

IN THE CIRCUIT COURT OF THE 15TH  
JUDICIAL CIRCUIT, IN AND FOR PALM  
BEACH COUNTY, FLORIDA

CASE NO. 502014CP002815XXXXSB

OPPENHEIMER TRUST COMPANY  
OF DELAWARE, IN ITS CAPACITY  
AS RESIGNED TRUSTEE OF THE  
SIMON BERNSTEIN IRREVOCABLE  
TRUSTS CREATED FOR THE BENEFIT  
OF JOSHUA, JAKE AND DANIEL  
BERNSTEIN,

HON. JEFFREY DANA GILLEN  
**TRANSFERRED** TO HON. MARTIN  
COLIN

Petitioner,

v.

ELIOT AND CANDICE BERNSTEIN,  
IN THEIR CAPACITY AS PARENTS AND  
NATURAL GUARDIANS OF JOSHUA,  
JAKE AND DANIEL BERNSTEIN, MINORS,

Respondents,

\_\_\_\_\_ /

**MOTION IN OPPOSITION TO: “(I) OPPENHEIMER BANK OF  
DELAWARE'S MOTION TO APPOINT GUARDIAN AD LITEM FOR  
MINOR BENEFICIARIES; AND (II) OPPENHEIMER BANK OF  
DELAWARE'S MOTION TO STRIKE OR SEVER COUNTERCLAIM,”**

COMES NOW, Eliot Ivan Bernstein (“Eliot”) and Candice Michelle Bernstein  
 (“Candice”), both PRO SE, as Guardians for their three minor children (“Petitioners”) and  
 hereby files this “MOTION IN OPPOSITION TO: “(I) OPPENHEIMER BANK OF DELAWARE'S  
 MOTION TO APPOINT GUARDIAN AD LITEM FOR MINOR BENEFICIARIES; AND (II)  
 OPPENHEIMER BANK OF DELAWARE'S MOTION TO STRIKE OR SEVER  
 COUNTERCLAIM,” and in support thereof states, on information and belief, as follows:

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1. By letter dated April 22, 2014 (see Exhibit 1, "Notice of Resignation"), Oppenheimer resigned as trustee Sua Sponte to Petitioners' trusts effective May 26, 2014 and has since abandoned three trusts of Petitioners (all minor children) they had been acting as Trustees for.
2. That prior to their Sue Sponte resignation as alleged Trustee, Oppenheimer was aware of fraud and other criminal acts and civil torts including those that were alleged against them and others they worked with in the handling of the Petitioners' trusts and a company they are alleged Manager for, Bernstein Family Realty LLC ("BFR"), owned by the Petitioners trusts.
3. That Oppenheimer had full knowledge that documents authorizing them to act as Trustee were not given to Eliot and Candice completed and fully executed and therefore the integrity of their claim that they were Trustee is challenged.
4. That "Oppenheimer Trust Company of Delaware" does not have any authority to act on behalf of the Petitioners trusts as that company did not execute any trust contracts or documents on behalf of Petitioners trusts.
5. That "Oppenheimer Trust Company" and "Oppenheimer Trust Company of Delaware" are not licensed to do business in Florida.
6. That Oppenheimer had knowledge at the time of their resignation that Fraud and Forgery had been proven in the Estates and Trusts of Simon Bernstein ("Simon") and Shirley Bernstein ("Shirley") against the former Co-Trustees, Co-Personal Representatives and Counsel to the Co-Trustees and Co-Personal Representatives of the Estate of Simon and Counsel to the alleged Trustee and Personal Representative, Theodore Stuart Bernstein ("THEODORE" or "TED") of the Estate of Shirley, ATTORNEYS AT LAW Donald R. Tescher, Esq. ("TESCHER") and Robert L. Spallina, Esq. ("SPALLINA") of Tescher & Spallina, P.A.
7. That due to Oppenheimer's direct involvement with TESCHER and SPALLINA in orchestrating the alleged illegal takeover of the Petitioners trusts and the Petitioners company BFR, Eliot and Candice

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advised Oppenheimer that prior to seeking any resignation or transfer of the trust corpus that they should seek a Court order on what to do prior to resignation due to the proven frauds not only in the Estates and Trusts of Simon and Shirley but in direct relation to alleged frauds committed in the Petitioners' trusts, including robbing trust funds of minors, trusts that were set up and funded by Simon and Shirley while they were living.

8. That Eliot and Candice advised Oppenheimer in their alleged fiduciary capacities to administer the Petitioners' trusts on behalf of the beneficiaries by fulfilling their obligations to report the alleged criminal misconduct and civil torts to the proper authorities and the Court, prior to abandoning the trusts and their duties as alleged Trustee.
9. That Oppenheimer instead chose a dereliction and breach of fiduciary duties and failed to protect the beneficiaries from the criminal acts and civil torts alleged committed by SPALLINA and TESCHER that directly relate to the misuse of the Petitioners trusts funds that were orchestrated by TESCHER and SPALLINA who have no interests in these pre-established trusts of Petitioners.
10. That Eliot has noticed the Court and criminal authorities of the acts of Oppenheimer in collusion with TESCHER and SPALLINA, see Extortion filings from Shirley Estate case #502011CP000653XXXXSB and similar filings in Simon's Estate case #502012CP004391XXXXSB

- i. Docket #45 NOT - NOTICE  
Filing Date: 04-SEP-2013  
Filing Party:  
Disposition Amount:  
Docket Text: OF EMERGENCY MOT. TO FREEZE ESTATES OF SHIRLEY BERNSTEIN DUE TO ADMITTED & ACKNOWLEDGED NOTARY PUBLIC FORGERY, FRAUD & MORE BY THE LAW FIRM OF TESCHER & SPALLINA, P.A., ROBERT SPALLINA AND DONALD TESCHER ACTING AS ALLEGED P.R.S AND THEIR LEGAL ASSISTANT AND NOTARY PUBLIC, KIMBERLY MORAN: **MOT. FOR INTERIM DISTRIBUTION DUE TO EXTORTION BY ALLEGED P.R.S AND OTHERS**; MOT. TO STRIKE THE MOTION OF SPALLINA TO REOPEN THE ESTATE; CONTINUED MOT. FOR REMOVAL OF ALLEGED P.R. AND ALLEGED SUCCESSOR TRUSTEE F/B ELIOT IVAN BERNSTEIN.
- ii. Docket #52 NOT - NOTICE  
Filing Date: 10-OCT-2013

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Filing Party:

Disposition Amount:

Docket Text: OF MOTION, F/B: ELIOT BERNSTEIN OF MOTION, F/B: ELIOT BERNSTEIN (I) ORDER ALL DOCUMENTS BOTH CERTIFIED AND VERIFIED REGARDING ESTATES OF SHIRLEY AND SIMON (SIMON'S DOCUMENT ARE REQUESTED AS IT RELATES TO SHIRLEY'S ALLEGED CHANGES IN BENEFICIARIES) BE SENT TO ELIOT AND HIS CHILDREN IMMEDIATELY IN PREPARATION FOR THE EVIDENTIARY HEARING ORDERED BY THIS COURT (II) FOLLOW UP ON SEPTEMBER 13, 2013 HEARING AND CLARIFY AND SET STRAIGHT THE RECORD (III) **COMPEL FOR IMMEDIATE, EMERGENCY RELIEF!!!, INTERIM DISTRIBUTIONS AND FAMILY ALLOWANCE FOR ELIOT, CANDICE & THEIR THREE MINOR CHILDREN DUE TO ADMITTED AND ACKNOWLEDGED FRAUD BY FIDUCIARIES OF THE ESTATE OF SHIRLEY AND ALLEGED CONTINUED EXTORTION** (IV) CORRECT AND DETERMINE THE BENEFICIARIES OF THE ESTATE BASED ON PRIOR CLOSING OF THE ESTATE THROUGH FRAUD ON THE COURT BY USING FRAUDULENT DOCUMENTS SIGNED BY SIMON WHILE HE WAS DEAD AND POSITED BY SIMON IN THIS COURT WHEN HE WAS DEAD AS PART OF A LARGER FRAUD ON THE ESTATE BENEFICIARIES (V) ASSIGN NEW PERSONAL REPRESENTATIVES AND ESTATE COUNSEL TO THE ESTATE OF SHIRLEY FOR BREACHES OF FIDUCIARY DUTIES AND TRUST, VIOLATIONS OF PROFESSIONAL ETHICS, VIOLATIONS OF LAW, INCLUDING BUT NOT LIMITED TO ADMITTED AND ACKNOWLEDGED FRAUD, ADMITTED AND ACKNOWLEDGED FRAUD ON THE COURT, ALLEGED FORGERY, INSURANCE FRAUD, REAL PROPERTY FRAUD AND MORE (VI) FOR GUARDIAN AD LITUM FOR THE CHILDREN OF TED, P. SIMON, IANTONI AND FRIEDSTEIN AND ASSIGN A TRUSTEE AD LITUM FOR TED FOR CONFLICTS OF INTEREST, CONVERSION AND MORE (VII) RECONSIDER AND RESCIND ORDER ISSUED BY THIS COURT "ORDER ON NOTICE OF EMERGENCY MOTION TO FREEZE ASSETS" ON SEPTEMBER 24TH FOR ERRORS AND MORE AND (VIII) RECONSIDER AND RESCIND ORDER ISSUED BY THIS COURT "AGREED ORDER TO REOPEN THE ESTATE AND APPOINT SUCCESSOR PERSONAL REPRESENTATIVES" ON SEPTEMBER 24TH FOR ERRORS AND MORE

iii. Docket #103 MOT - MOTION

Filing Date: 04-AUG-2014

Filing Party:

Disposition Amount:

Docket Text: **MOTION FOR EMERGENCY INTERIM DISTRIBUTIONS DUE TO A CONTINUED PATTERN AND PRACTICE OF FRAUD AND EXTORTION** BY FIDUCIARY THEODORE BERNSTEIN AND OFFICER OF THIS COURT ALAN B. ROSE, ESQ. THREATENING THREE MINOR CHILDREN'S EDUCATIONS

Note: (i), (ii) and (iii) above, hereby included by reference herein.

**OPPENHEIMER LACKS STANDING TO BRING ANY ACTIONS ON BEHALF OF THE PETITIONERS TRUSTS AS THEY HAVE OFFICIALLY RESIGNED AS TRUSTEES AS OF MAY 2014**

11. That Oppenheimer's filing, "(i) Oppenheimer Bank of Delaware's Motion for Summary Judgment As To Count I Of Its Petition" should be heard by this Court and decided by this Court as it is filed by Oppenheimer in its limited capacity in regards to matters within that limited capacity of choosing a

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successor trustee and turning over the trusts corpuses to them and Oppenheimer only has legal standing in this limited matter.

12. That Oppenheimer states in their Motion for Summary Judgment that “7. Other than the **limited** **“resigned trustee” role [emphasis added]** Oppenheimer continues to have pursuant to § 736.0707, Florida Statutes, the Grandchildren Trusts are without a trustee.”
13. That in this “limited” capacity Oppenheimer can only seek to have the Court determine a successor trustee and have the trust corpuses distributed to the next successor trustee chosen by this Court and in no way has any capacity to bring actions on behalf of the trusts forward as they have no further standing to act as trustee.
14. That Oppenheimer’s filings, “(ii) Oppenheimer Bank of Delaware's Motion To Appoint Guardian Ad Litem For Minor Beneficiaries; and (iii) Oppenheimer Bank of Delaware's Motion To Strike Or Sever Counterclaim,” should be stricken from the record for Oppenheimer’s lack of standing to bring actions on behalf of Petitioners trusts as a resigned former ALLEGED trustee.
15. That once successorship is determined by this Court, Oppenheimer has NO FURTHER LEGAL STANDING to bring any actions on behalf of Petitioners trusts and therefore their subsequent motions must be stricken.
16. That Oppenheimer Sua Sponte abandoned and resigned as Trustee prior to establishing a chain of legal succession of Trusteeship and as such abandoned the Petitioners trusts causing further damages to beneficiaries.
17. That Oppenheimer’s counsel, Stephen Lessne, Esq. (“LESSNE”) orchestrated the early resignation of Oppenheimer despite knowing of alleged felony misconduct involving his client Oppenheimer as fully described in the Counter Complaint filed against both him personally and professionally, as well as, his client Oppenheimer.

18. That LESSNE contacted Eliot and Candice and stated he was acting as counsel for Petitioners trusts and counsel for BFR and only later, after divulging much of their legal strategy and confidential and privileged strategy to him, did LESSNE admit that he was not representing Petitioners or their interests in BFR but rather that he was representing Oppenheimer as Trustee of Petitioners trusts and Oppenheimer as Manager of BFR and not acting as Petitioners counsel at all. This misrepresentation is in violation of the Rules of Professional Conduct of the State of Florida.
19. That Oppenheimer since prematurely resigning as Trustee without a successor now has no legal rights left to act on behalf of the Petitioners trusts and any legal actions they have taken subsequent to their resignation, other than seeking a Court order on what to do regarding successorship, must only be taken as Counter Defendants but in no way can they legally act on behalf of the trusts to bring actions or argue actions on behalf of the trusts.
20. That Oppenheimer and their counsel should be sanctioned for abandoning the trusts and then attempting to bring actions on behalf of the trusts after resignation against Defendants Candice and Eliot Bernstein without legal standing.
21. From the alleged trusts, "Section 5.3 Power to Name Other Trustees. Whenever a successor Trustee is required and that position is not filled under the terms specified in this Trust Agreement, an individual Trustee ceasing to serve (other than a Trustee being removed) may appoint his or her successor, but if none is appointed, the remaining Trustees, if any, or the beneficiary shall appoint a successor Corporate Trustee. The appointment will be by a written document (including a testamentary instrument) delivered to the appointed Trustee. In no event may the Settler ever be appointed as the Trustee under this Trust Agreement nor shall a Successor trustee be appointed that will cause this trust to be a grantor trust.
22. That while Oppenheimer's prohibited filings on behalf of the trusts after resignation attempt to paint a picture of Eliot Bernstein as a bad guy, who is sue happy, especially where corrupt lawyers are

involved, what they fail to state to this Court is that their resignation comes after they were acknowledged that the Attorneys at Law, Robert L. Spallina, Esq. and Donald Tescher, Esq. of the law firm Tescher & Spallina, PA, who appointed and directed many of Oppenheimer's actions in relation to the alleged ILLEGAL distributions of the children's trusts, have admitted in the Estates and Trusts of Simon and Shirley Bernstein to have FRAUDULENTLY ALTERED TRUST DOCUMENTS, FILED FORGED and FRAUDULENT documents with the Court as part of a larger FRAUD ON THE COURT, CLOSED THE ESTATE OF SHIRLEY WITH A DEAD PERSONAL REPRESENTATIVE AS PART OF LARGER FRAUD ON THE COURT AND FRAUD ON THE BENEFICIARIES and MORE.

23. That Oppenheimer fails to reveal to the Court their direct involvement with TESCHER and SPALLINA who orchestrated in conspiracy and without any legal capacity to interact in the Petitioners' trusts, Oppenheimer's misuse of the Petitioners' trusts funds.
24. That once TESCHER and SPALLINA and their law firm was exposed in FRAUD and FORGERY, the Petitioners trust funds were used in further attempt to extort Eliot and Candice, as more fully defined in the Counter Complaint, the Counter Complaint hereby incorporated by reference in entirety herein.
25. That Oppenheimer fails to reveal to the Court that Eliot and Candice have sought to see fully completed original documentation of the trusts as several of the documents they are operating under appear improperly executed and may also be part of the fraudulent documents that have been tendered in the Shirley and Simon estate plans and calls into question their legal rights as alleged Trustee in the first place. The original documents have been denied access to Eliot and Candice.
26. That where FRAUD, FORGERY and more, have already been discovered, proven, admitted and further alleged in these matters and where the **CRIMES ARE COMMITTED BY THE FIDUCIARIES AND ATTORNEYS AT LAW INVOLVED** (ALL OFFICERS OF THIS

COURT), all estate plan documents, including the Petitioners' trusts are in question legally, until valid proof of their authenticity can be confirmed by the beneficiaries and this Court. Oppenheimer cannot in any way be legally released from these matters other than to resign as Trustee, as they are directly involved and already reported to state and federal, civil and criminal authorities for their egregious acts of bad faith with unclean hands, violations of state laws and rules of professional conduct and therefore they should not be released until these civil and criminal complaints are all fully resolved.

27. Similarly, Fla. Stat. § 736.0705, entitled "Resignation of trustee," provides, in relevant part, as follows:

(1) A trustee may resign:

(a) Upon at least 30 days' notice to the qualified beneficiaries, the settlor, if living, and all cotrustees; or

(b) With the approval of the court.

(2) In approving a resignation, the court may issue orders and impose conditions reasonably necessary for the protection of the trust property.

(3) Any liability of a resigning trustee or of any sureties on the trustee's bond for acts or omissions of the trustee is not discharged or affected by the trustee's resignation.

That Oppenheimer should have sought Court approval prior to resignation and allowed the Court to issue orders and impose conditions necessary to protect the trust property and instead choose abandonment and then chose to launch of series of Motions beyond their limited capacity as resigned ALLEGED Trustee.

28. Fla. Stat. § 736.0704, entitled "Vacancy in trusteeship; appointment of successor," provides, in relevant part, as follows:



(3) A vacancy in a trusteeship of a noncharitable trust that is required to be filled must be filled in the following order of priority:

- (a) By a person named or designated pursuant to the terms of the trust to act as successor trustee.
- (b) By a person appointed by unanimous agreement of the qualified beneficiaries.
- (c) By a person appointed by the court.

That Oppenheimer prior to resignation and knowing that there was no successor trustee available, under 3(a) and 3(b) should have sought Court approval prior to resignation and abandonment of the trusts.

WHEREFORE – Defendants Candice and Eliot state that Oppenheimer has breached its duties to the beneficiaries as more fully described in Defendants Counter Complaint by their abandonment of the trusts and other alleged torts and criminal misconduct and therefore under “Section 736.1001 - Remedies for breach of trust,” Eliot and Candice seek on behalf of their children damages that have resulted from:

- (1) Violations by the trustee of a duty the trustee owes to beneficiaries that have breached trust,

To remedy a breach of trust that has occurred or may occur, the court may:

- (a) Compel the trustee to perform the trustee’s duties,
- (b) Enjoin the trustee from committing a breach of trust,
- (c) Compel the trustee to redress a breach of trust by paying money or restoring property or by other means and this Court should demand that all monies taken from the Petitioners Trusts be returned immediately,
- (d) Order the resigned trustee to account, including accounting for BFR and LIC Holdings, Inc., which Oppenheimer has thus far failed to account for,

- (e) Appoint a special fiduciary to take possession of the trust property and administer the trust,
- (g) Remove the trustee as provided in s. 736.0706,
- (h) Reduce or deny compensation to the trustee and demand all fees and legal expenses paid back to the Petitioners trusts immediately,
- (i) Subject to s. 736.1016, void an act of the trustee, impose a lien or a constructive trust on trust property, or trace trust property wrongfully disposed of and recover the property or its proceeds, and
- (j) Order any other appropriate relief.

29. That Eliot and Candice Bernstein seek damages according to 736.1002 for breach of trust.”

Filed on Sunday, October 19, 2014

Eliot Bernstein, Pro Se, Individually and as legal guardian on behalf of his three minor children.

X \_\_\_\_\_

Candice Bernstein, Pro Se, as legal guardian on behalf of her three minor children.

X \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I, ELIOT IVAN BERNSTEIN, HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by email to all parties on the following Service List, Sunday, October 19, 2014.

Eliot Bernstein, Pro Se, Individually and as

legal guardian on behalf of his three minor children

X \_\_\_\_\_

Candice Bernstein, Pro Se, as legal guardian on behalf of her three minor children.

X \_\_\_\_\_

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MOTION IN OPPOSITION TO: ...  
Sunday, October 19, 2014  
SERVICE LIST

# EXHIBIT 1

# OPPENHEIMER LETTER OF RESIGNATION



561-886-4122

STEVEN.LESSNE@GRAY-ROBINSON.COM

April 22, 2014

**VIA E-MAIL, FEDERAL EXPRESS AND CERTIFIED MAIL**

Eliot and Candice Bernstein  
as the natural guardians of Joshua, Jacob and Daniel Bernstein  
2753 N.W. 34th St.  
Boca Raton, FL 33434-3459

Re: Resignation as Trustee of Trusts for the benefit of Joshua, Jacob and Daniel  
Bernstein; Offer to Resign as Manager of Bernstein Family Realty, LLC

Dear Mr. and Mrs. Bernstein:

I represent, and am writing to you on behalf of, Oppenheimer Trust Company of Delaware (“Oppenheimer”), in its capacity as Trustee of the three trusts created by Simon Bernstein for the benefit of your minor children, Joshua, Jacob and Daniel Bernstein (the “Trusts”). This letter is directed to you, as the parents and natural guardians of Joshua, Jacob and Daniel Bernstein (the “Beneficiaries”), and will constitute due notice to the Beneficiaries under the Trusts and Florida law.

Oppenheimer hereby notifies you that it will resign as Trustee of the Trusts effective May 26, 2014 (the “Effective Date”). You, as the natural guardians of the Beneficiaries, have the right and obligation to appoint a successor corporate trustee. If you do not provide Oppenheimer, through me, with a written document evidencing that a successor corporate trustee has been appointed and has accepted the appointment before the Effective Date, Oppenheimer will petition the Court to either appoint a successor trustee or terminate the Trusts and distribute their assets to you, as natural guardians of the Beneficiaries.

For your information, the Trusts provide, in relevant part, as follows:

Eliot and Candice Bernstein  
April 22, 2014  
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**5.2 Resignation.** Any Trustee may resign by giving 30 days' written notice delivered personally or by mail to any then serving Co-Trustee and to the Settlor if he is then living and not disabled; otherwise to the next named successor Trustee, or if none, to the persons having power to appoint successor Trustees.

**5.3 Power to Name Other Trustees.** Whenever a successor Trustee is required and that position is not filled under the terms specified in this Trust Agreement, an individual Trustee ceasing to serve (other than a Trustee being removed) may appoint his or her successor, but if none is appointed, the remaining Trustees, if any, or the beneficiary shall appoint a successor Corporate Trustee. The appointment will be by a written document (including a testamentary instrument) delivered to the appointed Trustee. In no event may the Settlor ever be appointed as the Trustee under this Trust Agreement nor shall a Successor trustee be appointed that will cause this trust to be a grantor trust.

Similarly, Fla. Stat. § 736.0705, entitled "Resignation of trustee," provides, in relevant part, as follows:

**(1) A trustee may resign:**

**(a) Upon at least 30 days' notice to the qualified beneficiaries, the settlor, if living, and all cotrustees...**

Finally, Fla. Stat. § 736.0704, entitled "Vacancy in trusteeship; appointment of successor," provides, in relevant part, as follows:

**(3) A vacancy in a trusteeship of a noncharitable trust that is required to be filled must be filled in the following order of priority:**

**(a) By a person named or designated pursuant to the terms of the trust to act as successor trustee.**

**(b) By a person appointed by unanimous agreement of the qualified beneficiaries.**

**(c) By a person appointed by the court.**

Please let me know of your intentions with regard to the appointment of a successor trustee before the Effective Date.

Eliot and Candice Bernstein  
April 22, 2014  
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I am also writing to you on behalf of Oppenheimer, in its capacity as the Manager of Bernstein Family Realty, LLC (the "Company"). As you know, the Trusts are the sole owners and members of the Company, and the Company owns the house occupied by you and the Beneficiaries. Oppenheimer understands that the house is encumbered by two mortgages which probably exceed the value of the house. A third party, William Stansbury, claims that he is entitled to an equitable lien on the house, and he has sued the Company to establish such a lien. At Oppenheimer's direction, the Company is defending the lawsuit in order to avoid the claimed third lien on the house.

You have expressed unhappiness with Oppenheimer's management of the Company. In light of Oppenheimer's decision to resign as Trustee, Oppenheimer would like to offer you the opportunity to assume management of the Company, or appoint another successor manager, so that you or your chosen manager can defend the Stansbury lawsuit, operate the Company and deal with third parties on behalf of the Company as you deem to be in the best interest of the Company's members and, ultimately, your children. If you would like Oppenheimer to resign as Manager, please notify me in writing, before the Effective Date, of your selection of an appropriate successor manager and the successor's agreement to serve. Upon receipt of your selection, Oppenheimer will resign as Manager and, on behalf of the member Trusts, appoint your chosen successor.

Please note that, if you do not request Oppenheimer's earlier resignation and designate a successor manager, it is Oppenheimer's intent to resign as Manager of the Company after a successor trustee is appointed or the Trusts are terminated. At that point, it will be up to the successor trustee or you, as natural guardians of the Beneficiaries, to appoint a new manager.

If you have any questions regarding the foregoing, please contact me or have your attorney do so.

Very truly yours,

  
Steven A. Lessne FOR

SAL/sl

cc: Oppenheimer Trust Company of Delaware (via e-mail and U.S. Mail)