

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

IN RE: CASE NO. 502012CP004391XXXXSB  
ESTATE OF SIMON L. BERNSTEIN, CP - Probate

\_\_\_\_\_ /

**NOTICE OF FILING AFFIDAVIT**

COMES NOW, the PANKAUSKI LAW FIRM, P.L.L.C. and hereby gives notice of filing the attached Affidavit of John Pankauski dated February 19, 2014.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished via regular U.S. mail unless otherwise specified below to parties listed on the attached service list on this 20<sup>th</sup> day of February, 2014.

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– and –

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By:     /s/ John J. Pankauski    

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

502012CP004391XXXXSB  
CP - Probate

IN RE:

ESTATE OF SIMON L. BERNSTEIN,

\_\_\_\_\_ /

**AFFIDAVIT OF JOHN PANKAUSKI**

STATE OF FLORIDA

COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, personally appeared JOHN PANKAUSKI (Affiant), and who after being duly sworn, deposes, states under oath, that:

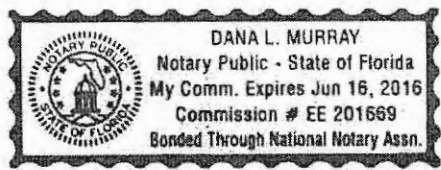
1. Affiant makes the following statements based on personal knowledge.
2. Affiant is a citizen of the United States, and a competent adult over the age of 18.
3. Affiant is an attorney licensed to practice law in the State of Florida, was admitted to the Florida Bar in 1993, and is an attorney with the Pankauski Law Firm PLLC .
4. Affiant submits this Affidavit in opposition to the expected motion to disqualify the Pankauski Law Firm PLLC or John Pankauski.
5. I was contacted by Ted Bernstein and attorney Alan Rose sometime in January of this year.
6. Mr. Ted Bernstein hired me to represent him in his fiduciary capacities regarding his parent's estates and trusts including the administration of this estate, if he is appointed a fiduciary.

7. Mr. Eliot Bernstein contacted my office in September of last year.
8. I had a conversation with Mr. Eliot Bernstein last September. Mr. Bernstein was looking for a lawyer to sue a Boca Raton attorney for malpractice for the backdating of a notary clause related to his parents' estates. Mr. Bernstein did not reveal any confidential information to me or reveal any trial strategy to me. He stated that he could not find an attorney to sue the Boca Raton attorney.
9. I am familiar with the Florida Bar Rules including 4-1.18 regarding prospective clients.
10. My client, Ted Bernstein, desires to administer the estate of his father as curator and has petitioned this Court to be the personal representative. Eliot Bernstein did not provide me with confidential information that may or can be used against or adverse to him .

Dated 2-19-2014

John Pankauski  
 JOHN PANKAUSKI, Affiant

Sworn and subscribed to before me on this 19 day of February, 2014, by Affiant, who is personally known to me, or has produced Florida Driver's License # \_\_\_\_\_ as identification, after being duly sworn, deposes and says that he/she has read the foregoing and states the same to be true and correct to the best of his/her knowledge and belief.



Dana L. Murray  
 NOTARY PUBLIC STATE OF FLORIDA  
 SEAL  
Dana L. Murray  
 Printed Name: