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

Case No. 502014CP003698XXXXSB

In Re: Hon. Martin Colin

Shirley Bernstein Trust

Agreement, dated, May 20, 2008,

Deceased.

Eliot Ivan Bernstein, Individually;

Eliot IVAN Bernstein in his capacity as

Natural Guardian of his minor children,

Joshua, Jacob and Daniel;

and as beneficiary of the Shirley

Bernstein Trust dated May 20, 2008, as

amended and Eliot IVAN Bernstein

as Trustee of the Eliot Bernstein Family

Trust dated May 20, 2008,

Counter Plaintiffs,

v.

Tescher & Spallina, P.A., and all Partners Associates and of Counsel;

Robert L. Spallina, Esq., Personally;

Robert L. Spallina, Esq., Professionally;

Donald R. Tescher, Esq., Personally;

Donald R. Tescher, Esq., Professionally;

Gutter Chaves Josepher Rubin Forman Fleisher Miller, P.A.;

Theodore Stuart Bernstein, Individually;

Theodore Stuart Bernstein, as alleged Trustee of the Shirley Trust;

Theodore Bernstein as Personal Representative of the Shirley Estate;

Lisa Sue Friedstein, Individually;

Jill Marla Iantoni, Individually;

Pamela Beth Simon, Individually;

Mark Manceri, Esq., Personally;

Mark Manceri, Esq., Professionally;

Mark R. Manceri, P.A., and all Partners, Associates and of Counsel;

Page, Mrachek, Fitzgerald & Rose, P.A., and all Partners Associates and of Counsel;

Alan B. Rose, Esq. – Personally;

Alan B. Rose, Esq. – Professionally;

Pankauski Law Firm PLLC, and all Partners, Associates and of Counsel;

John J. Pankauski, Esq. – Personally;

John J. Pankauski, Esq. – Professionally;

Kimberly Francis Moran – Personally;

Kimberly Francis Moran – Professionally;

Lindsay Baxley aka Lindsay Giles – Personally;

Lindsay Baxley aka Lindsay Giles – Professionally;

“Simon L. Bernstein Amended and Restated Trust Agreement” Dated July 25, 2012;

Simon Bernstein Trust Agreement Dated May 20th 2008;

Shirley Bernstein Trust Agreement Dated May 20th 2008;

The Estate of Simon Bernstein;

The Estate of Shirley Bernstein;

SIMON L. BERNSTEIN IRREVOCABLE TRUST AGREEMENT (2008);

SIMON BERNSTEIN IRREVOCABLE TRUST U/A 9/7/06;

SHIRLEY BERNSTEIN IRREVOCABLE TRUST U/A 9/7/06;

SHIRLEY BERNSTEIN IRREVOCABLE TRUST AGREEMENT (2008);

SIMON BERNSTEIN IRREVOCABLE INSURANCE TRUST DATED 6/21/1995;

SIMON BERNSTEIN 2000 INSURANCE TRUST (dated August 15, 2000);

SHIRLEY BERNSTEIN 2000 INSURANCE TRUST (DATED AUGUST 15, 2000);

Trust f/b/o Joshua Bernstein under the Simon L. Bernstein Trust dtd 9/13/2012;

Trust f/b/o Daniel Bernstein under the Simon L. Bernstein Trust dtd 9/13/2012;

Trust f/b/o Jake Bernstein under the Simon L. Bernstein Trust dtd 9/13/2012;

ELIOT BERNSTEIN FAMILY TRUST DATED MAY 20, 2008;

DANIEL BERNSTEIN IRREVOCABLE TRUST DATED SEPTEMBER 7, 2006;

JAKE BERNSTEIN IRREVOCABLE TRUST DATED SEPTEMBER 7, 2006;

JOSHUA Z. BERNSTEIN IRREVOCABLE TRUST DATED SEPTEMBER 7, 2006;

DANIEL BERNSTEIN IRREVOCABLE TRUST 07-JUL-10 049738;

JAKE BERNSTEIN IRREVOCABLE TRUST 07-JUL-10 0497381;

JOSHUA Z BERNSTEIN IRREVOCABLE TRUST 07-JUL-10 0497381;

John and Jane Doe’s (1-5000),

Counter Defendants.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*I*

**NOTICE OF HEARING**

PLEASE TAKE NOTICE that the undersigned will call up for hearing the matters designated below before Honorable Judge Martin Colin at the Palm Beach South County Courthouse, 200 West Atlantic Avenue, Delray Beach, Florida 33444.

**Date:** Thursday, January 29, 2015

**Time:**  11:00AM for 30 minutes

**Judge:**  HON. MARTIN COLIN

**Matters:** NOTICE OF HEARING – PETITION TO REMOVE THEODORE STUART BERNSTEIN AS ALLEGED SUCCESSOR TRUSTEE.

**CERTIFICATE OF SERVICE**

I, ELIOT IVAN BERNSTEIN, HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by email to all parties on the following Service List, Thursday, January 29, 2015.

X\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

By: ELIOT BERNSTEIN, individually and on behalf of his minor children.

Petitioner (pro se)

2753 N.W. 34th St.

Boca Raton, Florida 33434-3459

(561) 245.8588 (telephone)

Email address: iviewit@iviewit.tv

**SERVICE LIST**

|  |  |  |
| --- | --- | --- |
| Alan B. Rose, Esq. PAGE, MRACHEK, FITZGERALD, ROSE, KONOPKA, THOMAS & WEISS, P.A. 505 South Flagler Drive, Suite 600 West Palm Beach, Florida 33401 arose@pm-law.com  and arose@mrachek-law.com | John P Morrissey. Esq.  John P. Morrissey, P.A. 330 Clematis Street Suite 213 West Palm Beach, FL 33401 john@jmorrisseylaw.com | Carley & Max Friedstein, Minors c/o Jeffrey and Lisa Friedstein Parents and Natural Guardians 2142 Churchill Lane Highland Park, IL 6003 Lisa@friedsteins.com  lisa.friedstein@gmail.com |
| Julia Iantoni, a Minor c/o Guy and Jill Iantoni, Her Parents and Natural Guardians 210 I Magnolia Lane Highland Park, IL 60035 jilliantoni@gmail.com |  |  |