

IN THE CIRCUIT COURT FOR PALM BEACH COUNTY, FL

IN RE: ESTATE OF            PROBATE DIVISION

SHIRLEY BERNSTEIN, File No.502011CP000653XXXXSB

Deceased.

**ORDER ON MOTION TO WITHDRAW AS COUNSEL**

THIS CAUSE having come before the Court for the issuance of an Order Authorizing the Withdrawal of Counsel for successor Personal Representative, Ted S. Bernstein, and the Court having read the Motion to Withdraw as Counsel, reviewed the file, and being otherwise duly advised in the premises, it is hereby

ADJUDGED that ROBERT SPALLINA, ESQ. and the law firm of TESCHER & SPALLINA, P.A. are authorized to withdraw as the attorneys for Ted S. Bernstein.

DONE AND ORDERED on 2/12, 2014, in Delray Beach, Florida.



\_\_\_\_\_  
Circuit Judge

cc:    Individuals on attached service list

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IN THE CIRCUIT COURT FOR PALM BEACH COUNTY, FL  
IN RE: ESTATE OF            PROBATE DIVISION  
SIMON BERNSTEIN,        File No. 502012CP004391XXXXSB  
Deceased.

**ORDER ON MOTION TO WITHDRAW AS COUNSEL**

THIS CAUSE having come before the Court for the issuance of an Order Authorizing the Withdrawal of Counsel for successor Personal Representative, <sup>Trustee</sup> Ted S. Bernstein, and the Court having read the Motion to Withdraw as Counsel, reviewed the file, and being otherwise duly advised in the premises, it is hereby:

ADJUDGED that ROBERT SPALLINA, ESQ. and the law firm of TESCHER & SPALLINA, P.A. are authorized to withdraw as the attorneys for Ted S. Bernstein.

DONE AND ORDERED on \_\_\_\_\_, 2014, in Delray Beach, Florida.

and as  
co-trustees?

\_\_\_\_\_  
Circuit Judge

cc: Robert L. Spallina, Esq.  
Individuals on attached service list

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IN THE CIRCUIT COURT FOR PALM BEACH COUNTY, FL  
IN RE: ESTATE OF            PROBATE DIVISION  
SIMON BERNSTEIN,        File No. 502012CP004391XXXXSB  
Deceased.

**ORDER ON MOTION TO WITHDRAW AS COUNSEL**

THIS CAUSE having come before the Court for the issuance of an Order Authorizing the Withdrawal of Counsel for successor Personal Representative, Ted S. Bernstein, and the Court having read the Motion to Withdraw as Counsel, reviewed the file, and being otherwise duly advised in the premises, it is hereby:

ADJUDGED that ROBERT SPALLINA, ESQ. and the law firm of TESCHER & SPALLINA, P.A. are authorized to withdraw as the attorneys ~~for Ted S. Bernstein.~~ **FOR THEMSELVES AS ATTORNEYS FOR ROBERT SPALLINA + DONALD TESCHER AS CO-PERSONAL REPRESENTATIVE**

DONE AND ORDERED on 2/11, 2014, in Delray Beach, Florida.

*dis*



\_\_\_\_\_  
Circuit Judge

cc: Robert L. Spallina, Esq.  
Individuals on attached service list

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IN THE CIRCUIT COURT FOR PALM BEACH COUNTY, FL

IN RE: ESTATE OF SIMON L. BERNSTEIN,

PROBATE DIVISION

Deceased.

CASE NO. 502012CP004391XXXXSB

ELIOT IVAN BERNSTEIN, PRO SE

DIVISION: IY (COLIN)

Petitioner

vs.

TESCHER & SPALLINA, P.A., (and all parties, associates and of counsel); ROBERT L. SPALLINA (both personally and professionally); DONALD R. TESCHER (both personally and professionally); THEODORE STUART BERNSTEIN (as alleged personal representative, trustee, successor trustee) (both personally and professionally); et. al.

Respondents.

ORDER ON PETITION FOR RESIGNATION AND DISCHARGE

This cause was heard by the Court on the co-Personal Representatives' Petition for Resignation and Discharge on February 18, 2014, and the Court, having heard arguments of counsel, and otherwise being fully advised in the premises, ORDERS AND ADJUDGES AS FOLLOWS:

1. The Petitioners' request to accept their resignation is ACCEPTED. The co-Personal Representatives' Letters of Administration are hereby revoked.

2. ~~Within 30 days, from the later of the date of this order or the appointment of a successor fiduciary,~~ <sup>BY MARCH 4, 2014</sup> <sup>(initials)</sup> the resigning co-Personal Representatives shall deliver to the successor fiduciary all property of the Estate, real, personal, tangible or intangible, all of the documents and records of the Estate and all records associated with any property of the Estate, regardless of whether such property has been previously distributed, transferred, abandoned or otherwise disposed of.

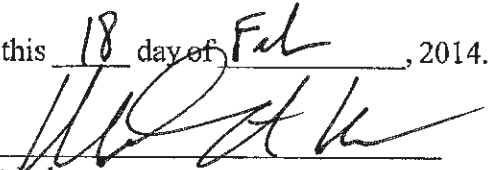
3. The Petitioners' request to reserve ruling on their discharge is ACCEPTED.

4. The resigning co-Personal Representatives shall file an accounting and a Renewed Petition for Discharge within sixty (60) days after the date hereof, which Renewed Petition for Discharge shall be verified and recite that the letters of administration have been revoked, the resigning co-Personal Representatives have surrendered all undistributed Estate assets, records, documents, papers and other property of or concerning the Estate to the successor fiduciary as set forth above, and the amount of compensation paid or to be paid by the resigning co-Personal Representatives pursuant to Probate Rule 5.430(g). Such accounting shall include cash and transactions from the commencement of administration of the Estate and ending as of the date the accounting is submitted.

5. The resigning co-Personal Representatives shall serve notice of filing and a copy of the accounting and Renewed Petition for Discharge on all interested parties and the notice shall state that the objection to the Renewed Petition for Discharge must be filed within thirty days after the later of service of the petition or service of the accounting on that interested person pursuant to Probate Rule 5.430(i).

6. The successor Personal Representative or Curator is authorized to pay a \$ \_\_\_\_\_ retainer to the accountant whom the Successor Personal Representative or Curator selects to provided the accounting which this Order requires. The accountant's hourly rate and compensation shall be subject to court approval.

DONE AND ORDERED in Delray Beach, Florida, this 18 day of Feb, 2014.

  
Circuit Judge

cc: Parties on attached service list

*late*  
*THE COURT RESENTS THIS TO ENFORCE THIS ORDER.*



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IN THE CIRCUIT COURT FOR PALM BEACH COUNTY, FL

IN RE: ESTATE OF SIMON L. BERNSTEIN,

PROBATE DIVISION

Deceased.

CASE NO. 502012CP004391XXXXSB

ELIOT IVAN BERNSTEIN, PRO SE

DIVISION: IY (COLIN)

Petitioner

vs.

TESCHER & SPALLINA, P.A., (and all parties, associates and of counsel); ROBERT L. SPALLINA (both personally and professionally); DONALD R. TESCHER (both personally and professionally); THEODORE STUART BERNSTEIN (as alleged personal representative, trustee, successor trustee) (both personally and professionally); et. al.



Respondents.

**ORDER ON PETITION FOR RESIGNATION AND DISCHARGE**

This cause was heard by the Court on the co-Personal Representatives' Petition for Resignation and Discharge on February 18, 2014, and the Court, having heard arguments of counsel, and otherwise being fully advised in the premises, ORDERS AND ADJUDGES AS FOLLOWS:

1. The Petitioners' request to accept their resignation is ACCEPTED. The co-Personal Representatives' Letters of Administration are hereby revoked.

2. Within 15 <sup>MARCH 4</sup> business days from the later of the date of this order or the appointment of a successor fiduciary, the resigning co-Personal Representatives shall deliver to the successor fiduciary all property of the Estate, real, personal, tangible or intangible, all of the documents and records of the Estate and all records associated with any property of the Estate, regardless of whether such property has been previously distributed, transferred, abandoned or otherwise disposed of.

3. The Petitioners' request to reserve ruling on their discharge is ACCEPTED.

4. The resigning co-Personal Representatives shall file an accounting and a Renewed Petition for Discharge within sixty (60) days after the date hereof, which Renewed Petition for Discharge shall be verified and recite that the letters of administration have been revoked, the resigning co-Personal Representatives have surrendered all undistributed Estate assets, records, documents, papers and other property of or concerning the Estate to the successor fiduciary as set forth above, and the amount of compensation paid or to be paid by the resigning co-Personal Representatives pursuant to Probate Rule 5.430(g). Such accounting shall include cash and transactions from the commencement of administration of the Estate and ending as of the date the accounting is submitted.

5. The resigning co-Personal Representatives shall serve notice of filing and a copy of the accounting and Renewed Petition for Discharge on all interested parties and the notice shall state that the objection to the Renewed Petition for Discharge must be filed within thirty days after the later of service of the petition or service of the accounting on that interested person pursuant to Probate Rule 5.430(i).

6. The successor Personal Representative or Curator is authorized to pay a \$ \_\_\_\_\_ retainer to the accountant whom the Successor Personal Representative or Curator selects to provided the accounting which this Order requires. The accountant's hourly rate and compensation shall be subject to court approval.

DONE AND ORDERED in Delray Beach, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Circuit Judge

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