

*** FILED: PALM BEACH COUNTY, FL SHARON BOCK, CLERK. ***

IN THE CIRCUIT COURT FOR PALM BEACH COUNTY, FL

IN RE: ESTATE OF

PROBATE DIVISION

SHIRLEY BERNSTEIN

File No. 502011CP000653XXXXSB

Deceased.

**MOTION TO REOPEN ESTATE AND SET EVIDENTIARY
HEARING**

Comes now the undersigned, counsel to the captioned estate, and alleges as follows:

1. The Estate was closed and an Order of Discharge was entered on January 3, 2013.
2. The Personal Representative of the Estate, Simon Bernstein, died on September 13, 2012 and his probate estate is currently being administered before this Court.
3. It was recently brought to the attention of the Petitioner that certain irregularities occurred in connection with the execution of the Waivers filed in connection with the closing of this Estate.
4. In order to remove any issues regarding the rights of the surviving spouse and the five adult children of Simon and Shirley Bernstein, and as officers of the Court, it is our obligation to bring this matter to the attention of the Court and to all persons impacted by the actions, and to give these persons the opportunity to cure the irregularities.
5. We believe that the appropriate procedure is to notify the persons affected by the irregularities and to hold a hearing before this Court so that they have the opportunity, if they wish, to seek appropriate relief.

WHEREFORE, the undersigned seek an Order reopening the Shirley Bernstein probate for the sole purpose of presenting evidence regarding the irregularities and permitting the affected persons the opportunity to be heard.

Dated as of this 28th day of August, 2013.

Respectfully Submitted,

TESCHER & SPALLINA, P.A.

By: 

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