

IN THE CIRCUIT COURT FOR PALM BEACH COUNTY, FLORIDA
PROBATE DIVISION

FILE NO.: 502012CP004391XXXXSB

IN RE: ESTATE OF

SIMON L. BERNSTEIN,

Deceased.

**CURATOR'S PRIVILEGE LOG REGARDING
ELIOT BERNSTEIN'S FIRST REQUEST FOR PRODUCTION TO
BENJAMIN BROWN, ESQ.**

Benjamin P. Brown, Curator of the Estate of Simon L. Bernstein ("Curator"), serves the following privilege log in connection with Eliot Bernstein's First Request for Production of Documents and Things Propounded on Benjamin Brown, Esq., dated May 12, 2014, pursuant to Florida Rule of Civil Procedure 1.280(b), and states:

Date	Author	Addressee	Type of Document	Bates	Reason for Privilege	Summary
9/22/13	Alan Rose ("Rose")	Ted Bernstein ("Ted"), Ransom Jones; cc – Robert Spallina ("Spallina"), mrrmlaw@comcast.net , mrrmlaw1@gmail.com	E-mail	TS2553	Work Product ("WP") and Attorney-Client Privilege ("ACP") (Common Defense) ¹	Drafts of Answer attached ²
5/13/13	Rose	Ted, Spallina, Donald Tescher ("Tescher"); mrrml1@gmail.com	E-mail	TS2554-6	WP, ACP (Common Defense)	FW: Service of Court Documents
6/4/13	Spallina	Kimberly Moran ("Moran")	E-mail	TS2695	WP, ACP (Common Defense)	FW: Bernstein/Stansbury – ABR to Bernstein Team 5/31/13 re Draft Request for Production
4/22/13	Tescher	Rose; mrrmlaw@comcast.net ; cc – Spallina, Ted	E-mail	TS3794-5	WP, ACP (Common Defense)	Bernstein
1/10/14	Spallina	Tescher	E-mail	TS4353	Accountant-Client Privilege	Fwd: Simon Bernstein
1/10/14	Anthony Messuri	Spallina; cc – Abigail Thierman, Linda DeRosa, Jerry, Lewin	E-mail	TS4353-4	Accountant-Client Privilege	Simon Bernstein
6/28/13	Mark Manceri ("Mancer")	Spallina	E-mail	TS4408	WP, ACP	Re: Estate of Simon Bernstein

¹ *Visual Scene v. Pilkington*, 508 So.2d 437 (Fla. 3d DCA 1987).

² Contains communications regarding *Stansbury v. Bernstein*, et al, Palm Beach County Case No. 502012CA013933MBAA. Same for TS2554-6, TS3794-5, TS4408, TS4411-2, TS4427-8 (summary does not indicate related to Stansbury case).

6/27/13	Spallina	Manceri	E-mail	TS4408	WP, ACP	Fw: Estate of Simon Bernstein
6/10/13 10:35 AM	Manceri	Spallina	E-mail	TS4411-2	WP, ACP	NTC/Bernstein Est.
6/10/13 11:13 AM	Spallina	Manceri; cc – Moran Spallina				
6/10/13 11:16 AM	Manceri	Manceri				
6/10/13 11:18 AM	Spallina	Spallina				
6/10/13 11:25 AM	Manceri	Manceri				
6/10/13 11:26 AM	Spallina	Spallina				
6/10/13 11:27 AM	Manceri	Spallina				
6/10/13 2:43 PM	Spallina	?	E-mail	TS4414	WP	Re: Jewelry
6/10/13 3:05 PM	Tescher	Spallina				
Undated	Rose	Tescher, mmmlaw@comcast.net , Spallina Rose	E-mail	TS4427-8	WP, ACP (Common Interest)	Re: Bernstein Trust
5/12/13 7:37 PM	Ted					
11/5/12	swergoldj@gtlaw.com	Ted, Spallina, Tescher	E-mail	TS4530	WP, ACP (Common Interest)	Stansbury
10/15/12	Messuri	Moran	E-mail	TS4545	Accountant- Client	FW: Simon Bernstein

4/23/13	Tescher	Ted; cc – Spallina	E-mail	TS4655	WP (Stansbury Common Interest)	Bernstein Grandchildren's Trusts Under Simon Bernstein Revocable Trust
4/23/13	Tescher	Ted; cc – Spallina	E-mail	TS4651-2	WP (Stansbury Common Interest)	Bernstein Grandchildren's Trusts Under Simon Bernstein Revocable Trust
4/23/13	Tescher	Ted; cc – Spallina	E-mail	TS4654	WP (Stansbury Common Interest)	Bernstein Grandchildren's Trusts Under Simon Bernstein Revocable Trust
10/19/12	Tescher	Moran, Spallina	E-mail with handwritten notes	TS5761	Confidential	FW: Welcome to J.P. Morgan online
1/10/14	Messuri	Spallina; cc – Thierman, DeRosa, Lewin	E-mail	TS5791	Accountant-client Privilege	FWD: Simon Bernstein
11/29/13	Manceri	Tescher, Spallina	Invoice	TS5579-81	WP, ACP	Invoice ³
10/31/13	Manceri	Tescher, Spallina	Invoice	TS5588-9	WP, ACP	Invoice
8/30/13	Manceri	Tescher, Spallina	Invoice	TS5601-2	WP, ACP	Invoice

³ Pending a determination of relevance by the Court, the Curator asserts privileges based on the holdings in *Estilen v. Dyda*, 93 So.3d 1186 (Fla. 4th DCA 2012) and *Finol v. Finol*, 869 So.2d 666 (Fla. 4th DCA 2004). Same for TS5588-9, TS5601-2, TS5755-5757, TS3138-3140, TS3074-76, TS2732-34, TS3185-6, TS3197-9, TS2407-9.

7/31/13	Manceri	Tescher, Spallina	Invoice	TS5755-5757	WP, ACP	Invoice
8/5/13	Manceri	Tescher, Spallina	Letter	TS2696	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
7/26/13	Manceri	Tescher, Spallina	Letter	TS2718	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
7/17/13	Manceri	Tescher, Spallina	Letter	TS2725	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
7/15/13	Manceri	Tescher, Spallina	Letter	TS2729	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
6/17/13	Manceri	Tescher, Spallina	Letter	TS2741	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
6/21/13	Manceri	Tescher, Spallina	Letter	TS2746	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
6/19/13	Manceri	Tescher, Spallina	Letter	TS2763	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
6/7/13	Manceri	Tescher, Spallina	Letter	TS2781	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
6/4/13	Manceri	Tescher, Spallina	Letter	TS2823	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
5/29/13	Manceri	Tescher, Spallina	Letter	TS2993	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al

5/28/13	Manceri	Tescher, Spallina	Letter	TS3044	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
5/17/13	Manceri	Tescher, Spallina	Letter	TS3046	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
3/25/13	Manceri	Tescher, Spallina	Letter	TS3145	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
3/18/13	Manceri	Tescher, Spallina	Letter	TS3152	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
3/4/13	Manceri	Tescher, Spallina	Letter	TS3184	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
3/5/14	Manceri	Tescher, Spallina	Letter	TS3192	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
3/27/13	Manceri	Tescher, Spallina	Letter	TS3141	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
3/29/13	Manceri	Tescher, Spallina	Invoice	TS 3138- 3140	WP, ACP	Invoice
4/30/13	Manceri	Tescher, Spallina	Invoice	TS 3074-76	WP, ACP	Invoice
4/19/13	Manceri	Tescher, Spallina	Letter	TS3125	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
3/15/13	Manceri	Tescher, Spallina	Letter	TS3131	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al

4/16/13	Manceri	Tescher, Spallina	Letter	TS3135	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
8/1/13	Manceri	Tescher, Spallina	Letter	TS2709	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
7/26/13	Manceri	Tescher, Spallina	Letter	TS2713	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
6/28/13	Manceri	Tescher, Spallina	Invoice	TS2732-34	WP, ACP	Invoice
6/25/13	Manceri	Tescher, Spallina	Letter	TS2735	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
5/31/13	Manceri	Tescher, Spallina	Letter	TS2799	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
6/4/13	Manceri	Tescher, Spallina	Letter	TS2809	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
5/31/13	Manceri	Tescher, Spallina	Letter	TS2924	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
5/13/13	Manceri	Tescher, Spallina	Letter	TS3049	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
4/24/14	Manceri	Tescher, Spallina	Letter	TS3054	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
3/18/13	Manceri	Tescher, Spallina	Letter	TS3149	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al

3/4/13	Manceri, Tescher, Spallina		Fee Agreement	TS3185-6	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
3/5/13	Manceri	Tescher, Spallina	Letter	TS3187	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
2/26/13	Manceri, Tescher, Spallina		Fee Agreement	TS3197-9	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
11/5/12	Jon Swergold, Esq.	Ted, Spallina, Tescher	E-mail	TS3228	WP, ACP	Stansbury
3/15/13	Manceri	Tescher, Spallina	Letter	TS2397	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
3/4/13	Manceri	Tescher, Spallina	Letter & Fee Agreement	TS2407-9	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
12/12/13	Manceri	Tescher, Spallina	Letter	TS2425	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
12/6/12	Manceri	Tescher, Spallina	Letter	TS2428	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
10/16/13	Manceri	Tescher, Spallina	Letter	TS2523	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
9/24/13	Manceri	Tescher, Spallina	Letter	TS2534	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
9/30/13	Manceri	Tescher, Spallina	Letter	TS2550	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al

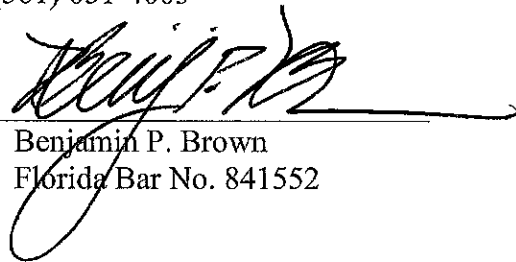
9/19/13	Manceri	Tescher, Spallina	Letter	TS2552	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
9/27/13	Manceri	Tescher, Spallina	Letter	TS2557	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
9/23/13	Manceri	Tescher, Spallina	Letter	TS2584	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
9/4/13	Manceri	Tescher, Spallina	Letter	TS2667	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
8/5/13	Manceri	Tescher, Spallina	Letter	TS2700	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
8/2/13	Manceri	Tescher, Spallina	Letter	TS2705	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
12/2/13	Manceri	Tescher, Spallina	Letter	TS2432	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
11/19/13	Manceri	Tescher, Spallina	Letter	TS2435	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
11/15/13	Manceri	Tescher, Spallina	Letter	TS2442	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
11/7/13	Manceri	Tescher, Spallina	Letter	TS2448	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
11/13/13	Manceri	Tescher, Spallina	Letter	TS2491	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al

							Bernstein, et al
11/4/13	Manceri	Tescher, Spallina	Letter		TS2496	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
11/1/13	Manceri	Tescher, Spallina	Letter		TS2499	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
10/23/13	Manceri	Tescher, Spallina	Letter		TS2503	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
10/23/13	Manceri	Tescher, Spallina	Letter		TS2505	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
10/24/13	Manceri	Tescher, Spallina	Letter		TS2507	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al
12/24/13	Manceri	Tescher, Spallina	Letter		TS2424	WP, ACP	Estate of Simon L. Bernstein/Stansbury v. Bernstein, et al

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by e-mail upon Alan Rose, Esq., Page Mrachek, 505 S. Flagler Drive, Suite 600, West Palm Beach, FL 33401, arose@pm-law.com and mchandler@pm-law.com; John Pankauski, Esq, Pankauski Law Firm, 120 S. Olive Ave., Suite 701, West Palm Beach, FL 33401, courtfilings@pankauskilawfirm.com, Peter M. Feaman, Esq., Peter M. Feaman, P.A., 3615 W. Boynton Beach Blvd., Boynton Beach, FL 33436, service@feamanlaw.com; Eliot Bernstein, 2753 NW 34th Street, Boca Raton, FL 33434, iviewit@iviewit.tv; William H. Glasko, Esq., Golden Cowan, Palm Palmetto Bay Law Center, 17345 S. Dixie Highway, Palmetto Bay FL 33157, bill@palmettobaylaw.com, John P. Morrissey, Esq., 330 Clematis Street, Suite 213, West Palm Beach, FL 33401 john@jmorrisseylaw.com on this 1st day of June, 2014.

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