contain the originator's confidential and proprietary information. The originator hereby notifies unintended recipients that they have received this Message in error, and strictly proscribes their Message review, dissemination, copying, and content-based actions. Recipients-in-error shall notify the originator immediately by e-mail, and delete the original message.

Authorized carriers of this message shall expeditiously deliver this Message to intended recipients. See: Quon v. Arch.

\*Wireless Copyright Notice\*. Federal and State laws govern copyrights to this Message. You must have the originator's full written consent to alter, copy, or use this Message. Originator acknowledges others' copyrighted content in this Message. Otherwise, Copyright © 2011 by originator Eliot Ivan Bernstein, [iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) and [www.iviewit.tv](http://www.iviewit.tv). All Rights Reserved.

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Thursday, September 18, 2014 5:57 PM  
**To:** 'Alan Rose'; iviewit@gmail.com  
**Cc:** wglasko@palmettobaylaw.com; John P. Morrissey; O'Connell, Brian M.; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.; McDowell, Sherri H.; Crispin, Ashley N.  
**Subject:** Bernstein- Elliot Bernstein deposition 9/22

All,

We do not think it is necessary for us to appear at the deposition of Elliot Bernstein that is scheduled for Monday, September 22<sup>nd</sup> and do not plan on attending same. We do intend to read the deposition at its conclusion.

Best,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Alan Rose [mailto:ARose@mrachek-law.com]  
**Sent:** Thursday, September 18, 2014 5:02 PM  
**To:** iviewit@gmail.com  
**Cc:** wglasko@palmettobaylaw.com; John P. Morrissey; O'Connell, Brian M.; Foglietta, Joy A; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.  
**Subject:** Draft Order attached on four issue in Motion for Contempt and to Compel Compliance, along with pages of transcript (same ones you were sent the other day)

Please advise if Order approved as to form.

Alan B. Rose, Esq.  
[arose@Mrachek-Law.com](mailto: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

**CONFIDENTIALITY NOTE:** THE INFORMATION CONTAINED IN THIS TRANSMISSION IS LEGALLY PRIVILEGED AND CONFIDENTIAL, INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU RECEIVE A COPY OF THIS COMMUNICATION IN ERROR, PLEASE **IMMEDIATELY** (1) REPLY BY E-MAIL TO US, AND (2) DELETE THIS MESSAGE.

**TAX DISCLOSURE NOTE:** To ensure compliance with requirements imposed by the Internal Revenue Service (Circular 230), we inform and advise you that any tax advice contained in this communication (including any attachments), unless otherwise specifically stated, was not intended or written to be used, and cannot be used, by any taxpayer for the purpose of (1) avoiding penalties that may be imposed under the Internal Revenue Code or (2) promoting, marketing or recommending to another party any transactions or matters addressed herein.

If there 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>

## **Eliot Ivan Bernstein**

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Tuesday, September 9, 2014 10:20 AM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Crispin, Ashley N.; McDowell, Sherri H.  
**Subject:** RE: Eliot Bernstein

Elliot-

Ben Brown has not yet received the tax returns. He advised that as soon as he does he will forward same to us. We have also requested the entire copy of the hearing transcript from August 19<sup>th</sup> and will forward to you when we receive same.

Best,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Thursday, August 28, 2014 6:54 AM  
**To:** Foglietta, Joy A  
**Subject:** RE: Eliot Bernstein

Thank you very much. Eliot

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]  
**Sent:** Wednesday, August 27, 2014 5:04 PM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Lobdell, Sharon R.; McDowell, Sherri H.  
**Subject:** RE: Eliot Bernstein

Elliot- I will email you the transcript from August 19<sup>th</sup> soon. In addition, see other transcripts we have, attached. I will check on the tax returns and get back to you.

Best,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

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

**Sent:** Wednesday, August 27, 2014 4:32 PM

**To:** Foglietta, Joy A

**Subject:** FW: Eliot Bernstein

Hi Brian, after we spoke you were going to send me over the transcript of the hearing from the 19<sup>th</sup>, could you please send me a copy ASAP? Also, did you get the IRS certified tax returns that Ben send out for a few months ago? 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](mailto:iviewit@iviewit.tv)

<http://www.iviewit.tv>

---

**NOTICE:** Due to Presidential Executive Orders, the National Security Agency may have read this email without warning, warrant, or notice. They may do this without any judicial or legislative oversight and it can happen to ordinary Americans like you and me. You have no recourse nor protection save to vote against any incumbent endorsing such unlawful acts.

**CONFIDENTIALITY NOTICE:**

This message and any attachments are covered by the Electronic Communications Privacy Act, 18 U.S.C. SS 2510-2521. This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message or call (561) 245-8588. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

\*The Electronic Communications Privacy Act, 18 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this "Message," including attachments. The originator intended this Message for the specified recipients only; it may contain the originator's confidential and proprietary information. The originator hereby notifies unintended recipients that they have received this Message in error, and strictly proscribes their Message review, dissemination, copying, and content-based actions. Recipients-in-error shall notify the originator immediately by e-mail, and delete the original message.

Authorized carriers of this message shall expeditiously deliver this Message to intended recipients. See: *Quon v. Arch.*

\*Wireless Copyright Notice\*. Federal and State laws govern copyrights to this Message. You must have the originator's full written consent to alter, copy, or use this Message. Originator acknowledges others' copyrighted content in this Message. Otherwise, Copyright © 2011 by originator Eliot Ivan Bernstein, [iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) and [www.iviewit.tv](http://www.iviewit.tv). All Rights Reserved.

## **Eliot Ivan Bernstein**

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Tuesday, September 2, 2014 12:46 PM  
**To:** 'Eliot Ivan Bernstein'; O'Connell, Brian M.  
**Cc:** McDowell, Sherri H.  
**Subject:** RE: Bernstein Estate - JP Morgan Account Histories

Elliot- I will check and see if we have these.

Best,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Saturday, August 30, 2014 1:38 PM  
**To:** O'Connell, Brian M.  
**Cc:** Foglietta, Joy A  
**Subject:** Bernstein Estate - JP Morgan Account Histories

Brian, Ben Brown was supposed to get the entire account history for Simon and Shirley's IRA's, especially after learning the beneficiaries are somehow missing. I was wondering if you received those from him and can forward copies to me. Thanks and have a great weekend. 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](mailto:iviewit@iviewit.tv)  
<http://www.iviewit.tv>

---

**NOTICE:** Due to Presidential Executive Orders, the National Security Agency may have read this email without warning, warrant, or notice. They may do this without any judicial or legislative oversight and it can happen to ordinary Americans like you and me. You have no recourse nor protection save to vote against any incumbent endorsing such unlawful acts.

**CONFIDENTIALITY NOTICE:**

This message and any attachments are covered by the Electronic Communications Privacy Act, 18 U.S.C. SS 2510-2521. This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message or call (561)

245-8588. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

\*The Electronic Communications Privacy Act, 18 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this "Message," including attachments. The originator intended this Message for the specified recipients only; it may contain the originator's confidential and proprietary information. The originator hereby notifies unintended recipients that they have received this Message in error, and strictly proscribes their Message review, dissemination, copying, and content-based actions. Recipients-in-error shall notify the originator immediately by e-mail, and delete the original message.

Authorized carriers of this message shall expeditiously deliver this Message to intended recipients. See: Quon v. Arch.

\*Wireless Copyright Notice\*. Federal and State laws govern copyrights to this Message. You must have the originator's full written consent to alter, copy, or use this Message. Originator acknowledges others' copyrighted content in this Message. Otherwise, Copyright © 2011 by originator Eliot Ivan Bernstein, [iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) and [www.iviewit.tv](http://www.iviewit.tv). All Rights Reserved.

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Friday, August 29, 2014 1:12 PM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; McDowell, Sherri H.; Lobdell, Sharon R.  
**Subject:** RE: Simon Bernstein Estate Reimbursement of Debts

Elliot- we are reviewing what you sent and will respond as soon as we can.

Have a great holiday weekend.

Best,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Tuesday, August 26, 2014 4:58 PM  
**To:** O'Connell, Brian M.; Foglietta, Joy A  
**Cc:** Caroline Prochotska Rogers Esq.; Michele M. Mulrooney ~ Partner @ Venable LLP; Andrew R. Dietz @ Rock It Cargo USA; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Marc R. Garber Esq.; Marc R. Garber Esq. @ Flaster Greenberg P.C.; tourcandy@gmail.com; 'Eliot Bernstein'  
**Subject:** Simon Bernstein Estate Reimbursement of Debts

Brian and Joy, thank you both so much for your time today and working through some of these issues. As we discussed, under Article IV Section 5 "Reimbursement for Debts and Expenses" I am submitted this claim for debt my family has paid that were my father's estate obligation and were all paid Post Mortem. First, I paid for school that Simon was contracted to make payments for after he died and the balance was shifted to my family by the former fiduciaries and we paid instead. This switch was much ado of the proven and admitted frauds that occurred by the prior fiduciaries of the Estates and Trusts, Mr. Tescher, Esq. and Mr. Spallina, Esq. and their efforts to deprive me of my or my children's inheritance. More information regarding this debt is in the attached Creditor claim for school payment that I filed with the Court. I may have miscategorized that as a Creditor claim versus a Debt under IV that I paid on my father's behalf and if we agree I will withdraw that claim entirely if this is the more appropriate route as you have suggested. The second debt of Simon's estate is for household expenses my father was paying for me and my family that were a debt of the Estate that again were misdirected to my family by Spallina, as evidenced in the Oppenheimer letters in the attached Creditor Claim for household expenses. Oppenheimer in evidence that Spallina and Tescher turned over in their production requested Spallina to immediately return these funds to my family as they were a debt of the Estate and Spallina claimed he would pay back after using them. Spallina had told both Oppenheimer and me that he was just using these funds until he had liquid cash in the Estate and Trusts to pay them back. When demanded by Oppenheimer to be paid back because he had depleted the funds he refused but as I mentioned the Sheriff was already at his door and so he was not taking kindly to me as I was the one who discovered the fraud and was pursuing him. Oppenheimer even states that if he does pay them back as debts of the Estate they will have to take action against the Estate on behalf of Eliot and Candice. If I miscategorized this as a Creditor claim versus a Debt under Article IV, with resolution I will withdraw this Creditor Claim in favor of the recommended Reimbursement for Debt payment. These debts have further cost my family greatly with a massive loss of monies. Therefore, if there are insufficient funds in the Estate please

contact the alleged Trustee to seek any shortfall immediately and please pay them instantly, as the three minor beneficiaries and my family are in grave needs of these funds to survive. As you are aware we have been damaged financially by these events and these are for life continuing expenses that my father and mother paid for years and years while alive and had set aside enough to pay them for many years into the future.

As I mentioned, my children will not be returning to Saint Andrews for a number of reasons at this point, primarily as the monies set aside by my parents to pay for this very expensive school and their entire educations through college are not available due to the delays in inheritance directly attributable to the prior acts of the prior fiduciaries and the wholly reckless behavior of the current fiduciaries. As Alan stated in Court while you were present we have filed an Indigent Application that shows that we are in desperate needs of the monies we have been denied and those we have expended for my father's death Post Mortem through further fraud are now way overdue and causing serious hardship without them.

Please let me know your decision as soon as possible on the entire amount and what the turnaround time on picking up a check will be, as again basic living expenses are in jeopardy, not private school and thus are much more life critical at this time.

Again, thank you and Joy for your help and understanding. 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](mailto:iviewit@iviewit.tv)  
<http://www.iviewit.tv>

---

**NOTICE:** Due to Presidential Executive Orders, the National Security Agency may have read this email without warning, warrant, or notice. They may do this without any judicial or legislative oversight and it can happen to ordinary Americans like you and me. You have no recourse nor protection save to vote against any incumbent endorsing such unlawful acts.

**CONFIDENTIALITY NOTICE:**

This message and any attachments are covered by the Electronic Communications Privacy Act, 18 U.S.C. SS 2510-2521. This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message or call (561) 245-8588. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

\*The Electronic Communications Privacy Act, 18 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this "Message," including attachments. The originator intended this Message for the specified recipients only; it may contain the originator's confidential and proprietary information. The originator hereby notifies unintended recipients that they have received this Message in error, and strictly proscribes their Message review, dissemination, copying, and content-based actions. Recipients-in-error shall notify the originator immediately by e-mail, and delete the original message. Authorized carriers of this message shall expeditiously deliver this Message to intended recipients. See: Quon v. Arch. \*Wireless Copyright Notice\*. Federal and State laws govern copyrights to this Message. You must have the originator's full written consent to alter, copy, or use this Message. Originator acknowledges others' copyrighted content in this Message. Otherwise, Copyright © 2011 by originator Eliot Ivan Bernstein, [iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) and [www.iviewit.tv](http://www.iviewit.tv). All Rights Reserved.

## **Eliot Ivan Bernstein**

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Thursday, August 28, 2014 3:26 PM  
**To:** 'Eliot Ivan Bernstein'  
**Subject:** RE: Eliot Bernstein

This is all we have

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Thursday, August 28, 2014 2:32 PM  
**To:** Foglietta, Joy A  
**Subject:** RE: Eliot Bernstein

The 19<sup>th</sup> of August, part 1, we have part 2 that you sent me. eb

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]  
**Sent:** Thursday, August 28, 2014 2:08 PM  
**To:** 'Eliot Ivan Bernstein'  
**Subject:** RE: Eliot Bernstein

Yes, but what is the date of the hearing transcript you are referring to?

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Thursday, August 28, 2014 12:45 PM  
**To:** Foglietta, Joy A  
**Subject:** RE: Eliot Bernstein

Joy, it was on the same date, this is only a continuation after conference in the hall of the same day hearing. Thanks,  
Eliot

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]  
**Sent:** Thursday, August 28, 2014 9:45 AM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Caroline Prochotska Rogers Esq.; Michele M. Mulrooney ~ Partner @ Venable LLP; Andrew R. Dietz @ Rock It Cargo USA; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Marc R. Garber Esq.; Marc R. Garber Esq. @

Flaster Greenberg P.C.; [tourcandy@gmail.com](mailto:tourcandy@gmail.com)

**Subject:** RE: Eliot Bernstein

Which transcript are you referring to so I can look into this? It may have been from a hearing on a previous day

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

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

**Sent:** Thursday, August 28, 2014 7:02 AM

**To:** Foglietta, Joy A

**Cc:** O'Connell, Brian M.; Caroline Prochotska Rogers Esq.; Michele M. Mulrooney ~ Partner @ Venable LLP; Andrew R. Dietz @ Rock It Cargo USA; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Marc R. Garber Esq.; Marc R. Garber Esq. @ Flaster Greenberg P.C.; [tourcandy@gmail.com](mailto:tourcandy@gmail.com); 'Eliot Bernstein'

**Subject:** RE: Eliot Bernstein

Joy I noticed on the transcript you sent that it starts with "we are back on the record" but I do not see the prior record from that day. Do you know what happened to the first part of the record and can we get a copy? Also, I am not sure that Tescher and Spallina in their production turned over their transcripts of all the prior hearings but I think with everything going on in this case it would be wise for the Estate to maintain full and complete records. I will look through what I have to send to you and then maybe we can fill in the missing links so that Brian has the whole record for review. Eliot

---

**From:** Foglietta, Joy A [[JFoglietta@ciklinlubitz.com](mailto:JFoglietta@ciklinlubitz.com)]

**Sent:** Wednesday, August 27, 2014 5:04 PM

**To:** 'Eliot Ivan Bernstein'

**Cc:** O'Connell, Brian M.; Lobdell, Sharon R.; McDowell, Sherri H.

**Subject:** RE: Eliot Bernstein

Elliott- I will email you the transcript from August 19<sup>th</sup> soon. In addition, see other transcripts we have, attached. I will check on the tax returns and get back to you.

Best,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

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

**Sent:** Wednesday, August 27, 2014 4:32 PM

**To:** Foglietta, Joy A

**Subject:** FW: Eliot Bernstein

Hi Brian, after we spoke you were going to send me over the transcript of the hearing from the 19<sup>th</sup>, could you please send me a copy ASAP? Also, did you get the IRS certified tax returns that Ben send out for a few months ago? 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](mailto:iviewit@iviewit.tv)  
<http://www.iviewit.tv>

---

**NOTICE:** Due to Presidential Executive Orders, the National Security Agency may have read this email without warning, warrant, or notice. They may do this without any judicial or legislative oversight and it can happen to ordinary Americans like you and me. You have no recourse nor protection save to vote against any incumbent endorsing such unlawful acts.

**CONFIDENTIALITY NOTICE:**

This message and any attachments are covered by the Electronic Communications Privacy Act, 18 U.S.C. SS 2510-2521. This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message or call (561) 245-8588. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

\*The Electronic Communications Privacy Act, 18 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this "Message," including attachments. The originator intended this Message for the specified recipients only; it may contain the originator's confidential and proprietary information. The originator hereby notifies unintended recipients that they have received this Message in error, and strictly proscribes their Message review, dissemination, copying, and content-based actions. Recipients-in-error shall notify the originator immediately by e-mail, and delete the original message.

Authorized carriers of this message shall expeditiously deliver this Message to intended recipients. See: Quon v. Arch.

\*Wireless Copyright Notice\*. Federal and State laws govern copyrights to this Message. You must have the originator's full written consent to alter, copy, or use this Message. Originator acknowledges others' copyrighted content in this Message. Otherwise, Copyright © 2011 by originator Eliot Ivan Bernstein, [iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) and [www.iviewit.tv](http://www.iviewit.tv). All Rights Reserved.

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Thursday, August 28, 2014 2:08 PM  
**To:** 'Eliot Ivan Bernstein'  
**Subject:** RE: Eliot Bernstein

Yes, but what is the date of the hearing transcript you are referring to?

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Thursday, August 28, 2014 12:45 PM  
**To:** Foglietta, Joy A  
**Subject:** RE: Eliot Bernstein

Joy, it was on the same date, this is only a continuation after conference in the hall of the same day hearing. Thanks,  
Eliot

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]  
**Sent:** Thursday, August 28, 2014 9:45 AM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Caroline Prochotska Rogers Esq.; Michele M. Mulrooney ~ Partner @ Venable LLP; Andrew R. Dietz @ Rock It Cargo USA; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Marc R. Garber Esq.; Marc R. Garber Esq. @ Flaster Greenberg P.C.; [tourcandy@gmail.com](mailto:tourcandy@gmail.com)  
**Subject:** RE: Eliot Bernstein

Which transcript are you referring to so I can look into this? It may have been from a hearing on a previous day

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [<mailto:iviewit@iviewit.tv>]  
**Sent:** Thursday, August 28, 2014 7:02 AM  
**To:** Foglietta, Joy A  
**Cc:** O'Connell, Brian M.; Caroline Prochotska Rogers Esq.; Michele M. Mulrooney ~ Partner @ Venable LLP; Andrew R. Dietz @ Rock It Cargo USA; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Marc R. Garber Esq.; Marc R. Garber Esq. @ Flaster Greenberg P.C.; [tourcandy@gmail.com](mailto:tourcandy@gmail.com); 'Eliot Bernstein'  
**Subject:** RE: Eliot Bernstein

Joy I noticed on the transcript you sent that it starts with "we are back on the record" but I do not see the prior record from that day. Do you know what happened to the first part of the record and can we get a copy? Also, I am not sure that Tescher and Spallina in their production turned over their transcripts of all the prior hearings but I think with everything going on in this case it would be wise for the Estate to maintain full and complete records. I will look through what I have to send to you and then maybe we can fill in the missing links so that Brian has the whole record for review. Eliot

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]

**Sent:** Wednesday, August 27, 2014 5:04 PM

**To:** 'Eliot Ivan Bernstein'

**Cc:** O'Connell, Brian M.; Lobdell, Sharon R.; McDowell, Sherri H.

**Subject:** RE: Eliot Bernstein

Elliot- I will email you the transcript from August 19<sup>th</sup> soon. In addition, see other transcripts we have, attached. I will check on the tax returns and get back to you.

Best,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

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

**Sent:** Wednesday, August 27, 2014 4:32 PM

**To:** Foglietta, Joy A

**Subject:** FW: Eliot Bernstein

Hi Brian, after we spoke you were going to send me over the transcript of the hearing from the 19<sup>th</sup>, could you please send me a copy ASAP? Also, did you get the IRS certified tax returns that Ben send out for a few months ago? 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](mailto:iviewit@iviewit.tv)  
<http://www.iviewit.tv>

---

**NOTICE:** Due to Presidential Executive Orders, the National Security Agency may have read this email without warning, warrant, or notice. They may do this without any judicial or legislative oversight and it can happen to ordinary Americans like you and me. You have no recourse nor protection save to vote against any incumbent endorsing such unlawful acts.

**CONFIDENTIALITY NOTICE:**

This message and any attachments are covered by the Electronic Communications Privacy Act, 18 U.S.C. SS 2510-2521. This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the

intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message or call (561) 245-8588. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

\*The Electronic Communications Privacy Act, 18 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this "Message," including attachments. The originator intended this Message for the specified recipients only; it may contain the originator's confidential and proprietary information. The originator hereby notifies unintended recipients that they have received this Message in error, and strictly proscribes their Message review, dissemination, copying, and content-based actions. Recipients-in-error shall notify the originator immediately by e-mail, and delete the original message.

Authorized carriers of this message shall expeditiously deliver this Message to intended recipients. See: *Quon v. Arch.*

\*Wireless Copyright Notice\*. Federal and State laws govern copyrights to this Message. You must have the originator's full written consent to alter, copy, or use this Message. Originator acknowledges others' copyrighted content in this Message. Otherwise, Copyright © 2011 by originator Eliot Ivan Bernstein, [iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) and [www.iviewit.tv](http://www.iviewit.tv). All Rights Reserved.

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Thursday, August 28, 2014 9:45 AM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Caroline Prochotska Rogers Esq.; Michele M. Mulrooney ~ Partner @ Venable LLP; Andrew R. Dietz @ Rock It Cargo USA; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Marc R. Garber Esq.; Marc R. Garber Esq. @ Flaster Greenberg P.C.; tourcandy@gmail.com  
**Subject:** RE: Eliot Bernstein

Which transcript are you referring to so I can look into this? It may have been from a hearing on a previous day

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Thursday, August 28, 2014 7:02 AM  
**To:** Foglietta, Joy A  
**Cc:** O'Connell, Brian M.; Caroline Prochotska Rogers Esq.; Michele M. Mulrooney ~ Partner @ Venable LLP; Andrew R. Dietz @ Rock It Cargo USA; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Marc R. Garber Esq.; Marc R. Garber Esq. @ Flaster Greenberg P.C.; tourcandy@gmail.com; 'Eliot Bernstein'  
**Subject:** RE: Eliot Bernstein

Joy I noticed on the transcript you sent that it starts with "we are back on the record" but I do not see the prior record from that day. Do you know what happened to the first part of the record and can we get a copy? Also, I am not sure that Tescher and Spallina in their production turned over their transcripts of all the prior hearings but I think with everything going on in this case it would be wise for the Estate to maintain full and complete records. I will look through what I have to send to you and then maybe we can fill in the missing links so that Brian has the whole record for review. Eliot

---

**From:** Foglietta, Joy A [mailto:[JFoglietta@ciklinlubitz.com](mailto:JFoglietta@ciklinlubitz.com)]  
**Sent:** Wednesday, August 27, 2014 5:04 PM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Lobdell, Sharon R.; McDowell, Sherri H.  
**Subject:** RE: Eliot Bernstein

Elliot- I will email you the transcript from August 19<sup>th</sup> soon. In addition, see other transcripts we have, attached. I will check on the tax returns and get back to you.

Best,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell

Telephone: 561-832-5900  
[ifoglietta@ciklinlubitz.com](mailto:ifoglietta@ciklinlubitz.com)

---

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

**Sent:** Wednesday, August 27, 2014 4:32 PM

**To:** Foglietta, Joy A

**Subject:** FW: Eliot Bernstein

Hi Brian, after we spoke you were going to send me over the transcript of the hearing from the 19<sup>th</sup>, could you please send me a copy ASAP? Also, did you get the IRS certified tax returns that Ben send out for a few months ago? 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](mailto:iviewit@iviewit.tv)  
<http://www.iviewit.tv>

---

**NOTICE:** Due to Presidential Executive Orders, the National Security Agency may have read this email without warning, warrant, or notice. They may do this without any judicial or legislative oversight and it can happen to ordinary Americans like you and me. You have no recourse nor protection save to vote against any incumbent endorsing such unlawful acts.

**CONFIDENTIALITY NOTICE:**

This message and any attachments are covered by the Electronic Communications Privacy Act, 18 U.S.C. SS 2510-2521. This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message or call (561) 245-8588. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

\*The Electronic Communications Privacy Act, 18 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this "Message," including attachments. The originator intended this Message for the specified recipients only; it may contain the originator's confidential and proprietary information. The originator hereby notifies unintended recipients that they have received this Message in error, and strictly proscribes their Message review, dissemination, copying, and content-based actions. Recipients-in-error shall notify the originator immediately by e-mail, and delete the original message. Authorized carriers of this message shall expeditiously deliver this Message to intended recipients. See: Quon v. Arch. \*Wireless Copyright Notice\*. Federal and State laws govern copyrights to this Message. You must have the originator's full written consent to alter, copy, or use this Message. Originator acknowledges others' copyrighted content in this Message. Otherwise, Copyright © 2011 by originator Eliot Ivan Bernstein, [iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) and [www.iviewit.tv](http://www.iviewit.tv). All Rights Reserved.

## **Eliot Ivan Bernstein**

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Wednesday, August 27, 2014 5:04 PM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Lobdell, Sharon R.; McDowell, Sherri H.  
**Subject:** RE: Eliot Bernstein  
**Attachments:** Bernstein - 2 18 14 hearing transcript.pdf; Bernstein - 2 19 14 hearing transcript.pdf; Bernstein - Hearing 06-19-2014.pdf; Bernstein - Hearing Estate of Simon Bernstein 05-23-2014.pdf; Bernstein - Hearing Exc Estate of Simon Bernstein 05-12-2014.pdf

Elliot- I will email you the transcript from August 19<sup>th</sup> soon. In addition, see other transcripts we have, attached. I will check on the tax returns and get back to you.

Best,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Wednesday, August 27, 2014 4:32 PM  
**To:** Foglietta, Joy A  
**Subject:** FW: Eliot Bernstein

Hi Brian, after we spoke you were going to send me over the transcript of the hearing from the 19<sup>th</sup>, could you please send me a copy ASAP? Also, did you get the IRS certified tax returns that Ben send out for a few months ago? 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](mailto:iviewit@iviewit.tv)  
<http://www.iviewit.tv>

---

**NOTICE:** Due to Presidential Executive Orders, the National Security Agency may have read this email without warning, warrant, or notice. They may do this without any judicial or legislative oversight and it can happen to ordinary Americans like you and me. You have no recourse nor protection save to vote against any incumbent endorsing such unlawful acts.

**CONFIDENTIALITY NOTICE:**

This message and any attachments are covered by the Electronic Communications Privacy Act, 18 U.S.C. SS 2510-2521. This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the

intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message or call (561) 245-8588. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

\*The Electronic Communications Privacy Act, 18 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this "Message," including attachments. The originator intended this Message for the specified recipients only; it may contain the originator's confidential and proprietary information. The originator hereby notifies unintended recipients that they have received this Message in error, and strictly proscribes their Message review, dissemination, copying, and content-based actions. Recipients-in-error shall notify the originator immediately by e-mail, and delete the original message.

Authorized carriers of this message shall expeditiously deliver this Message to intended recipients. See: *Quon v. Arch.*

\*Wireless Copyright Notice\*. Federal and State laws govern copyrights to this Message. You must have the originator's full written consent to alter, copy, or use this Message. Originator acknowledges others' copyrighted content in this Message. Otherwise, Copyright © 2011 by originator Eliot Ivan Bernstein, [iviewit@iviewit.tv](mailto:iviewit@iviewit.tv) and [www.iviewit.tv](http://www.iviewit.tv). All Rights Reserved.

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Tuesday, August 26, 2014 9:48 AM  
**To:** 'Eliot Ivan Bernstein'  
**Subject:** RE: Status Conference -

Yes, we do.

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [mailto:iviewit@gmail.com]  
**Sent:** Monday, August 25, 2014 6:47 PM  
**To:** Foglietta, Joy A  
**Subject:** RE: Status Conference -

Joy, do you get efilinig from the Court? Eliot

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]  
**Sent:** Monday, August 25, 2014 4:56 PM  
**To:** 'Alan Rose'; Eliot Ivan Bernstein; Eliot Ivan Bernstein; [tourcandy@gmail.com](mailto:tourcandy@gmail.com)  
**Cc:** Peter M. Feaman; [service@feamanlaw.com](mailto:service@feamanlaw.com); [mkoskey@feamanlaw.com](mailto:mkoskey@feamanlaw.com); John P. Morrissey; John Pankauski, Esq.; John J. Pankauski; [bill@palmettobaylaw.com](mailto:bill@palmettobaylaw.com); William H. Glasko, Esq.; Robert Spallina; Donald Tescher; Irwin J. Block, Esq.; Ben Brown; O'Connell, Brian M.; McDowell, Sherri H.  
**Subject:** RE: Status Conference -

We never received the attached notice of hearing. Please add us to the service list for all future pleadings, etc.

Thanks,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Alan Rose [<mailto:ARose@mrachek-law.com>]  
**Sent:** Monday, August 25, 2014 4:51 PM  
**To:** Eliot Ivan Bernstein; Eliot Ivan Bernstein; [tourcandy@gmail.com](mailto:tourcandy@gmail.com)  
**Cc:** Peter M. Feaman; [service@feamanlaw.com](mailto:service@feamanlaw.com); [mkoskey@feamanlaw.com](mailto:mkoskey@feamanlaw.com); John P. Morrissey; John Pankauski, Esq.; John J. Pankauski; [bill@palmettobaylaw.com](mailto:bill@palmettobaylaw.com); William H. Glasko, Esq.; Robert Spallina; Donald Tescher; Irwin J. Block, Esq.; Ben Brown; O'Connell, Brian M.; Foglietta, Joy A  
**Subject:** Status Conference -

In light of Eliot's recent filings indicating that he no longer needs or wants the private school tuition payments to be made to the Saint Andrew's School in Boca Raton, Florida, and that his children have been enrolled in a public school, it does not appear that there is any need for a status conference to address why the Agreement was not signed by Eliot last week.

Based upon the above gleaned from Eliot's recent filings, the Trustee of the Shirley Trust has instructed us to cancel the status conference that John Pankauski set for tomorrow morning – Tuesday morning, August 26<sup>th</sup>.

Mr. Pankauski's office will be sending out a notice of cancelation, but I wanted to advise as soon as possible.

Alan B. Rose, Esq.  
[arose@Mrachek-Law.com](mailto: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

**CONFIDENTIALITY NOTE:** THE INFORMATION CONTAINED IN THIS TRANSMISSION IS LEGALLY PRIVILEGED AND CONFIDENTIAL, INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU RECEIVE A COPY OF THIS COMMUNICATION IN ERROR, PLEASE **IMMEDIATELY** (1) REPLY BY E-MAIL TO US, AND (2) DELETE THIS MESSAGE.

**TAX DISCLOSURE NOTE:** To ensure compliance with requirements imposed by the Internal Revenue Service (Circular 230), we inform and advise you that any tax advice contained in this communication (including any attachments), unless otherwise specifically stated, was not intended or written to be used, and cannot be used, by any taxpayer for the purpose of (1) avoiding penalties that may be imposed under the Internal Revenue Code or (2) promoting, marketing or recommending to another party any transactions or matters addressed herein.

If there 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>

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Monday, August 25, 2014 4:56 PM  
**To:** 'Alan Rose'; Eliot Ivan Bernstein; Eliot Ivan Bernstein; tourcandy@gmail.com  
**Cc:** Peter M. Feaman; service@feamanlaw.com; mkoskey@feamanlaw.com; John P. Morrissey; John Pankauski, Esq.; John J. Pankauski; bill@palmettobaylaw.com; William H. Glasko, Esq.; Robert Spallina; Donald Tescher; Irwin J. Block, Esq.; Ben Brown; O'Connell, Brian M.; McDowell, Sherri H.  
**Subject:** RE: Status Conference -

We never received the attached notice of hearing. Please add us to the service list for all future pleadings, etc.

Thanks,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Alan Rose [mailto:ARose@mrachek-law.com]  
**Sent:** Monday, August 25, 2014 4:51 PM  
**To:** Eliot Ivan Bernstein; Eliot Ivan Bernstein; tourcandy@gmail.com  
**Cc:** Peter M. Feaman; service@feamanlaw.com; mkoskey@feamanlaw.com; John P. Morrissey; John Pankauski, Esq.; John J. Pankauski; bill@palmettobaylaw.com; William H. Glasko, Esq.; Robert Spallina; Donald Tescher; Irwin J. Block, Esq.; Ben Brown; O'Connell, Brian M.; Foglietta, Joy A  
**Subject:** Status Conference -

In light of Eliot's recent filings indicating that he no longer needs or wants the private school tuition payments to be made to the Saint Andrew's School in Boca Raton, Florida, and that his children have been enrolled in a public school, it does not appear that there is any need for a status conference to address why the Agreement was not signed by Eliot last week.

Based upon the above gleaned from Eliot's recent filings, the Trustee of the Shirley Trust has instructed us to cancel the status conference that John Pankauski set for tomorrow morning – Tuesday morning, August 26<sup>th</sup>.

Mr. Pankauski's office will be sending out a notice of cancelation, but I wanted to advise as soon as possible.

Alan B. Rose, Esq.  
[arose@Mrachek-Law.com](mailto: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

**CONFIDENTIALITY NOTE:** THE INFORMATION CONTAINED IN THIS TRANSMISSION IS LEGALLY PRIVILEGED AND CONFIDENTIAL, INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU RECEIVE A COPY OF THIS COMMUNICATION IN ERROR, PLEASE **IMMEDIATELY** (1) REPLY BY E-MAIL TO US, AND (2) DELETE THIS MESSAGE.

**TAX DISCLOSURE NOTE:** To ensure compliance with requirements imposed by the Internal Revenue Service (Circular 230), we inform and advise you that any tax advice contained in this communication (including any attachments), unless otherwise specifically stated, was not intended or written to be used, and cannot be used, by any taxpayer for the purpose of (1) avoiding penalties that may be imposed under the Internal Revenue Code or (2) promoting, marketing or recommending to another party any transactions or matters addressed herein.

If there 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>

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Monday, August 25, 2014 4:56 PM  
**To:** 'Alan Rose'; Eliot Ivan Bernstein; Eliot Ivan Bernstein; tourcandy@gmail.com  
**Cc:** Peter M. Feaman; service@feamanlaw.com; mkoskey@feamanlaw.com; John P. Morrissey; John Pankauski, Esq.; John J. Pankauski; bill@palmettobaylaw.com; William H. Glasko, Esq.; Robert Spallina; Donald Tescher; Irwin J. Block, Esq.; Ben Brown; O'Connell, Brian M.; McDowell, Sherri H.  
**Subject:** RE: Status Conference -

We never received the attached notice of hearing. Please add us to the service list for all future pleadings, etc.

Thanks,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Alan Rose [mailto:ARose@mrachek-law.com]  
**Sent:** Monday, August 25, 2014 4:51 PM  
**To:** Eliot Ivan Bernstein; Eliot Ivan Bernstein; tourcandy@gmail.com  
**Cc:** Peter M. Feaman; service@feamanlaw.com; mkoskey@feamanlaw.com; John P. Morrissey; John Pankauski, Esq.; John J. Pankauski; bill@palmettobaylaw.com; William H. Glasko, Esq.; Robert Spallina; Donald Tescher; Irwin J. Block, Esq.; Ben Brown; O'Connell, Brian M.; Foglietta, Joy A  
**Subject:** Status Conference -

In light of Eliot's recent filings indicating that he no longer needs or wants the private school tuition payments to be made to the Saint Andrew's School in Boca Raton, Florida, and that his children have been enrolled in a public school, it does not appear that there is any need for a status conference to address why the Agreement was not signed by Eliot last week.

Based upon the above gleaned from Eliot's recent filings, the Trustee of the Shirley Trust has instructed us to cancel the status conference that John Pankauski set for tomorrow morning – Tuesday morning, August 26<sup>th</sup>.

Mr. Pankauski's office will be sending out a notice of cancelation, but I wanted to advise as soon as possible.

Alan B. Rose, Esq.  
[arose@Mrachek-Law.com](mailto: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

**CONFIDENTIALITY NOTE:** THE INFORMATION CONTAINED IN THIS TRANSMISSION IS LEGALLY PRIVILEGED AND CONFIDENTIAL, INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU RECEIVE A COPY OF THIS COMMUNICATION IN ERROR, PLEASE **IMMEDIATELY** (1) REPLY BY E-MAIL TO US, AND (2) DELETE THIS MESSAGE.

**TAX DISCLOSURE NOTE:** To ensure compliance with requirements imposed by the Internal Revenue Service (Circular 230), we inform and advise you that any tax advice contained in this communication (including any attachments), unless otherwise specifically stated, was not intended or written to be used, and cannot be used, by any taxpayer for the purpose of (1) avoiding penalties that may be imposed under the Internal Revenue Code or (2) promoting, marketing or recommending to another party any transactions or matters addressed herein.

If there 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>

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Friday, August 8, 2014 4:35 PM  
**To:** 'Candice Bernstein'; O'Connell, Brian M.  
**Cc:** Eliot Bernstein; Lobdell, Sharon R.; McDowell, Sherri H.; Crispin, Ashley N.  
**Subject:** RE: Simon Bernstein Estate - grandchildren tuition urgent request

Ms. Bernstein,

We wanted to acknowledge receipt of your email. Due to the complexities of the estate, we need to review the matter thoroughly and will get back to you.

Best,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Candice Bernstein [mailto:[tourcandy@gmail.com](mailto:tourcandy@gmail.com)]  
**Sent:** Thursday, August 07, 2014 2:26 PM  
**To:** O'Connell, Brian M.; Foglietta, Joy A  
**Cc:** Eliot Bernstein  
**Subject:** Simon Bernstein Estate - grandchildren tuition urgent request

Dear Mr. O'Connell,

I just wanted to follow up with you regarding our call with Joy the other day where we informed her at that time that our family was facing an emergency with our three children's school tuition and the alleged Trustee Ted's failure to provide the payment under the terms of the trust. We asked Joy to look into if the Estate could make a loan or other way to provide for the three minor children. There has been a past due balance in the amount of \$43,928.20 owed that is required to be paid by tomorrow, August 8, 2014, in order for them to receive re-enrollment contracts for the 2014-2015 school year. The deposit and tuition payment will be due by August 15, 2015 so that they can continue their education at Saint Andrews School where they have attended going on their seventh year and paid for by Simon and Shirley from the start until their passing, as it was their wishes and intent to have them all graduate from the school.

In 2012 before Simon passed he paid the tuition according to a contract he had with the school directly, including a payment on 9-6-12, a week before he passed. In reviewing the documents from Tescher and Spallina's production, I came across the contract that stated Simon was the responsible party for payment to school, please see the attached PDF. Robert Spallina did not continue the payments under Simon's contract as a debt of the estate and instead shifted it to us without telling us and we ended up paying it. This is yet another fraud we have noticed the court and authorities about. We were not informed that Simon's estate was responsible for paying the school and have never been reimbursed the \$63,124.19 that we paid the school directly under Simon's contract after he passed.

At this time we are facing a true emergency due to the Trustees failure to respond to our requests with a simple yes or no to our request and have continued to play games instead perform under the Trusts. Our children are at risk of being removed from their school at this time and these actions are tragic and heartbreaking. We are looking to see if either we can be reimbursed from Simon's estate for the Simon debt we paid or take a loan from the Estate of Simon until the Court can deal with the Trustee's breaches. We discussed with Joy the possibility of an emergency loan to cover the cost of their tuition.

We have requested emergency interim distributions to Ted Bernstein and Alan Rose under the Trusts. We have exchanged emails regarding them making these payments out of trust funds that are designed for education purposes. They informed us they were requesting a hearing for a court order to do this but it has come to our attention they have not requested that hearing and refuse to answer back to us when, how and if they are making the payment to the school. Peter Feaman, Esq. also reached out to them and encouraged them to not use the children as pawns. I have attached that letter for your review as well.

Our only other option is to request an emergency hearing from the court compelling Ted Bernstein to make the distribution from the trusts. We have found out that Judge Martin Colin is on vacation for two weeks. So we would have to try to have another Judge hear the request by tomorrow if we cannot work something out with you, so please let us know your decision ASAP.

Thank you for your prompt attention to this matter. We regret having to bring this to you however we have no other options since Ted Bernstein and Alan Rose refuse to co-operate with the best interests of the minor children at stake.

Warmest regards,

Candice and Eliot Bernstein

**CONFIDENTIALITY NOTICE:**

This message and any attachments are covered by the Electronic Communications Privacy Act, 18 U.S.C. SS 2510-2521. This e-mail message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message or call (561) 245-8588. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately.

\*The Electronic Communications Privacy Act, 18 U.S.C. 119 Sections 2510-2521 et seq., governs distribution of this "Message," including attachments. The originator intended this Message for the specified recipients only; it may contain the originator's confidential and proprietary information. The originator hereby notifies unintended recipients that they have received this Message in error, and strictly proscribes their Message review, dissemination, copying, and content-based actions. Recipients-in-error shall notify the originator immediately by e-mail, and delete the original message.

Authorized carriers of this message shall expeditiously deliver this Message to intended recipients. See: *Quon v. Arch.*

\*Wireless Copyright Notice\*. Federal and State laws govern copyrights to this Message. You must have the originator's full written consent to alter, copy, or use this Message. Originator acknowledges others' copyrighted content in this Message. Otherwise, Copyright © 2011 by originator Eliot Ivan Bernstein, [tourcandy@gmail.com](mailto:tourcandy@gmail.com) All Rights Reserved.

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Wednesday, July 23, 2014 10:26 AM  
**To:** 'Eliot Ivan Bernstein'  
**Subject:** RE: ESTATE OF SIMON BERNSTEIN

Eliot,

I am sorry to have to change the meeting, however, we have had something come up and we're hoping you were available to meet on Wednesday July 30<sup>th</sup> at 10am EST. Please let me know if this works for you.

Thanks,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Monday, July 21, 2014 9:25 PM  
**To:** Foglietta, Joy A  
**Subject:** RE: ESTATE OF SIMON BERNSTEIN

561-245-8588 or  
561-886-7627

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]  
**Sent:** Monday, July 21, 2014 6:59 PM  
**To:** 'Eliot Ivan Bernstein'  
**Subject:** RE: ESTATE OF SIMON BERNSTEIN

Let's do 2pm- what is the best number to reach you at?

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Monday, July 21, 2014 6:24 PM  
**To:** Foglietta, Joy A  
**Subject:** RE: ESTATE OF SIMON BERNSTEIN

Hi Joy,

That time works for me, let me know what time between 2-5 works best for him. Thanks ~ Eliot

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]

**Sent:** Monday, July 21, 2014 10:14 AM

**To:** 'Eliot Ivan Bernstein'

**Cc:** O'Connell, Brian M.; Lobdell, Sharon R.; McDowell, Sherri H.

**Subject:** RE: ESTATE OF SIMON BERNSTEIN

Eliot,

Thank you for your email. Mr. O'Connell is out of the country on another matter this week, however, he would like to set up a time to speak with you next week. Are you available for a 30 minute conference on Tuesday, July 29<sup>th</sup> anytime between 2-5pm?

Thanks,

Joielle A. Foglietta, Esquire

Ciklin Lubitz Martens & O'Connell

Telephone: 561-832-5900

[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

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

**Sent:** Friday, July 18, 2014 10:18 AM

**To:** O'Connell, Brian M.; Foglietta, Joy A; Lobdell, Sharon R.; Crispin, Ashley N.

**Cc:** Caroline Prochotska Rogers Esq.; Michele M. Mulrooney ~ Partner @ Venable LLP; Andrew R. Dietz @ Rock It Cargo USA; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Marc R. Garber Esq.; Marc R. Garber Esq. @ Flaster Greenberg P.C.; [tourcandy@gmail.com](mailto:tourcandy@gmail.com); 'Eliot Bernstein'

**Subject:** RE: ESTATE OF SIMON BERNSTEIN

Hi Brian,

In response to your letter I have put together some of my key issues regarding the future administration of the Estate of my father. In this regard it would be best that you first understand that my father was a very wealthy individual almost his entire adult life and made considerable millions in income most years and accumulated vast personal, business and other properties. He had two paid in full multimillion dollar homes (listed when he died for over five million dollars), one in St. Andrews and one in the Aragon on the beach in Boca. He ran numerous companies and sold unique products he invented in the insurance business and sold billions of dollars of life insurance through these plans with premiums exceeding a billion dollars sold. We have information that their net worth may be between 40-100 Million dollars. My mother drove a fully paid for Bentley, my father drove a Porsche Panorama, and they traveled extensively, mostly on private jets and stayed at five star hotels throughout the world. My parents had accumulated a vast fortune of personal property assets and had stowed away millions in retirement plans and other such sheltering vehicles, which is evidenced in their elaborate estate plans done over 20 years. As you are probably aware from my filings with the courts and authorities, it is alleged that egregious acts of bad faith were committed by their fiduciaries and counsel once they died, in efforts to thwart their estate plans and seize illegally Dominion and Control and then loot the Estates and Trusts of assets in a variety of criminal acts and civil torts. There are now two claims regarding their net worth, one by me that states that Simon and Shirley are worth far more than the four million dollars total, which was the combined value of ALL estate and trusts' assets that Robert Spallina and my brother Ted told Judge Colin in the Sept and Oct 2013 Hearings

they were worth. After reviewing the production documents and the first accounting in the Estate there appears far more that has now been revealed, totaling close to 15-20 Million. Just from what we have learned thus far with no proper accountings tendered yet for any of the other trusts of my parents or any of the business entities owned there is far more than what they first claimed. In fact, Simon's estate inventory was Amended after they realized through my complaints that certain items were not listed on the original, in efforts to cover up and suddenly they claimed to have found a million dollars they added to the Estate.

We have received only one accounting for the Estate of Simon from the former PR's that has been objected to by several parties and that was produced by Court Order upon the termination of Tescher and Spallina. The alleged accounting is sorely missing any backup data and has other problems pointed out in the Curator's Ben Brown's transitional accounting to you, as well as, in my objection to their final accounting filed with the Court. We also have information that personal property, including furniture and jewelry has been distributed inappropriately to parties or simply stolen and removed from the Estate with no accounting at all and these are items alleged worth millions more. There are missing IRA account beneficiaries, missing insurance trusts, even missing insurance policies (See IL Federal Breach of Contract Lawsuit for close to two million of insurance that may come to the Estate of Simon) and more. The beneficiaries still have no accountings and in some instances no copies of the trust documents for the Simon Trusts and the Shirley Estate and Trusts exist at all (Family Trusts, etc.), again in violation of probate rules and statutes. Documents have been alleged suppressed and denied as is the case with a newly discovered alleged 2000 Insurance Trust that was uncovered in the production documents turned over by Tescher and Spallina and where there is evidence in the production that this trust was intentionally suppressed to claim that a 1995 Trust that DOES NOT EXIST was the beneficiary and suppressed this NEWLY DISCOVERED 2000 Insurance Trust from the state and federal courts, the insurance carrier and the beneficiaries to improperly convert the proceeds to improper parties and more. There is evidence that supports that Creditor Fraud was committed by attempting to move the policy out of the Estate to improper beneficiaries out of the reach of the creditor and the production documents show discussions of this between Spallina, Tescher, Ted, my sister Pam and her husband and others. This evidence has been presented to the courts already by both Mr. Feaman and myself. Documents have also been suppressed and denied not only from beneficiaries, interested parties and creditors but from courts and others in efforts to hide assets or convert them illegally to others through the document frauds that have been both proven and now admitted by the former fiduciaries and their counsel. Assets have been sold with no information provided to beneficiaries in secret self-dealing deals that my brother Ted and his minion of lawyers are neck deep in and several criminal complaints have been filed already. The production documents turned over by Tescher and Spallina have unearthed even more alleged crimes and I and others are in the process of formulating charges to bring to state and federal authorities regarding this newly discovered evidence. There are ongoing investigations of my brother Ted, my sister Pamela, Pamela's husband and David Simon, Esq., D. Simon's brother Adam Simon, Esq. and Attorneys at Law, Tescher, Spallina, Rose, Manceri and others they employed in various combinations of the frauds alleged.

With that said, here are the points I think we should start with in these matters ASAP to prevent further crimes from taking place and continue in a rational and legal course now that Judge Colin has approved. Ben Brown did an outstanding job of finally getting beneficiaries and creditors some information and putting this all on the right course.

1. The Estate needs to first start to properly marshal the assets of the Estate and Trusts and determine what has already been distributed and to whom.
2. The Estate needs to order records for accounts that all of my father's apparently are missing, as none of them were turned over when Tescher and Spallina were ordered to turn over everything. This would include,
  - a. Signed Personal and Corporate Tax Returns from the IRS (I believe Ben Brown may have ordered these) for all Trusts and Entities my father owned.
  - b. Bank statements, Investment Account statements, Retirement Account statements and full documentation (it is alleged by others that the IRA is missing beneficiaries and there is was no or very little info in the production of Tescher and Spallina) Credit Card statements, Business accountings, Insurance Policies (Several appear missing from the records including those listed as assets of the Estate), etc. all going back 7 years prior to my father's death so that we can establish his spending habits and determine what his worth was on the day he died (as some accounts are now found to have been accessed for months after his death), etc.

- c. Records for all businesses owned by my dad and commissions paid to my father.
- 3. Forensics should then be ordered and this has already been discussed before Judge Colin in prior hearings as a good idea in light of everything. Forensics should also include document analysis on the dispositive documents because it is already alleged and brought to authorities that certain of the Wills and Trusts created, including the 2012 Simon Will that you are operating under and the 2012 Amended and Restated Trusts that my brother alleges to be Successor Trustee, are both legally invalid on a number of grounds, including fraud and more. The Governor Rick Scott's Notary Division has already determined the 2012 Simon Will and Amended and Restated Trusts to be improperly notarized and there are multiple other problems with those documents.
- 4. That a search for missing assets and entities should also begin.
- 5. Review and Report to Authorities regarding the ongoing criminal and civil actions and the soon to be filed new Criminal complaints and Civil actions and order further investigations where the Estate is involved. We have been waiting for a new PR to become involved as it is the PR's obligation to do so, as I cannot do some of this without the legal authority. For example, in regards to certain alleged fraudulent insurance claims filed by Tescher and Spallina in the IL insurance action and Fraud committed against the US Federal Court by Ted as an alleged Trustee of the missing trust, the PR is being requested to make those claims.
- 6. The Estate needs to marshal conflicts of interest and adverse interests carefully going forward, as was pointed out to you in Court on July 11, 2014 by both Peter Feaman and myself in regard to various conflicts with my brother Ted and the Estate that have been allowed by former PR's Tescher and Spallina despite the obvious problems. Ted is conflicted and adverse and not fit to serve in any fiduciary capacities currently for a mass of reasons pled both by myself and Peter Feaman, including but not limited to,
  - a. The Stansbury Lawsuit – Here the Estate has conflict with Ted as Ted is a named Defendant both personally and as an alleged officer of several of the companies owned by he and my father. Many of the germane claims alleged by Stansbury were done directly by Ted that led to the lawsuit in the first place. Ted is simultaneously acting as a fiduciary for the Trusts of Simon and the Estate and Trusts of Shirley, which are sued under the Stansbury Amended Complaint and he is representing them in the Stansbury lawsuit as the fiduciary. The conflict of interest in Ted handling the Estate and Trusts claims in regard to the Stansbury lawsuit, where he is personally sued as the primary cause of the action, is in violation and breach of his fiduciary duties and yet these violations are what has been occurring under former Estate and Trusts administration or lack thereof, excluding the period Ben Brown was handling the matter for Simon's Estate. The argument is that since Ted is not under any reading of the Wills and Trusts that are determined valid by Judge Colin in the end a beneficiary. Ted has been considered with my sister Pam under the alleged 2012 and 2008 documents to be considered predeceased and disinherited entirely. If the alleged 2012 documents do not prevail their lineal descendants will also be excluded from any benefits. In my mother's estate they have even tried to change beneficiaries on her Trust and Estate that were irrevocable once she died and once my father died the beneficiaries were only me and two sisters and our lineal descendants. My father tried to make changes to my mother's estate and trusts POST MORTEM according to Spallina's alleged admission of Altering Trust documents in my mother's estate and fraud that occurred with my father closing my mother's estate POST MORTEM, as discovered by Judge Colin in the September 13, 2013 hearings where he stated he had enough evidence at that moment to read Tescher, Spallina and Ted their Miranda Rights, twice. Not only for discovering Fraudulent Notarizations and Forged Signatures but for the elaborate scheme of using my deceased father to close my deceased mother's estate and trusts through a series of Frauds on the Court and the beneficiaries, creditors and others. These efforts have all been to benefit Ted and my sister Pam and their families to the detriment of other beneficiaries, creditors, etc. With that said you can see that Ted personally would like to settle with Stansbury using Estate and Trust funds where he has no interests and not himself personally and for him to then act as a fiduciary to settle the case on both sides is prohibited. Finally, it has come to my attention that Ted may have done just this in my mother's estate and trusts with Stansbury, where Alan Rose represented both Ted's personal interests in settling the lawsuit for her Estate and Trusts on the one hand and on the other hand Rose simultaneously represented Ted as the fiduciary of the Trusts of Shirley. Where since Ted is the primary accused party of the claims committed against Stansbury, the Estate would have the argument that if the monies alleged stolen of over two million dollars from Stansbury believed to have been taken wholly

by Ted and not to Simon (which evidence indicates is the case) then most of the damages or settlement monies should come from Ted personally first and then if anything remains due to Stansbury it could spill over to an estate liability. Therefore Ted and Alan Rose must not be involved for the Estate or Trusts of Simon in any litigation relating to Stansbury as was pitched to you by Rose outside the court when he stated it would be best to let Ted and his firm handle the litigation for the estate for cost reasons and their knowledge of the case, failing to mention the obvious conflicts and other problems this represents. Both Mr. Feaman and myself objected to Ted and Rose having anything to do with these matters in conjunction with the Estate when Rose presented the idea outside the court room to you.

- b. The IL Federal Breach of Contract Lawsuit – Again Ted has numerous conflicts with the Estate and Trusts in these matters and yet as an alleged fiduciary has ignored. As Mr. Feaman explained, Ted is the Plaintiff in the lawsuit, as the alleged Trustee of a Lost Trust, if Ted is successful in this scheme, the Estate and Estate beneficiaries, including possibly his Adult children, will lose the benefit. If the benefit comes to the Estate, again Ted and Pam will receive nothing and only their Adult children will have a possible claim depending on which documents survive. Alleged Insurance Fraud, Bank Fraud, Institutional Trust Fraud and more has been posited with the courts and other investigatory agencies already but this will also need the Estate to join as a party. I believe Ben Brown may have already begun taking steps like ordering copies of the missing policy from the insurers/reinsurers but I am not sure what responses he got thus far and that he successfully argued to Judge Colin to bring in Estate counsel to represent the Estate interest in the policy which had not been represented under the prior administration of the estate and trusts. Further, someone has to notice authorities that a fraudulent insurance claim was filed by Spallina and denied, where he, not Ted, acted as the alleged Trustee of the Lost Trust and that there was a suppressed and intentionally denied insurance trust and other alleged criminal acts that took place to try and convert the policy through various schemes.
- c. That Ted, Spallina, Tescher, Manceri, Rose and others are under criminal investigations and defendants/respondents in civil actions ongoing regarding these matters and thus are unfit to serve in any capacities regarding any of the matters of either Estates or Trusts of my parents. As you learned in court the other day efforts are under way to remove Ted from fiduciary capacities he has assumed and failed to follow any probate rules or statutes in so doing, ie, no accountings, no documents sent to beneficiaries, etc.
- d. Ted has adverse interests with me and my family as beneficiaries as we are pursuing him and his friends and legal counsel he brought in to these matters both criminally and civilly with both state and federal courts and authorities.
- e. Ted has adverse interests with the beneficiaries as due to the fraud already proven and admitted, he and his children may receive NO benefits and thus he is adverse to the other beneficiaries.
- f. For all of these reasons these conflicts and adverse interests of Ted with the Estate and Trusts need to be ceased instantly and the Estate must protect itself from further conflicted dealings with Ted and his counsel and avoid giving information to them in matters they are in conflict regarding.
- g. That the Estate should begin proceedings against parties involved in the frauds and other alleged bad acts and possibly take action against Ted in Stansbury's lawsuit as it appears Simon may not have even known of what was happening and where Ted should pay the damages personally and not the Estates or Trusts.

- 7. Ben Brown was ordering the transcripts of Donald Tescher's deposition to circulate and if you can also get a copy distributed of the July 11, 2014 hearing that would be great.
- 8. Ben Brown ordered life insurance policy copies from Heritage Union and other missing policies and the estate should follow up on these.
- 9. Ben Brown ordered JP Morgan and other IRA account histories and statements and the estate should follow up on getting these.
- 10. The most important priority for me and my three minor children, who are either approx. 33% beneficiaries or 50% beneficiaries of everything depending how the Judge rules on the dispositive documents as explained in the Oct 28, 2013 hearing before Colin by my former counsel, we are in need of emergency distributions from the Estates and Trusts, which have intentionally been denied to us and further denied due to the delays caused in

both estates and the fact that neither are now closed as my mother's was reopened due to the frauds. We have also personally expended thousands of dollars in legal fees and other expenses at the same time beneficial interests were delayed and denied that are life supporting to our family and were intended by my parents to have no interruptions upon their deaths. Therefore, any emergency distributions the Estate can make for my family, especially where my children may be unenrolled from school that my parents put them in and paid for while living and even prefunded through various estate planning tools to have taken care of through college are now jeopardized. The home we live in, that the Estate of Simon claimed in an amended inventory and now the accountings to have a promissory note due is in jeopardy and all of this was created with the intent of harming and extorting my family, as has been alleged in the courts and with authorities. Most of this information can be found in Motions and Petitions I have filed with the Courts but have not yet been heard but hearings are soon to be rescheduled to begin that process. I believe both sets of alleged dispositive documents and other trust agreements have provisions for just this kind of emergency distribution under certain circumstances and if you can pay us as an advance it would certainly provide much needed and long overdue relief that is jeopardizing my family and the minor children's health and wellbeing as well. If we need to move the Court to allow this please let me know.

---

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

**Sent:** Tuesday, July 15, 2014 6:17 PM

**To:** Alan B. Rose, Esq.; Eliot Bernstein & Eliot & Candice Bernstein; Irwin J. Block, Esq.; Jill Iantoni & Jill & Guy Iantoni; John J. Pankauski, Esq.; John P. Morrissey, Esq.; Lisa Friedstein & Lisa & Jeffrey Friedstein - 2nd e-mail; Lisa Friedstein & Lisa & Jeffrey Friedstein ([lisa@friedsteins.com](mailto:lisa@friedsteins.com)); Pamela Beth Simon; Peter J. Feaman, Esq.; William H. Glasko, Esq.

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

**Subject:** ESTATE OF SIMON BERNSTEIN

Please see attached letter.

Thank you.

---

**SHERRI McDOWELL**

Paralegal to Brian M. O'Connell - Ashley N. Crispin - Joelle A. Foglietta

**CIKLIN LUBITZ MARTENS & O'CONNELL**

515 N. Flagler Dr., 20<sup>th</sup> Floor, West Palm Beach, FL 33401

**Direct Line: 561-820-0384**

Main Line: 561-832-5900 / Fax Number: 561-833-4209

Personal E-Mail Delivery: [SMcDowell@ciklinlubitz.com](mailto:SMcDowell@ciklinlubitz.com)

Service of Pleadings - Primary: [service@ciklinlubitz.com](mailto:service@ciklinlubitz.com)

Secondary: [slobdell@ciklinlubitz.com](mailto:slobdell@ciklinlubitz.com)

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Monday, July 21, 2014 6:59 PM  
**To:** 'Eliot Ivan Bernstein'  
**Subject:** RE: ESTATE OF SIMON BERNSTEIN

Let's do 2pm- what is the best number to reach you at?

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Monday, July 21, 2014 6:24 PM  
**To:** Foglietta, Joy A  
**Subject:** RE: ESTATE OF SIMON BERNSTEIN

Hi Joy,

That time works for me, let me know what time between 2-5 works best for him. Thanks ~ Eliot

---

**From:** Foglietta, Joy A [<mailto:JFoglietta@ciklinlubitz.com>]  
**Sent:** Monday, July 21, 2014 10:14 AM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Lobdell, Sharon R.; McDowell, Sherri H.  
**Subject:** RE: ESTATE OF SIMON BERNSTEIN

Eliot,

Thank you for your email. Mr. O'Connell is out of the country on another matter this week, however, he would like to set up a time to speak with you next week. Are you available for a 30 minute conference on Tuesday, July 29<sup>th</sup> anytime between 2-5pm?

Thanks,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [<mailto:iviewit@iviewit.tv>]  
**Sent:** Friday, July 18, 2014 10:18 AM  
**To:** O'Connell, Brian M.; Foglietta, Joy A; Lobdell, Sharon R.; Crispin, Ashley N.

**Cc:** Caroline Prochotska Rogers Esq.; Michele M. Mulrooney ~ Partner @ Venable LLP; Andrew R. Dietz @ Rock It Cargo USA; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Marc R. Garber Esq.; Marc R. Garber Esq. @ Flaster Greenberg P.C.; [tourcandy@gmail.com](mailto:tourcandy@gmail.com); 'Eliot Bernstein'

**Subject:** RE: ESTATE OF SIMON BERNSTEIN

Hi Brian,

In response to your letter I have put together some of my key issues regarding the future administration of the Estate of my father. In this regard it would be best that you first understand that my father was a very wealthy individual almost his entire adult life and made considerable millions in income most years and accumulated vast personal, business and other properties. He had two paid in full multimillion dollar homes (listed when he died for over five million dollars), one in St. Andrews and one in the Aragon on the beach in Boca. He ran numerous companies and sold unique products he invented in the insurance business and sold billions of dollars of life insurance through these plans with premiums exceeding a billion dollars sold. We have information that their net worth may be between 40-100 Million dollars. My mother drove a fully paid for Bentley, my father drove a Porsche Panorama, and they traveled extensively, mostly on private jets and stayed at five star hotels throughout the world. My parents had accumulated a vast fortune of personal property assets and had stowed away millions in retirement plans and other such sheltering vehicles, which is evidenced in their elaborate estate plans done over 20 years. As you are probably aware from my filings with the courts and authorities, it is alleged that egregious acts of bad faith were committed by their fiduciaries and counsel once they died, in efforts to thwart their estate plans and seize illegally Dominion and Control and then loot the Estates and Trusts of assets in a variety of criminal acts and civil torts. There are now two claims regarding their net worth, one by me that states that Simon and Shirley are worth far more than the four million dollars total, which was the combined value of ALL estate and trusts' assets that Robert Spallina and my brother Ted told Judge Colin in the Sept and Oct 2013 Hearings they were worth. After reviewing the production documents and the first accounting in the Estate there appears far more that has now been revealed, totaling close to 15-20 Million. Just from what we have learned thus far with no proper accountings tendered yet for any of the other trusts of my parents or any of the business entities owned there is far more than what they first claimed. In fact, Simon's estate inventory was Amended after they realized through my complaints that certain items were not listed on the original, in efforts to cover up and suddenly they claimed to have found a million dollars they added to the Estate.

We have received only one accounting for the Estate of Simon from the former PR's that has been objected to by several parties and that was produced by Court Order upon the termination of Tescher and Spallina. The alleged accounting is sorely missing any backup data and has other problems pointed out in the Curator's Ben Brown's transitional accounting to you, as well as, in my objection to their final accounting filed with the Court. We also have information that personal property, including furniture and jewelry has been distributed inappropriately to parties or simply stolen and removed from the Estate with no accounting at all and these are items alleged worth millions more. There are missing IRA account beneficiaries, missing insurance trusts, even missing insurance policies (See IL Federal Breach of Contract Lawsuit for close to two million of insurance that may come to the Estate of Simon) and more. The beneficiaries still have no accountings and in some instances no copies of the trust documents for the Simon Trusts and the Shirley Estate and Trusts exist at all (Family Trusts, etc.), again in violation of probate rules and statutes. Documents have been alleged suppressed and denied as is the case with a newly discovered alleged 2000 Insurance Trust that was uncovered in the production documents turned over by Tescher and Spallina and where there is evidence in the production that this trust was intentionally suppressed to claim that a 1995 Trust that DOES NOT EXIST was the beneficiary and suppressed this NEWLY DISCOVERED 2000 Insurance Trust from the state and federal courts, the insurance carrier and the beneficiaries to improperly convert the proceeds to improper parties and more. There is evidence that supports that Creditor Fraud was committed by attempting to move the policy out of the Estate to improper beneficiaries out of the reach of the creditor and the production documents show discussions of this between Spallina, Tescher, Ted, my sister Pam and her husband and others. This evidence has been presented to the courts already by both Mr. Feaman and myself. Documents have also been suppressed and denied not only from beneficiaries, interested parties and creditors but from courts and others in efforts to hide assets or convert them illegally to others through the document frauds that have been both proven and now admitted by the former fiduciaries and their counsel. Assets have been sold with no information provided to beneficiaries in secret self-dealing deals that my brother Ted and his minion of lawyers are neck deep in and several criminal complaints have been filed already. The production documents turned over by Tescher and

Spallina have unearthed even more alleged crimes and I and others are in the process of formulating charges to bring to state and federal authorities regarding this newly discovered evidence. There are ongoing investigations of my brother Ted, my sister Pamela, Pamela's husband and David Simon, Esq., D. Simon's brother Adam Simon, Esq. and Attorneys at Law, Tescher, Spallina, Rose, Manceri and others they employed in various combinations of the frauds alleged.

With that said, here are the points I think we should start with in these matters ASAP to prevent further crimes from taking place and continue in a rational and legal course now that Judge Colin has approved. Ben Brown did an outstanding job of finally getting beneficiaries and creditors some information and putting this all on the right course.

1. The Estate needs to first start to properly marshal the assets of the Estate and Trusts and determine what has already been distributed and to whom.
2. The Estate needs to order records for accounts that all of my father's apparently are missing, as none of them were turned over when Tescher and Spallina were ordered to turn over everything. This would include,
  - a. Signed Personal and Corporate Tax Returns from the IRS (I believe Ben Brown may have ordered these) for all Trusts and Entities my father owned.
  - b. Bank statements, Investment Account statements, Retirement Account statements and full documentation (it is alleged by others that the IRA is missing beneficiaries and there is was no or very little info in the production of Tescher and Spallina) Credit Card statements, Business accountings, Insurance Policies (Several appear missing from the records including those listed as assets of the Estate), etc. all going back 7 years prior to my father's death so that we can establish his spending habits and determine what his worth was on the day he died (as some accounts are now found to have been accessed for months after his death), etc.
  - c. Records for all businesses owned by my dad and commissions paid to my father.
3. Forensics should then be ordered and this has already been discussed before Judge Colin in prior hearings as a good idea in light of everything. Forensics should also include document analysis on the dispositive documents because it is already alleged and brought to authorities that certain of the Wills and Trusts created, including the 2012 Simon Will that you are operating under and the 2012 Amended and Restated Trusts that my brother alleges to be Successor Trustee, are both legally invalid on a number of grounds, including fraud and more. The Governor Rick Scott's Notary Division has already determined the 2012 Simon Will and Amended and Restated Trusts to be improperly notarized and there are multiple other problems with those documents.
4. That a search for missing assets and entities should also begin.
5. Review and Report to Authorities regarding the ongoing criminal and civil actions and the soon to be filed new Criminal complaints and Civil actions and order further investigations where the Estate is involved. We have been waiting for a new PR to become involved as it is the PR's obligation to do so, as I cannot do some of this without the legal authority. For example, in regards to certain alleged fraudulent insurance claims filed by Tescher and Spallina in the IL insurance action and Fraud committed against the US Federal Court by Ted as an alleged Trustee of the missing trust, the PR is being requested to make those claims.
6. The Estate needs to marshal conflicts of interest and adverse interests carefully going forward, as was pointed out to you in Court on July 11, 2014 by both Peter Feaman and myself in regard to various conflicts with my brother Ted and the Estate that have been allowed by former PR's Tescher and Spallina despite the obvious problems. Ted is conflicted and adverse and not fit to serve in any fiduciary capacities currently for a mass of reasons pled both by myself and Peter Feaman, including but not limited to,
  - a. The Stansbury Lawsuit – Here the Estate has conflict with Ted as Ted is a named Defendant both personally and as an alleged officer of several of the companies owned by he and my father. Many of the germane claims alleged by Stansbury were done directly by Ted that led to the lawsuit in the first place. Ted is simultaneously acting as a fiduciary for the Trusts of Simon and the Estate and Trusts of Shirley, which are sued under the Stansbury Amended Complaint and he is representing them in the Stansbury lawsuit as the fiduciary. The conflict of interest in Ted handling the Estate and Trusts claims in regard to the Stansbury lawsuit, where he is personally sued as the primary cause of the action, is in violation and breach of his fiduciary duties and yet these violations are what has been occurring under former Estate and Trusts administration or lack thereof, excluding the period Ben Brown was handling the matter for Simon's Estate. The argument is that since Ted is not under any reading of the Wills and

Trusts that are determined valid by Judge Colin in the end a beneficiary. Ted has been considered with my sister Pam under the alleged 2012 and 2008 documents to be considered predeceased and disinherited entirely. If the alleged 2012 documents do not prevail their lineal descendants will also be excluded from any benefits. In my mother's estate they have even tried to change beneficiaries on her Trust and Estate that were irrevocable once she died and once my father died the beneficiaries were only me and two sisters and our lineal descendants. My father tried to make changes to my mother's estate and trusts POST MORTEM according to Spallina's alleged admission of Altering Trust documents in my mother's estate and fraud that occurred with my father closing my mother's estate POST MORTEM, as discovered by Judge Colin in the September 13, 2013 hearings where he stated he had enough evidence at that moment to read Tescher, Spallina and Ted their Miranda Rights, twice. Not only for discovering Fraudulent Notarizations and Forged Signatures but for the elaborate scheme of using my deceased father to close my deceased mother's estate and trusts through a series of Frauds on the Court and the beneficiaries, creditors and others. These efforts have all been to benefit Ted and my sister Pam and their families to the detriment of other beneficiaries, creditors, etc. With that said you can see that Ted personally would like to settle with Stansbury using Estate and Trust funds where he has no interests and not himself personally and for him to then act as a fiduciary to settle the case on both sides is prohibited. Finally, it has come to my attention that Ted may have done just this in my mother's estate and trusts with Stansbury, where Alan Rose represented both Ted's personal interests in settling the lawsuit for her Estate and Trusts on the one hand and on the other hand Rose simultaneously represented Ted as the fiduciary of the Trusts of Shirley. Where since Ted is the primary accused party of the claims committed against Stansbury, the Estate would have the argument that if the monies alleged stolen of over two million dollars from Stansbury believed to have been taken wholly by Ted and not to Simon (which evidence indicates is the case) then most of the damages or settlement monies should come from Ted personally first and then if anything remains due to Stansbury it could spill over to an estate liability. Therefore Ted and Alan Rose must not be involved for the Estate or Trusts of Simon in any litigation relating to Stansbury as was pitched to you by Rose outside the court when he stated it would be best to let Ted and his firm handle the litigation for the estate for cost reasons and their knowledge of the case, failing to mention the obvious conflicts and other problems this represents. Both Mr. Feaman and myself objected to Ted and Rose having anything to do with these matters in conjunction with the Estate when Rose presented the idea outside the court room to you.

- b. The IL Federal Breach of Contract Lawsuit – Again Ted has numerous conflicts with the Estate and Trusts in these matters and yet as an alleged fiduciary has ignored. As Mr. Feaman explained, Ted is the Plaintiff in the lawsuit, as the alleged Trustee of a Lost Trust, if Ted is successful in this scheme, the Estate and Estate beneficiaries, including possibly his Adult children, will lose the benefit. If the benefit comes to the Estate, again Ted and Pam will receive nothing and only their Adult children will have a possible claim depending on which documents survive. Alleged Insurance Fraud, Bank Fraud, Institutional Trust Fraud and more has been posited with the courts and other investigatory agencies already but this will also need the Estate to join as a party. I believe Ben Brown may have already begun taking steps like ordering copies of the missing policy from the insurers/reinsurers but I am not sure what responses he got thus far and that he successfully argued to Judge Colin to bring in Estate counsel to represent the Estate interest in the policy which had not been represented under the prior administration of the estate and trusts. Further, someone has to notice authorities that a fraudulent insurance claim was filed by Spallina and denied, where he, not Ted, acted as the alleged Trustee of the Lost Trust and that there was a suppressed and intentionally denied insurance trust and other alleged criminal acts that took place to try and convert the policy through various schemes.
- c. That Ted, Spallina, Tescher, Manceri, Rose and others are under criminal investigations and defendants/respondents in civil actions ongoing regarding these matters and thus are unfit to serve in any capacities regarding any of the matters of either Estates or Trusts of my parents. As you learned in court the other day efforts are under way to remove Ted from fiduciary capacities he has assumed and failed to follow any probate rules or statutes in so doing, ie, no accountings, no documents sent to beneficiaries, etc.

- d. Ted has adverse interests with me and my family as beneficiaries as we are pursuing him and his friends and legal counsel he brought in to these matters both criminally and civilly with both state and federal courts and authorities.
- e. Ted has adverse interests with the beneficiaries as due to the fraud already proven and admitted, he and his children may receive NO benefits and thus he is adverse to the other beneficiaries.
- f. For all of these reasons these conflicts and adverse interests of Ted with the Estate and Trusts need to be ceased instantly and the Estate must protect itself from further conflicted dealings with Ted and his counsel and avoid giving information to them in matters they are in conflict regarding.
- g. That the Estate should begin proceedings against parties involved in the frauds and other alleged bad acts and possibly take action against Ted in Stansbury's lawsuit as it appears Simon may not have even known of what was happening and where Ted should pay the damages personally and not the Estates or Trusts.

7. Ben Brown was ordering the transcripts of Donald Tescher's deposition to circulate and if you can also get a copy distributed of the July 11, 2014 hearing that would be great.
8. Ben Brown ordered life insurance policy copies from Heritage Union and other missing policies and the estate should follow up on these.
9. Ben Brown ordered JP Morgan and other IRA account histories and statements and the estate should follow up on getting these.
10. The most important priority for me and my three minor children, who are either approx. 33% beneficiaries or 50% beneficiaries of everything depending how the Judge rules on the dispositive documents as explained in the Oct 28, 2013 hearing before Colin by my former counsel, we are in need of emergency distributions from the Estates and Trusts, which have intentionally been denied to us and further denied due to the delays caused in both estates and the fact that neither are now closed as my mother's was reopened due to the frauds. We have also personally expended thousands of dollars in legal fees and other expenses at the same time beneficial interests were delayed and denied that are life supporting to our family and were intended by my parents to have no interruptions upon their deaths. Therefore, any emergency distributions the Estate can make for my family, especially where my children may be unenrolled from school that my parents put them in and paid for while living and even prefunded through various estate planning tools to have taken care of through college are now jeopardized. The home we live in, that the Estate of Simon claimed in an amended inventory and now the accountings to have a promissory note due is in jeopardy and all of this was created with the intent of harming and extorting my family, as has been alleged in the courts and with authorities. Most of this information can be found in Motions and Petitions I have filed with the Courts but have not yet been heard but hearings are soon to be rescheduled to begin that process. I believe both sets of alleged dispositive documents and other trust agreements have provisions for just this kind of emergency distribution under certain circumstances and if you can pay us as an advance it would certainly provide much needed and long overdue relief that is jeopardizing my family and the minor children's health and wellbeing as well. If we need to move the Court to allow this please let me know.

---

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

**Sent:** Tuesday, July 15, 2014 6:17 PM

**To:** Alan B. Rose, Esq.; Eliot Bernstein & Eliot & Candice Bernstein; Irwin J. Block, Esq.; Jill Iantoni & Jill & Guy Iantoni; John J. Pankauski, Esq.; John P. Morrissey, Esq.; Lisa Friedstein & Lisa & Jeffrey Friedstein - 2nd e-mail; Lisa Friedstein & Lisa & Jeffrey Friedstein ([lisa@friedsteins.com](mailto:lisa@friedsteins.com)); Pamela Beth Simon; Peter J. Feaman, Esq.; William H. Glasko, Esq.

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

**Subject:** ESTATE OF SIMON BERNSTEIN

Please see attached letter.

Thank you.

---

SHERRI McDOWELL

Paralegal to Brian M. O'Connell - Ashley N. Crispin - Joelle A. Foglietta

CIKLIN LUBITZ MARTENS & O'CONNELL

515 N. Flagler Dr., 20<sup>th</sup> Floor, West Palm Beach, FL 33401

**Direct Line: 561-820-0384**

Main Line: 561-832-5900 / Fax Number: 561-833-4209

Personal E-Mail Delivery: [SMcDowell@ciklinlubitz.com](mailto:SMcDowell@ciklinlubitz.com)

Service of Pleadings - Primary: [service@ciklinlubitz.com](mailto:service@ciklinlubitz.com)

Secondary: [slobdell@ciklinlubitz.com](mailto:slobdell@ciklinlubitz.com)

## Eliot Ivan Bernstein

---

**From:** Foglietta, Joy A <JFoglietta@ciklinlubitz.com>  
**Sent:** Monday, July 21, 2014 10:14 AM  
**To:** 'Eliot Ivan Bernstein'  
**Cc:** O'Connell, Brian M.; Lobdell, Sharon R.; McDowell, Sherri H.  
**Subject:** RE: ESTATE OF SIMON BERNSTEIN

Eliot,

Thank you for your email. Mr. O'Connell is out of the country on another matter this week, however, he would like to set up a time to speak with you next week. Are you available for a 30 minute conference on Tuesday, July 29<sup>th</sup> anytime between 2-5pm?

Thanks,

Joielle A. Foglietta, Esquire  
Ciklin Lubitz Martens & O'Connell  
Telephone: 561-832-5900  
[jfoglietta@ciklinlubitz.com](mailto:jfoglietta@ciklinlubitz.com)

---

**From:** Eliot Ivan Bernstein [mailto:[iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)]  
**Sent:** Friday, July 18, 2014 10:18 AM  
**To:** O'Connell, Brian M.; Foglietta, Joy A; Lobdell, Sharon R.; Crispin, Ashley N.  
**Cc:** Caroline Prochotska Rogers Esq.; Michele M. Mulrooney ~ Partner @ Venable LLP; Andrew R. Dietz @ Rock It Cargo USA; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Marc R. Garber Esq.; Marc R. Garber Esq. @ Flaster Greenberg P.C.; [tourcandy@gmail.com](mailto:tourcandy@gmail.com); 'Eliot Bernstein'  
**Subject:** RE: ESTATE OF SIMON BERNSTEIN

Hi Brian,

In response to your letter I have put together some of my key issues regarding the future administration of the Estate of my father. In this regard it would be best that you first understand that my father was a very wealthy individual almost his entire adult life and made considerable millions in income most years and accumulated vast personal, business and other properties. He had two paid in full multimillion dollar homes (listed when he died for over five million dollars), one in St. Andrews and one in the Aragon on the beach in Boca. He ran numerous companies and sold unique products he invented in the insurance business and sold billions of dollars of life insurance through these plans with premiums exceeding a billion dollars sold. We have information that their net worth may be between 40-100 Million dollars. My mother drove a fully paid for Bentley, my father drove a Porsche Panorama, and they traveled extensively, mostly on private jets and stayed at five star hotels throughout the world. My parents had accumulated a vast fortune of personal property assets and had stowed away millions in retirement plans and other such sheltering vehicles, which is evidenced in their elaborate estate plans done over 20 years. As you are probably aware from my filings with the courts and authorities, it is alleged that egregious acts of bad faith were committed by their fiduciaries and counsel once they died, in efforts to thwart their estate plans and seize illegally Dominion and Control and then loot the Estates and Trusts of assets in a variety of criminal acts and civil torts. There are now two claims regarding their net worth, one by me that states that Simon and Shirley are worth far more than the four million dollars total, which was the combined value of ALL estate and trusts' assets that Robert Spallina and my brother Ted told Judge Colin in the Sept and Oct 2013 Hearings

they were worth. After reviewing the production documents and the first accounting in the Estate there appears far more that has now been revealed, totaling close to 15-20 Million. Just from what we have learned thus far with no proper accountings tendered yet for any of the other trusts of my parents or any of the business entities owned there is far more than what they first claimed. In fact, Simon's estate inventory was Amended after they realized through my complaints that certain items were not listed on the original, in efforts to cover up and suddenly they claimed to have found a million dollars they added to the Estate.

We have received only one accounting for the Estate of Simon from the former PR's that has been objected to by several parties and that was produced by Court Order upon the termination of Tescher and Spallina. The alleged accounting is sorely missing any backup data and has other problems pointed out in the Curator's Ben Brown's transitional accounting to you, as well as, in my objection to their final accounting filed with the Court. We also have information that personal property, including furniture and jewelry has been distributed inappropriately to parties or simply stolen and removed from the Estate with no accounting at all and these are items alleged worth millions more. There are missing IRA account beneficiaries, missing insurance trusts, even missing insurance policies (See IL Federal Breach of Contract Lawsuit for close to two million of insurance that may come to the Estate of Simon) and more. The beneficiaries still have no accountings and in some instances no copies of the trust documents for the Simon Trusts and the Shirley Estate and Trusts exist at all (Family Trusts, etc.), again in violation of probate rules and statutes. Documents have been alleged suppressed and denied as is the case with a newly discovered alleged 2000 Insurance Trust that was uncovered in the production documents turned over by Tescher and Spallina and where there is evidence in the production that this trust was intentionally suppressed to claim that a 1995 Trust that DOES NOT EXIST was the beneficiary and suppressed this NEWLY DISCOVERED 2000 Insurance Trust from the state and federal courts, the insurance carrier and the beneficiaries to improperly convert the proceeds to improper parties and more. There is evidence that supports that Creditor Fraud was committed by attempting to move the policy out of the Estate to improper beneficiaries out of the reach of the creditor and the production documents show discussions of this between Spallina, Tescher, Ted, my sister Pam and her husband and others. This evidence has been presented to the courts already by both Mr. Feaman and myself. Documents have also been suppressed and denied not only from beneficiaries, interested parties and creditors but from courts and others in efforts to hide assets or convert them illegally to others through the document frauds that have been both proven and now admitted by the former fiduciaries and their counsel. Assets have been sold with no information provided to beneficiaries in secret self-dealing deals that my brother Ted and his minion of lawyers are neck deep in and several criminal complaints have been filed already. The production documents turned over by Tescher and Spallina have unearthed even more alleged crimes and I and others are in the process of formulating charges to bring to state and federal authorities regarding this newly discovered evidence. There are ongoing investigations of my brother Ted, my sister Pamela, Pamela's husband and David Simon, Esq., D. Simon's brother Adam Simon, Esq. and Attorneys at Law, Tescher, Spallina, Rose, Manceri and others they employed in various combinations of the frauds alleged.

With that said, here are the points I think we should start with in these matters ASAP to prevent further crimes from taking place and continue in a rational and legal course now that Judge Colin has approved. Ben Brown did an outstanding job of finally getting beneficiaries and creditors some information and putting this all on the right course.

1. The Estate needs to first start to properly marshal the assets of the Estate and Trusts and determine what has already been distributed and to whom.
2. The Estate needs to order records for accounts that all of my father's apparently are missing, as none of them were turned over when Tescher and Spallina were ordered to turn over everything. This would include,
  - a. Signed Personal and Corporate Tax Returns from the IRS (I believe Ben Brown may have ordered these) for all Trusts and Entities my father owned.
  - b. Bank statements, Investment Account statements, Retirement Account statements and full documentation (it is alleged by others that the IRA is missing beneficiaries and there is was no or very little info in the production of Tescher and Spallina) Credit Card statements, Business accountings, Insurance Policies (Several appear missing from the records including those listed as assets of the Estate), etc. all going back 7 years prior to my father's death so that we can establish his spending habits and determine what his worth was on the day he died (as some accounts are now found to have been accessed for months after his death), etc.

- c. Records for all businesses owned by my dad and commissions paid to my father.
- 3. Forensics should then be ordered and this has already been discussed before Judge Colin in prior hearings as a good idea in light of everything. Forensics should also include document analysis on the dispositive documents because it is already alleged and brought to authorities that certain of the Wills and Trusts created, including the 2012 Simon Will that you are operating under and the 2012 Amended and Restated Trusts that my brother alleges to be Successor Trustee, are both legally invalid on a number of grounds, including fraud and more. The Governor Rick Scott's Notary Division has already determined the 2012 Simon Will and Amended and Restated Trusts to be improperly notarized and there are multiple other problems with those documents.
- 4. That a search for missing assets and entities should also begin.
- 5. Review and Report to Authorities regarding the ongoing criminal and civil actions and the soon to be filed new Criminal complaints and Civil actions and order further investigations where the Estate is involved. We have been waiting for a new PR to become involved as it is the PR's obligation to do so, as I cannot do some of this without the legal authority. For example, in regards to certain alleged fraudulent insurance claims filed by Tescher and Spallina in the IL insurance action and Fraud committed against the US Federal Court by Ted as an alleged Trustee of the missing trust, the PR is being requested to make those claims.
- 6. The Estate needs to marshal conflicts of interest and adverse interests carefully going forward, as was pointed out to you in Court on July 11, 2014 by both Peter Feaman and myself in regard to various conflicts with my brother Ted and the Estate that have been allowed by former PR's Tescher and Spallina despite the obvious problems. Ted is conflicted and adverse and not fit to serve in any fiduciary capacities currently for a mass of reasons pled both by myself and Peter Feaman, including but not limited to,
  - a. The Stansbury Lawsuit – Here the Estate has conflict with Ted as Ted is a named Defendant both personally and as an alleged officer of several of the companies owned by he and my father. Many of the germane claims alleged by Stansbury were done directly by Ted that led to the lawsuit in the first place. Ted is simultaneously acting as a fiduciary for the Trusts of Simon and the Estate and Trusts of Shirley, which are sued under the Stansbury Amended Complaint and he is representing them in the Stansbury lawsuit as the fiduciary. The conflict of interest in Ted handling the Estate and Trusts claims in regard to the Stansbury lawsuit, where he is personally sued as the primary cause of the action, is in violation and breach of his fiduciary duties and yet these violations are what has been occurring under former Estate and Trusts administration or lack thereof, excluding the period Ben Brown was handling the matter for Simon's Estate. The argument is that since Ted is not under any reading of the Wills and Trusts that are determined valid by Judge Colin in the end a beneficiary. Ted has been considered with my sister Pam under the alleged 2012 and 2008 documents to be considered predeceased and disinherited entirely. If the alleged 2012 documents do not prevail their lineal descendants will also be excluded from any benefits. In my mother's estate they have even tried to change beneficiaries on her Trust and Estate that were irrevocable once she died and once my father died the beneficiaries were only me and two sisters and our lineal descendants. My father tried to make changes to my mother's estate and trusts POST MORTEM according to Spallina's alleged admission of Altering Trust documents in my mother's estate and fraud that occurred with my father closing my mother's estate POST MORTEM, as discovered by Judge Colin in the September 13, 2013 hearings where he stated he had enough evidence at that moment to read Tescher, Spallina and Ted their Miranda Rights, twice. Not only for discovering Fraudulent Notarizations and Forged Signatures but for the elaborate scheme of using my deceased father to close my deceased mother's estate and trusts through a series of Frauds on the Court and the beneficiaries, creditors and others. These efforts have all been to benefit Ted and my sister Pam and their families to the detriment of other beneficiaries, creditors, etc. With that said you can see that Ted personally would like to settle with Stansbury using Estate and Trust funds where he has no interests and not himself personally and for him to then act as a fiduciary to settle the case on both sides is prohibited. Finally, it has come to my attention that Ted may have done just this in my mother's estate and trusts with Stansbury, where Alan Rose represented both Ted's personal interests in settling the lawsuit for her Estate and Trusts on the one hand and on the other hand Rose simultaneously represented Ted as the fiduciary of the Trusts of Shirley. Where since Ted is the primary accused party of the claims committed against Stansbury, the Estate would have the argument that if the monies alleged stolen of over two million dollars from Stansbury believed to have been taken wholly

by Ted and not to Simon (which evidence indicates is the case) then most of the damages or settlement monies should come from Ted personally first and then if anything remains due to Stansbury it could spill over to an estate liability. Therefore Ted and Alan Rose must not be involved for the Estate or Trusts of Simon in any litigation relating to Stansbury as was pitched to you by Rose outside the court when he stated it would be best to let Ted and his firm handle the litigation for the estate for cost reasons and their knowledge of the case, failing to mention the obvious conflicts and other problems this represents. Both Mr. Feaman and myself objected to Ted and Rose having anything to do with these matters in conjunction with the Estate when Rose presented the idea outside the court room to you.

- b. The IL Federal Breach of Contract Lawsuit – Again Ted has numerous conflicts with the Estate and Trusts in these matters and yet as an alleged fiduciary has ignored. As Mr. Feaman explained, Ted is the Plaintiff in the lawsuit, as the alleged Trustee of a Lost Trust, if Ted is successful in this scheme, the Estate and Estate beneficiaries, including possibly his Adult children, will lose the benefit. If the benefit comes to the Estate, again Ted and Pam will receive nothing and only their Adult children will have a possible claim depending on which documents survive. Alleged Insurance Fraud, Bank Fraud, Institutional Trust Fraud and more has been posited with the courts and other investigatory agencies already but this will also need the Estate to join as a party. I believe Ben Brown may have already begun taking steps like ordering copies of the missing policy from the insurers/reinsurers but I am not sure what responses he got thus far and that he successfully argued to Judge Colin to bring in Estate counsel to represent the Estate interest in the policy which had not been represented under the prior administration of the estate and trusts. Further, someone has to notice authorities that a fraudulent insurance claim was filed by Spallina and denied, where he, not Ted, acted as the alleged Trustee of the Lost Trust and that there was a suppressed and intentionally denied insurance trust and other alleged criminal acts that took place to try and convert the policy through various schemes.
- c. That Ted, Spallina, Tescher, Manceri, Rose and others are under criminal investigations and defendants/respondents in civil actions ongoing regarding these matters and thus are unfit to serve in any capacities regarding any of the matters of either Estates or Trusts of my parents. As you learned in court the other day efforts are under way to remove Ted from fiduciary capacities he has assumed and failed to follow any probate rules or statutes in so doing, ie, no accountings, no documents sent to beneficiaries, etc.
- d. Ted has adverse interests with me and my family as beneficiaries as we are pursuing him and his friends and legal counsel he brought in to these matters both criminally and civilly with both state and federal courts and authorities.
- e. Ted has adverse interests with the beneficiaries as due to the fraud already proven and admitted, he and his children may receive NO benefits and thus he is adverse to the other beneficiaries.
- f. For all of these reasons these conflicts and adverse interests of Ted with the Estate and Trusts need to be ceased instantly and the Estate must protect itself from further conflicted dealings with Ted and his counsel and avoid giving information to them in matters they are in conflict regarding.
- g. That the Estate should begin proceedings against parties involved in the frauds and other alleged bad acts and possibly take action against Ted in Stansbury's lawsuit as it appears Simon may not have even known of what was happening and where Ted should pay the damages personally and not the Estates or Trusts.

- 7. Ben Brown was ordering the transcripts of Donald Tescher's deposition to circulate and if you can also get a copy distributed of the July 11, 2014 hearing that would be great.
- 8. Ben Brown ordered life insurance policy copies from Heritage Union and other missing policies and the estate should follow up on these.
- 9. Ben Brown ordered JP Morgan and other IRA account histories and statements and the estate should follow up on getting these.
- 10. The most important priority for me and my three minor children, who are either approx. 33% beneficiaries or 50% beneficiaries of everything depending how the Judge rules on the dispositive documents as explained in the Oct 28, 2013 hearing before Colin by my former counsel, we are in need of emergency distributions from the Estates and Trusts, which have intentionally been denied to us and further denied due to the delays caused in

both estates and the fact that neither are now closed as my mother's was reopened due to the frauds. We have also personally expended thousands of dollars in legal fees and other expenses at the same time beneficial interests were delayed and denied that are life supporting to our family and were intended by my parents to have no interruptions upon their deaths. Therefore, any emergency distributions the Estate can make for my family, especially where my children may be unenrolled from school that my parents put them in and paid for while living and even prefunded through various estate planning tools to have taken care of through college are now jeopardized. The home we live in, that the Estate of Simon claimed in an amended inventory and now the accountings to have a promissory note due is in jeopardy and all of this was created with the intent of harming and extorting my family, as has been alleged in the courts and with authorities. Most of this information can be found in Motions and Petitions I have filed with the Courts but have not yet been heard but hearings are soon to be rescheduled to begin that process. I believe both sets of alleged dispositive documents and other trust agreements have provisions for just this kind of emergency distribution under certain circumstances and if you can pay us as an advance it would certainly provide much needed and long overdue relief that is jeopardizing my family and the minor children's health and wellbeing as well. If we need to move the Court to allow this please let me know.

---

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

**Sent:** Tuesday, July 15, 2014 6:17 PM

**To:** Alan B. Rose, Esq.; Eliot Bernstein & Eliot & Candice Bernstein; Irwin J. Block, Esq.; Jill Iantoni & Jill & Guy Iantoni; John J. Pankauski, Esq.; John P. Morrissey, Esq.; Lisa Friedstein & Lisa & Jeffrey Friedstein - 2nd e-mail; Lisa Friedstein & Lisa & Jeffrey Friedstein ([lisa@friedsteins.com](mailto:lisa@friedsteins.com)); Pamela Beth Simon; Peter J. Feaman, Esq.; William H. Glasko, Esq.

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

**Subject:** ESTATE OF SIMON BERNSTEIN

Please see attached letter.

Thank you.

---

**SHERRI McDOWELL**

Paralegal to Brian M. O'Connell - Ashley N. Crispin - Joelle A. Foglietta

**CIKLIN LUBITZ MARTENS & O'CONNELL**

515 N. Flagler Dr., 20<sup>th</sup> Floor, West Palm Beach, FL 33401

**Direct Line: 561-820-0384**

Main Line: 561-832-5900 / Fax Number: 561-833-4209

Personal E-Mail Delivery: [SMcDowell@ciklinlubitz.com](mailto:SMcDowell@ciklinlubitz.com)

Service of Pleadings - Primary: [service@ciklinlubitz.com](mailto:service@ciklinlubitz.com)

Secondary: [slobdell@ciklinlubitz.com](mailto:slobdell@ciklinlubitz.com)