

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

CASE NO. 502012CP004391XXXXSB
CP - Probate

IN RE:

ESTATE OF SIMON L. BERNSTEIN,
_____ /

MOTION FOR APPOINTMENT OF CURATOR OR ADMINISTRATOR AD LITEM

COMES NOW Ted S. Bernstein, pursuant to Fla. Prob. R. 5.120, 5.122 and Fla. Stat. §733.501 by and through counsel, and moves this Court to appoint a curator or an administrator ad litem and states that at all times relevant:

1. This motion is for the appointment of an estate fiduciary for the limited purposes of administering the estate until this Court appoints a successor personal representative since the Co-Personal Representatives have resigned. It seeks to have the moving party appointed as such.
2. There is pending litigation which the estate is involved in as well as assets to marshal.
3. It is necessary that the estate be represented.
4. The Decedent, Simon Bernstein, formerly resided at 7020 Lion's Head Lane, Boca Raton, Palm Beach County, Florida, 33496, died on or about September 13, 2012, in Palm Beach County, Florida where venue is proper. His last will was admitted on or about October 2, 2012.
5. Decedent left surviving the following persons as next of kin:

Name	Address	Relationship to Decedent	Age of Minor
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Ted S. Bernstein	880 Berkeley Street Boca Raton, FL 33487	Son	
Pamela Beth Simon	950 N. Michigan Avenue Apartment 2603 Chicago, IL 60611	Daughter	
Eliot Bernstein	2753 NW 34th Street Boca Raton, FL 33434	Son	
Jill Iantoni	2101 Magnolia Lane Highland Park, IL 60035	Daughter	
Lisa Friedstein	2142 Churchill Lane Highland Park, IL 60035	Daughter	

6. Co-Personal Representatives Robert L. Spallina and Donald R. Tescher, were entitled to and granted Letters of Administration on or about October 2, 2012, and have petitioned to resign from that role on or about January 16, 2014, without completing the administration of the estate.

7. The nature and approximate value of the assets of the estate is believed to be a promissory note and investments in excess of \$ 100,000.

8. The moving party is the most qualified to act and has personal knowledge of the Decedent's assets and the litigation which the estate is involved in. He is also the trustee of the Decedent's revocable trust, which is now irrevocable.

WHEREFORE, the moving party prays that he be appointed curator or administrator ad litem, that he be granted letters or authority, and that this Court provide such further relief as may be just and proper.

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.

February _____, 2014

TED BERNSTEIN

CERTIFICATE OF SERVICE

I CERTIFY that a copy of the foregoing has been furnished to parties listed on attached
Service List by: Facsimile **and** U.S. Mail; **U.S. Mail**; E-mail Electronic Transmission;
FedEx; Hand Delivery this 7th day of February, 2014.

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– and –

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SERVICE LIST

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Jill Iantoni
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Lisa Friedstein
2142 Churchill Lane
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Alexandra Bernstein
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Eric Bernstein
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Delray Beach, FL 33445

Michael Bernstein
2231 Bloods Grove Circle
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Matt Logan
2231 Bloods Grove Circle
Delray Beach, FL 33445

Molly Simon
1731 N. Old Pueblo Drive
Tucson, AZ 85745

Daniel Bernstein, a Minor
c/o Eliot and Candice Bernstein,
His Parents and Natural Guardians
2753 NW 34th Street
Boca Raton, FL 33434

Jacob Bernstein, a Minor
c/o Eliot and Candice Bernstein,
His Parents and Natural Guardians
2753 NW 34th Street
Boca Raton, FL 33434

Joshua Bernstein, a Minor
c/o Eliot and Candice Bernstein,
His Parents and Natural Guardians
2753 NW 34th Street
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Julia Iantoni, a Minor
c/o Guy and Jill Iantoni,
Her Parents and Natural Guardians
2101 Magnolia Lane
Highland Park, IL 60035

Max Friedstein, a Minor
c/o Jeffrey and Lisa Friedstein,
His Parents and Natural Guardians
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Highland Park, IL 60035

Carley Friedstein, a Minor
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