

July 25, 2014

Ted S. Bernstein, Trustee  
Shirley Bernstein Trust Agreement  
880 Berkeley Street  
Boca Raton, FL 33487

Sent by Certified Mail, Return Receipt Requested, and Electronic Mail

RE: Welfare Distribution from Shirley's Trust

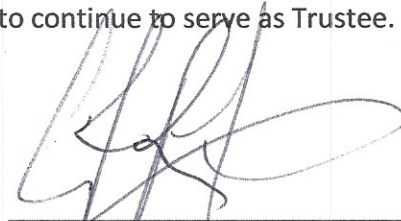
Dear Ted,

My children and I are in need of a distribution from Mom's trust in the amount of \$43929.70 to bring current a past due account at St. Andrews School from last year and to pay for the 2014-2015 school year an additional \$81,350.00 for a total of \$125,279.70. I need to receive this distribution no later than August 6, 2014 or my children risk disenrollment at the school. (The letter from St. Andrews School to that affect is enclosed).

Under the terms of the Trust, Article II, Section F, the Trustee "shall pay to the beneficiary and the beneficiary's children, such amounts of the principal of such beneficiary's trust as is proper for the Welfare of such individuals." Under Article III, Sections (E)(4) and (E)(6), the definition of a Welfare distribution includes payments for such person's "Needs," which is further defined as payments for a person's "support, health (including lifetime residential or nursing home care), maintenance and education." The trust's distribution directive to the Trustee, at least for Needs such as education funding, is mandatory not discretionary.

Please let me know how funding can be facilitated relatively quickly as the due date is rapidly approaching. Thank you in advance for your anticipated prompt cooperation.

This request for an education distribution from the Trust arises from our urgent need to pay for tuition and shall not be considered, and is not, a waiver of my right or the rights of my children to contest the validity of the Trust or your fitness to continue to serve as Trustee.



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Eliot Bernstein  
2753 NW 34<sup>th</sup> Street  
Boca Raton, FL 33434-3459

(561) 245-8588 (Home)

(561) 886-7628 (Cell)

[lviewit@iviewit.tv](mailto:lviewit@iviewit.tv)

## Eliot Ivan Bernstein

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**From:** Candice Bernstein <tourcandy@gmail.com>  
**Sent:** Tuesday, July 22, 2014 1:01 PM  
**To:** Eliot Bernstein; Eliot Ivan Bernstein  
**Subject:** from Saint Andrews

**From:** Kathy Van Valkenburg [<mailto:kathy.vanvalkenburg@saintandrews.net>]  
**Sent:** Tuesday, July 22, 2014 10:05 AM  
**To:** Candice Bernstein  
**Cc:** Kilian Forgas; Philip Cork  
**Subject:** Re: Joshua, Jacob and Danny Bernstein

Dear Mrs. Bernstein,

I have shared your email with the School Committee responsible for determining continued enrollment for students with financial issues such as yours. The Committee has decided that the outstanding balance from last year has to be paid in full by August 8th so that then re enrollment contracts can issued. When the re enrollment contracts are issued only plan A, B, or C can be chosen and the signed contract with applicable payment per the contract plan will need to be received by the Business Office by August 15th.

Hopefully you will be able to abide by these terms, so that the children will be able to return to Saint Andrew's for the upcoming academic year.

Sincerely,

Kathy Van Valkenburg

On Thu, Jul 10, 2014 at 1:44 PM, Candice Bernstein <[tourcandy@gmail.com](mailto:tourcandy@gmail.com)> wrote:

Hello Kathy,

I apologize for the delay in responding to you pursuant to our last conversation. We have been preparing for two mini-trial upcoming court hearings and have exhausted every moment in preparation. The first hearing is July 11 and will continue on July 16. We are hopeful that after these hearings and motions being heard pertaining to the release of funds for Joshua, Jake and Danny's tuition's, I will be able to provide you with the exact date you will be receiving the funds necessary for the boys to enroll for next year. I can't thank you and the admissions department enough for your patience while our family gets through this difficult time. As I have mentioned on the phone, our family has suffered from criminal wrongdoings on behalf of the executors and trustees that have been administering the probate and estate cases for my husband's parents that has affected the education trust funds set aside for our children. Unfortunately the court process has been slow, however all is going in the right direction thanks from the help of the Palm Beach County Sheriffs financial crimes division that has been handling these matters. There are substantial funds available and already set aside for tuition it is just a matter of the courts processes to finally receive the relief requested. Saint Andrews School is our top priority being brought forward to the judge this week and next and please know there is nothing more important to our family

than to see Joshua graduate this year with his friends and peers and from his beloved school that our family has proudly dedicated the last six years to be a part of and to continue future years to come. Thank you again for your kindness and support and please know how truly appreciative our family is. I will keep you posted.

Warmest regards,

Candice Bernstein

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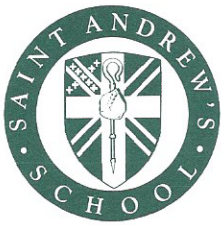
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Kathy J. Van Valkenburg  
Business Manager

Saint Andrew's School  
561-210-2032



# SAINT ANDREW'S SCHOOL

3900 JOG ROAD  
BOCA RATON, FLORIDA 33434  
(561) 210-2030

7/7/2014

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Joshua E. Bernstein

ACCOUNT OF:

Mrs. Candice Bernstein  
2753 NW 34th St  
Boca Raton, FL 33434-3459

11988

twelfth

AMOUNT DUE	\$15620.50
AMOUNT ENCLOSED	

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR REMITTANCE

DATE	TYPE	REFERENCE	CHARGE	CREDIT
		<b>Joshua E. Bernstein</b>		
6/30/2014	Charge	Balance Forward 6/1/2014	\$15619.00	
		Bookstore Charges	\$1.50	
		<b>Subtotal - Joshua E. Bernstein</b>	<b>\$15620.50</b>	
<b>Outstanding Balance Forward &amp; Outstanding 7/1/14 Tuition and Fees are Past Due</b>				

## STATEMENT

<Current>	31-60	61-90	over 90	TOTAL
\$ 1.50	\$ 113.25	\$ 127.50	\$ 15378.25	\$ 15620.50

ALL OUTSTANDING BALANCES ARE DUE UPON RECEIPT. PAYMENTS MUST BE RECEIVED NO LATER THAN 8/4/14. PAST DUE BALANCES AT THAT TIME WILL BE SUBJECT TO LATE CHARGES AT THE RATE OF 1½% MONTHLY.





# SAINT ANDREW'S SCHOOL

3900 JOG ROAD  
BOCA RATON, FLORIDA 33434  
(561) 210-2030

7/7/2014

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Jacob N. Bernstein

ACCOUNT OF:

Mrs. Candice Bernstein  
2753 NW 34th St  
Boca Raton, FL 33434-3459

11987

tenth

AMOUNT DUE

\$15975.25

AMOUNT ENCLOSED

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR REMITTANCE

DATE	TYPE	REFERENCE	CHARGE	CREDIT
		<b>Jacob N. Bernstein</b>		
		Balance Forward 6/1/2014	\$15975.25	
<b>Outstanding Balance Forward &amp; Outstanding 7/1/14 Tuition and Fees are Past Due</b>				

## STATEMENT

<Current>  
\$ 0.00

31-60  
\$ 0.00

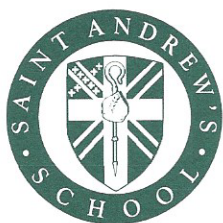
61-90  
\$ 0.00

over 90  
\$ 15975.25

TOTAL

\$ 15975.25

ALL OUTSTANDING BALANCES ARE DUE UPON RECEIPT. PAYMENTS MUST BE RECEIVED NO LATER THAN 8/4/14.  
PAST DUE BALANCES AT THAT TIME WILL BE SUBJECT TO LATE CHARGES AT THE RATE OF 1½% MONTHLY.



# SAINT ANDREW'S SCHOOL

3900 JOG ROAD  
BOCA RATON, FLORIDA 33434  
(561) 210-2030

7/7/2014

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Daniel E. Bernstein

ACCOUNT OF:

Mrs. Candice Bernstein  
2753 NW 34th St  
Boca Raton, FL 33434-3459

11983

sixth

AMOUNT DUE	\$12333.95
AMOUNT ENCLOSED	

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR REMITTANCE

DATE	TYPE	REFERENCE	CHARGE	CREDIT
		<b>Daniel E. Bernstein</b>		
		Balance Forward 6/1/2014	\$12333.95	
<b>Outstanding Balance Forward &amp; Outstanding 7/1/14 Tuition and Fees are Past Due</b>				

### STATEMENT

<Current>	31-60	61-90	over 90	TOTAL
\$ 0.00	\$ 0.00	\$ 0.00	\$ 12333.95	\$ 12333.95

ALL OUTSTANDING BALANCES ARE DUE UPON RECEIPT. PAYMENTS MUST BE RECEIVED NO LATER THAN 8/4/14. PAST DUE BALANCES AT THAT TIME WILL BE SUBJECT TO LATE CHARGES AT THE RATE OF 1½% MONTHLY.



LEGACY BANK OF FLORIDA  
2300 GLADES RD SUITE 140W  
BOCA RATON FL 33431

PAGE: 1  
ACCOUNT: 10002657 08/31/2012  
DOCUMENTS: 10

TELEPHONE: 561-347-1970

Simon paying for school  
through BFR

000027

BERNSTEIN FAMILY REALTY LLC  
950 PENINSULA CORP. CRL #3010  
BOCA RATON FL 33487

30  
0  
10

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BUSINESS CHECKING ACCOUNT 10002657

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MINIMUM BALANCE	76.01	LAST STATEMENT 07/31/12	2,950.29
AVERAGE BALANCE	2,078.25	2 CREDITS	12,000.00
		16 DEBITS	9,002.28
		THIS STATEMENT 08/31/12	5,948.01

----- OTHER CREDITS -----

DESCRIPTION	DATE	AMOUNT
7001872/Incoming Wire Transfer/SIMON BERNSTEIN/OS1 OF 12/08/06	08/06	6,000.00
7171104/Incoming Wire Transfer/SIMON BERNSTEIN/OS1 OF 12/08/30	08/30	6,000.00

----- CHECKS -----

CHECK #..DATE.....AMOUNT	CHECK #..DATE.....AMOUNT	CHECK #..DATE.....AMOUNT
683 08/13 180.00	995320 08/03 135.00	995325 08/28 80.00
684*08/17 180.00	995321 08/01 79.75	995326 08/30 128.00
686*08/22 275.00	995322 08/02 33.00	
688*08/29 175.50	995323*08/09 128.00	

(\* ) INDICATES A GAP IN CHECK NUMBER SEQUENCE

----- OTHER DEBITS -----

DESCRIPTION	DATE	AMOUNT
FP&L ONLINE PMT CKF759467605POS	08/01	460.62
Saint Andrew's FACTS 000000006074254	08/06	5,552.10
COMCAST ONLINE PMT CKF759467605POS	08/23	287.89
FP&L ONLINE PMT CKF759467605POS	08/23	460.62
CLAUDE MAXIME ONLINE PMT CKF759467605POS	08/27	380.00
CHECK # 685 - BOCA RATON TIRE PURCHASE 685 BOCAFL	08/16	466.80

\*\*\* CONTINUED \*\*\*



you.

**From:** Rachel Walker [mailto:rachel3584@gmail.com]  
**Sent:** Wednesday, October 10, 2012 7:19 AM  
**To:** Robert Spallina  
**Subject:** Fwd: FACTS Payment Plan Confirmation (6300528)

Sent from my iPhone

Begin forwarded message:

**From:** FACTS Management Company <noreply2@factsmgt.com>  
**Date:** May 22, 2012, 2:07:33 PM EDT  
**To:** <rachel3584@gmail.com>  
**Subject:** FACTS Payment Plan Confirmation (6300528)

**FACTS Management Company**  
**Confirmation Notification**

Agreement #: 101

Mr. Simon Bernstein:

05/2



Thank you for using FACTS Management Company to make your payment for Saint Andrew's School. The person responsible for payment on this agreement is Mr. Simon Bernstein.

The following Additional Authorized Parties have been added to the agreement:  
Rachel Walker

The total balance due to Saint Andrew's School is \$55,521.00. Details about your balance are located at the end of this notice.

Your schedule of payments is listed below. Payments will be processed automatically from your checking account with Legacy Bank until the balance is paid in full.

Date	Description	Amount
06/05/2012	Payment	\$5,552.10
07/05/2012	Payment	\$5,552.10
08/06/2012	Payment	\$5,552.10
09/05/2012	Payment	\$5,552.10
10/05/2012	Payment	\$5,552.10
11/05/2012	Payment	\$5,552.10
12/05/2012	Payment	\$5,552.10
01/07/2013	Payment	\$5,552.10
02/05/2013	Payment	\$5,552.10
03/05/2013	Payment	\$5,552.10

**Fee Information:**

A \$30.00 FACTS returned payment fee will be assessed for each returned payment.

**Customer Service and Online Access:**

This confirmation notification is based on the terms of your original agreement. To manage your agreement information or make payments online, go to <https://online.factsmgt.com>. If clicking the link does not work in your email program you can copy the entire link and paste it into the address box of your browser.

Please contact customer service representatives at (866) 441-4637 with any questions. If you have questions regarding the terms of your payment plan, please contact Saint Andrew's-June Shumate/Cherry Fiske at 561-210-2038.

Sincerely,

FACTS Management Company

10/23/2012