**IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT IN AND FOR**

**PALM BEACH COUNTY, FLORIDA**

**PROBATE DIVISION**

**IN RE: CASE NO. 502012CP004391XXXXSB**

**ESTATE OF SIMON L. BERNSTEIN**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_/**

**NOTICE OF HEARING**

PLEASE TAKE NOTICE that the undersigned will call up for hearing the matters designated below before Judge Martin Colin at the Palm Beach South County Courthouse, 200 West Atlantic Avenue, Delray Beach, Florida 33444:

**Date:** September 24, 2014

**Time:**  1:30 PM

**Judge:**  The Honorable Martin Colin

**Matters:** “PETITION TO REMOVE TED BERNSTEIN AS ALLEGED SUCCESSOR TRUSTEE OF THE ALLEGED SIMON BERNSTEIN REVOCABLE TRUST and subpart exhibits as they relate to removing Bernstein:

1. Docket #244 – Simon Estate (see Exhibit G)

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| --- | --- | --- | --- |
|  | MOT - MOTION |  |  |

|  |  |
| --- | --- |
| **Filing Date:** | 28-AUG-2014 |
| **Filing Party:** | BERNSTEIN, ELIOT IVAN |
| **Docket Text:** | (AMENDED) FOR REMOVAL OF PERSONAL REPRESENTATIVE AND TRUSTEE OF THE ESTATES AND TRUST OF SIMON AND SHIRLEY BERNSTEIN IN ALL FIDUCIAL CAPACITIES ON THE COURT'S OWN INITIATIVE UNEXECUTED ORDER ATTACHED EFILED | |

1. Docket #215 - Simon Estate (see Exhibit H)

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| --- | --- | --- | --- |
|  | PET - PETITION |  |  |

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| **Filing Date:** | 29-JUL-2014 |
| **Filing Party:** | STANSBURY, WILLIAM E |
| **Docket Text:** | PETITION TO REMOVE TED BERNSTEIN AS SUCCESSOR TRUSTEE OF THE SIMON BERNSTEIN REVOCABLE TRUST | |

1. Docket #188 - Simon Estate (see Exhibit I)

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| --- | --- | --- | --- |
| 188 | RESP - RESPONSE TO: |  |  |

|  |  |
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| **Filing Date:** | 27-JUN-2014 |
| **Filing Party:** | STANSBURY, WILLIAM E |
| **Docket Text:** | RESPONSE IN OPPOSITION TO THE APPOINTMENT OF TED BERNSTEIN AS SUCCESSOR PERSONAL REPRESENTATIVE AND MOTION FOR THE APPOINTMENT OF AN INDEPENDENT THIRD PARTY AS BOTH SUCCESSOR PERSONAL REPRESENTATIVE AND TRUSTEE OF THE SIMON BERNSTEIN TRUST AGREEMENT F/B | |

1. Docket #126 - Simon Estate (see Exhibit J)

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| --- | --- | --- | --- |
| 126 | NOF - NOTICE OF FILING |  |  |

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| **Filing Date:** | 22-MAY-2014 |
| **Filing Party:** | William Stansbury |
| **Docket Text:** | JOINDER IN PETITION FILED BY ELIOT IVAN BERNSTEIN FOR REMOVAL OF TRUSTEE AND FOR TRUST ACCOUNTING F/B WILLIAM E. STANSBURY, CREDITOR OF THE E/O SIMON BERNSTEIN E-FILED | |

1. Docket # - Simon Estate (see Exhibit K)

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| --- | --- | --- | --- |
| 97 | PET – PETITION |  |  |

|  |  |
| --- | --- |
| **Filing Date:** | 07-APR-2014 |
| **Filing Party:** | Eliot Bernstein |
| **Docket Text:** | PETITION FOR CONSTRUCTION OF TESTAMENTARY TRUST, FOR REMOVAL OF TRUSTEE AND FOR TRUST ACCOUNTING BY ELIOT IVAN BERNSTEIN | |

After the Motion to remove Ted a Status Conference on All Pending Matters and to determine what is up next.

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by e-mail upon the attached service list on September 08, 2014 by email.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

By: ELIOT BERNSTEIN, individually and on behalf of his minor children, who are qualified beneficiaries of Settlor's Trust,

Petitioner (pro se)

2753 N.W. 34th St.

Boca Raton, Florida 33434-3459

(561) 245.8588 (telephone)

Email address: [iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)

**EMAIL SERVICE LIST**

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| --- | --- | --- | --- |
| RESPONDENT PERSONALLY, PROFESSIONALLY, AS A GUARDIAN AND TRUSTEE FOR MINOR/ADULT CHILDREN, AS AN ALLEGED TRUSTEE AND ALLEGED PERSONAL REPRESENTATIVE  Theodore Stuart Bernstein  Life Insurance Concepts  950 Peninsula Corporate Circle, Suite 3010  Boca Raton, Florida 33487  [tbernstein@lifeinsuranceconcepts.com](mailto:tbernstein@lifeinsuranceconcepts.com) | RESPONDENT INDIVIDUALLY, PROFESSIONALLY AND LAW FIRM and COUNSEL TO THEODORE BERNSTEIN IN VARIOUS CAPACITIES  Alan B. Rose, Esq.  Page, Mrachek, Fitzgerald & Rose, P.A.  505 South Flagler Drive, Suite 600  West Palm Beach, Florida 33401  (561) 355-6991  [arose@pm-law.com](mailto:arose@pm-law.com)  and  [arose@mrachek-law.com](mailto:arose@mrachek-law.com)  [mchandler@mrachek-law.com](mailto:mchandler@mrachek-law.com)  [cklein@mrachek-law.com](mailto:cklein@mrachek-law.com)  [lmrachek@mrachek-law.com](mailto:lmrachek@mrachek-law.com) [rfitzgerald@mrachek-law.com](mailto:rfitzgerald@mrachek-law.com) [skonopka@mrachek-law.com](mailto:skonopka@mrachek-law.com) [dthomas@mrachek-law.com](mailto:dthomas@mrachek-law.com) [gweiss@mrachek-law.com](mailto:gweiss@mrachek-law.com) [jbaker@mrachek-law.com](mailto:jbaker@mrachek-law.com) [mchandler@mrachek-law.com](mailto:mchandler@mrachek-law.com) [lchristian@mrachek-law.com](mailto:lchristian@mrachek-law.com)  [tclarke@mrachek-law.com](mailto:tclarke@mrachek-law.com) [gdavies@mrachek-law.com](mailto:gdavies@mrachek-law.com) [pgillman@mrachek-law.com](mailto:pgillman@mrachek-law.com) [dkelly@mrachek-law.com](mailto:dkelly@mrachek-law.com) [cklein@mrachek-law.com](mailto:cklein@mrachek-law.com) [lwilliamson@mrachek-law.com](mailto:lwilliamson@mrachek-law.com) | RESPONDENT INDIVIDUALLY, PROFESSIONALLY AND LAW FIRM and COUNSEL TO THEODORE BERNSTEIN IN VARIOUS CAPACITIES  John J. Pankauski, Esq.  Pankauski Law Firm PLLC  120 South Olive Avenue  7th Floor  West Palm Beach, FL 33401  (561) 514-0900  [courtfilings@pankauskilawfirm.com](mailto:courtfilings@pankauskilawfirm.com)  [john@pankauskilawfirm.com](mailto:john@pankauskilawfirm.com) | RESPONDENT INDIVIDUALLY, PROFESSIONALLY AND LAW FIRM AND AS FORMER COUNSEL TO THEODORE BERNSTEIN IN VARIOUS CAPACITIES  Robert L. Spallina, Esq.,  Tescher & Spallina, P.A.  Boca Village Corporate Center I  4855 Technology Way  Suite 720  Boca Raton, FL 33431  [rspallina@tescherspallina.com](mailto:rspallina@tescherspallina.com)  [kmoran@tescherspallina.com](mailto:kmoran@tescherspallina.com) [ddustin@tescherspallina.com](mailto:ddustin@tescherspallina.com) |
| RESPONDENT INDIVIDUALLY AND AS GUARDIAN AND TRUSTEE OF HER MINOR CHILD  Pamela Beth Simon  950 N. Michigan Avenue  Apartment 2603  Chicago, IL 60611  [psimon@stpcorp.com](mailto:psimon@stpcorp.com) | COUNSEL FOR LIMITED APPEARANCE representing Mr. Tescher in connection with his Petition for Designation and  Discharge as Co-Personal Representative of the Estate of Simon L. Bernstein, deceased.  Irwin J. Block, Esq.  The Law Office of Irwin J. Block PL  700 South Federal Highway  Suite 200  Boca Raton, Florida 33432  [ijb@ijblegal.com](mailto:ijb@ijblegal.com)  [martin@kolawyers.com](mailto:martin@kolawyers.com) | RESPONDENT INDIVIDUALLY, PROFESSIONALLY AND LAW FIRM and FORMER WITHDRAWN COUNSEL TO THEODORE BERNSTEIN IN VARIOUS CAPACITIES, NO NOTICES OF APPEARANCES  Mark R. Manceri, Esq., and  Mark R. Manceri, P.A.,  2929 East Commercial Boulevard  Suite 702  Fort Lauderdale, FL 33308  [mrmlaw@comcast.net](mailto:mrmlaw@comcast.net)  [mrmlaw1@gmail.com](mailto:mrmlaw1@gmail.com) | RESPONDENT INDIVIDUALLY, PROFESSIONALLY AND LAW FIRM AND AS FORMER COUNSEL TO THEODORE BERNSTEIN IN VARIOUS CAPACITIES  Donald Tescher, Esq., Tescher & Spallina, P.A.  Boca Village Corporate Center I  4855 Technology Way  Suite 720  Boca Raton, FL 33431  [dtescher@tescherspallina.com](mailto:dtescher@tescherspallina.com) [dtescher@tescherspallina.com](mailto:dtescher@tescherspallina.com) [ddustin@tescherspallina.com](mailto:ddustin@tescherspallina.com) [kmoran@tescherspallina.com](mailto:kmoran@tescherspallina.com) |
| RESPONDENT INDIVIDUALLY AND AS GUARDIAN AND TRUSTEE OF HER MINOR CHILD  Jill Iantoni  2101 Magnolia Lane  Highland Park, IL 60035  [jilliantoni@gmail.com](mailto:jilliantoni@gmail.com) | COUNSEL TO CREDITOR WILLIAM STANSBURY  Peter Feaman, Esquire  Peter M. Feaman, P.A.  3615 Boynton Beach Blvd.  Boynton Beach, FL 33436  [pfeaman@feamanlaw.com](mailto:pfeaman@feamanlaw.com)  [service@feamanlaw.com](mailto:service@feamanlaw.com) [mkoskey@feamanlaw.com](mailto:mkoskey@feamanlaw.com) | COURT APPROVED CURATOR TO REPLACE THE REMOVED FORMER PERSONAL REPRESENTATIVES/CO-TRUSTEES/COUNSEL TO THEMSELVES AS FIDUCIARIES TESCHER AND SPALLINA  Benjamin Brown, Esq.,  Thornton B Henry, Esq., and  Peter Matwiczyk  Matwiczyk & Brown, LLP  625 No. Flagler Drive  Suite 401  West Palm Beach, FL 33401  [bbrown@matbrolaw.com](mailto:bbrown@matbrolaw.com)  [attorneys@matbrolaw.com](mailto:attorneys@matbrolaw.com) [bhenry@matbrolaw.com](mailto:bhenry@matbrolaw.com)  [pmatwiczyk@matbrolaw.com](mailto:pmatwiczyk@matbrolaw.com) | COUNSEL FOR JILL IANTONI and LISA FRIEDSTEIN  William M. Pearson, Esq.  P.O. Box 1076  Miami, FL 33149  [wpearsonlaw@bellsouth.net](mailto:wpearsonlaw@bellsouth.net) |
| RESPONDENT INDIVIDUALLY AND AS GUARDIAN AND TRUSTEE OF HER MINOR CHILD  Lisa Friedstein  2142 Churchill Lane  Highland Park, IL 60035  Lisa@friedsteins.com  [lisa.friedstein@gmail.com](mailto:lisa.friedstein@gmail.com)  [lisa@friedsteins.com](mailto:lisa@friedsteins.com) | COUNSEL FOR JILL IANTONI and LISA FRIEDSTEIN  William H. Glasko, Esq.  Golden Cowan, P.A.  1734 South Dixie Highway  Palmetto Bay, FL 33157  [bill@palmettobaylaw.com](mailto:bill@palmettobaylaw.com)  [eservice@palmettobaylaw.com](mailto:eservice@palmettobaylaw.com)  [tmealy@gcprobatelaw.com](mailto:tmealy@gcprobatelaw.com) | RESPONDENT – ADULT CHILD  Alexandra Bernstein  3000 Washington Blvd, Apt 424  Arlington, VA, 22201  [alb07c@gmail.com](mailto:alb07c@gmail.com) | RESPONDENT/ARRESTED AND CONVICTED OF FRAUD AND ADMITTED TO FORGERY OF SIX SIGNATURES, INCLUDING POST MORTEM FOR SIMON/HAS HAD NOTARY PUBLIC LICENSE REVOKED BY FLORIDA GOVERNOR RICK SCOTT NOTARY PUBLIC DIVISION. \*See notes  Kimberly Moran  [kmoran@tescherspallina.com](mailto:kmoran@tescherspallina.com) |
| RESPONDENT – ADULT CHILD  Eric Bernstein  2231 Bloods Grove Circle  Delray Beach, FL 33445  [ebernstein@lifeinsuranceconcepts.com](mailto:ebernstein@lifeinsuranceconcepts.com) [edb07@fsu.edu](mailto:edb07@fsu.edu)  [edb07fsu@gmail.com](mailto:edb07fsu@gmail.com) | RESPONDENT – INITIALLY MINOR CHILD AND NOW ADULT CHILD  Michael Bernstein  2231 Bloods Grove Circle  Delray Beach, FL 33445  [mchl\_bernstein@yahoo.com](mailto:mchl_bernstein@yahoo.com) |  | COUNSEL TO ALEXANDRA, ERIC AND MICHAEL BERNSTEIN AND MOLLY SIMON  John P Morrissey. Esq.  John P. Morrissey, P.A. 330 Clematis Street  Suite 213  West Palm Beach, FL 33401  [john@jmorrisseylaw.com](mailto:john@jmorrisseylaw.com) |
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| RESPONDENT/REPRIMANDED BY FLORIDA GOVERNOR RICK SCOTT NOTARY PUBLIC DIVISION FOR FAILING TO NOTARIZE AN ALLEGED 2012 WILL AND TRUST OF SIMON AND SIGNING NOTARY UNDER FALSE NAME  Lindsay Baxley aka Lindsay Giles  [lindsay@lifeinsuranceconcepts.com](mailto:lindsay@lifeinsuranceconcepts.com) | RESPONDENT MINOR CHILDREN  Carley & Max Friedstein, Minors  c/o Jeffrey and Lisa Friedstein  Parents and Natural Guardians  2142 Churchill Lane  Highland Park, IL 6003  Lisa@friedsteins.com  lisa.friedstein@gmail.com | RESPONDENT – MINOR CHILD INITIALLY NOW ADULT CHILD  Molly Simon  1731 N. Old Pueblo Drive  Tucson, AZ 85745  [molly.simon1203@gmail.com](mailto:molly.simon1203@gmail.com) |  |