

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

CASE NO. 502012CP004391XXXXSB
CP - Probate

IN RE:

ESTATE OF SIMON L. BERNSTEIN,

**ORDER ON MOVANT'S, TED S. BERNSTEIN, AS SUCCESSOR TRUSTEE OF THE
SIMON BERNSTEIN TRUST, MOTION TO HOLD ELIOT BERNSTEIN IN
CONTEMPT OF COURT AND FOR SANCTIONS, AND TO COMPEL COMPLIANCE
WITH PRIOR ORDERS AND SERVICE RULES**

THIS CAUSE having come before the Court on September 15, 2014, upon Movant's, Ted S. Bernstein, as Successor Trustee of the Simon Bernstein Trust, Motion to Hold Eliot Bernstein in Contempt of Court and for Sanctions, and to Compel Compliance with Prior Orders and Service Rules ("The Motion"), the Court, having heard argument on the Motion and being fully advised in the premises hereby ORDERS AND ADJUDGES that as to the four issues raised:

1. The Court is not holding Eliot Bernstein in contempt for violating the July 18th Order, but is deferring ruling until a later hearing whether to strike those allegations that the Trustee claims violate the intent of the privileged communication law. The Court will consider at the separate hearing whether to strike references to the privileged e-mail in any court filings or pleadings.
2. The Court has entered a separate order compelling the deposition of Eliot Bernstein.
3. The Court defers ruling on the motion to compel production of documents, which may be renoticed for a later hearing.

4. The Court has stated a ruling on the record addressing the service of pleadings by e-mail in this case.

DONE AND ORDERED in Chambers, in Palm Beach County, Florida, this 4th day of September, 2014.



Martin H. Colin
CIRCUIT COURT JUDGE

cc: All parties on the attached service list

SERVICE LIST

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and Eliot and Candice Bernstein,
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