

Document alleged signed on 4/9/2012 not filed allegedly until 10/24/2012. Simon deceased on 9/13/2012.

IN THE CIRCUIT COURT FOR PALM BEACH COUNTY, FL  
IN RE: ESTATE OF File No. 502011000653XXXX SB  
SHIRLEY BERNSTEIN, Probate Division  
Deceased.

2012 OCT 24 PM 1:31  
SHARON A. BROWN, CLERK  
PALM BEACH COUNTY, FL  
SOUTH CITY 3ND FLOOR-FILED

Judge Colin court rules require that all Waivers need to be notarized and this is not, "all waivers, consents, renunciations and receipt of assets must be notarized."

**PETITION FOR DISCHARGE  
(full waiver)**

Petitioner, SIMON BERNSTEIN, as personal representative of the above estate, alleges:

1. The decedent, Shirley Bernstein, a resident of Palm Beach County, died on December 8, 2010, and Letters of Administration were issued to petitioner on February 10, 2011.

2. Petitioner has fully administered this estate by making payment, settlement, or other disposition of all claims and debts that were presented, and by paying or making provision for the payment of all taxes and expenses of administration.

This is untrue on 4/9/12 as State of Florida tax forms were not submitted until October 2012

3. Petitioner has filed all required estate tax returns with the Internal Revenue Service and with the Department of Revenue of the State of Florida, and has obtained and filed, or file herewith, evidence of the satisfaction of this estate's obligations for both federal and Florida estate taxes, if any.

4. The only persons, other than petitioner, having an interest in this proceeding, and their respective addresses are:

NAME	ADDRESS	RELATIONSHIP	BIRTH DATE (if Minor)
Simon L. Bernstein	7020 Lions Head Lane Boca Raton, FL 33496	spouse	adult
Ted S. Bernstein	880 Berkeley Street Boca Raton, FL 33487	son	adult



Pamela B. Simon                      950 North Michigan Avenue      daughter              adult  
Suite 2603  
Chicago, IL 60606

Eliot Bernstein                      2753 NW 34<sup>th</sup> Street              son                      adult  
Boca Raton, FL 33434

Jill Iantoni                              2101 Magnolia Lane              daughter              adult  
Highland Park, IL 60035

Lisa S. Friedstein                      2142 Churchill Lane              daughter              adult  
Highland Park, IL 60035

Simon on 4/9/2012 cannot state the waivers and receipts were signed by all interested parties at that time, since Eliot was the first to sign a waiver and signed it on May 15, 2012. Jill Iantoni did not sign one until after Simon deceased in October 2012.

On 4/9/2012 Simon could not have acknowledged that all parties were aware of their rights under 5 a,b,c,d,e,f,g and h, as none of the interested parties had got waivers until 5/10/2012 or after and some interested parties did not submit a waiver until after Simon had passed.

→ 5. Petitioner, pursuant to Section 731.302 of the Florida Probate Code, and as permitted by Fla. Prob. R. 5.400(f), files herewith waivers and receipts signed by all interested persons:

- (a) acknowledging that they are aware of the right to have a final accounting;
- (b) waiving the filing and service of a final accounting;
- (c) waiving the inclusion in this petition of the amount of compensation paid or to be paid to

the personal representative, attorneys, accountants, appraisers or other agents employed by the personal representative and the manner of determining that compensation;

(d) acknowledging that they have actual knowledge of the amount and manner of determining compensation of the personal representative, attorneys, accountants, appraisers, or other agents, and agreeing to the amount and manner of determining such compensation, and waiving any objections to the payment of such compensation;

- (e) waiving the inclusion in this petition of a plan of distribution;
- (f) waiving service of this petition and all notice thereof;
- (g) acknowledging receipt of complete distribution of the share of the estate to which they are

entitled; and

(h) consenting to the entry of an order discharging petitioner, as personal representative, without notice, hearing or waiting period and without further accounting.

Petitioner requests that an order be entered discharging petitioner as personal representative of this estate and releasing the surety on any bond which petitioner may have posted in this proceeding from any liability on it.

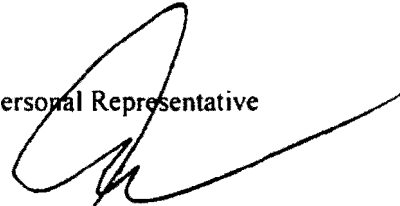


Simon never lied on a sworn statement in his life, why would he start here?

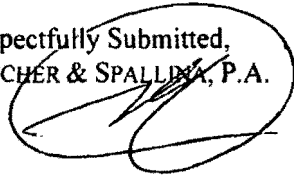
Under penalties of perjury, I declare that I have read the foregoing, and the facts alleged are true, to the best of my knowledge and belief.

Signed on April 9, 2012.

Personal Representative

  
SIMON L. BERNSTEIN

Respectfully Submitted,  
TESCHER & SPALLINA, P.A.



By: \_\_\_\_\_  
ROBERT L. SPALLINA, ESQUIRE  
Florida Bar No. 497381  
4855 Technology Way, St. 720  
Boca Raton, FL 33431  
561-997-7008

\\WPDATA\states\Bernstein\_Shirley\Findings\Closing Findings\Discharge Not upd

Note Law Firm  
Marking and File #

NO NOTARY AS  
REQUIRED BY JUDGE  
COLIN RULES.

Note Bar Form #

Bar Form No. P-5.0550  
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Reviewed October 1, 1998

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