

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

TED BERNSTEIN, as Trustee
of the Shirley Bernstein Trust Agreement
dated May 20, 2008, as amended,

Probate Division
Case No.: 502014CP003698XXXXSB

Plaintiff,

v.

ALEXANDRA BERNSTEIN; ERIC BERNSTEIN;
MICHAEL BERNSTEIN; MOLLY SIMON;
PAMELA B. SIMON, Individually and as Trustee
f/b/o Molly Simon under the Simon L. Bernstein
Trust Dtd 9/13/12; ELIOT BERNSTEIN, individually,
as Trustee f/b/o D.B., Ja. B. and Jo. B. under the
Simon L. Bernstein Trust Dtd 9/13/12, and on
behalf of his minor children D.B., Ja. B. and Jo. B.;
JILL IANTONI, Individually, as Trustee f/b/o J.I.
under the Simon L. Bernstein Trust Dtd 9/13/12, and
on behalf of her Minor child J.I.; MAX FRIEDSTEIN;
LISA FRIEDSTEIN, Individually, as Trustee f/b/o
Max Friedstein and C.F., under the Simon L.
Bernstein Trust Dtd 9/13/12, and on behalf of her
minor child, C.F.,

Defendants.

NOTICE OF HEARING

YOU ARE HEREBY NOTIFIED that the undersigned has called up for hearing the following:

DATE: Tuesday, January 27, 2015

TIME: 3:00 p.m. - 5:00 p.m.

JUDGE: Honorable Martin Colin

PLACE: Palm Beach South County Courthouse, 200 West Atlantic Avenue, Delray
Beach, FL 33444

MATTER(S) TO BE HEARD:

**TRUSTEE'S MOTION TO DISMISS ELIOT BERNSTEIN'S
PETITION TO REMOVE TED S. BERNSTEIN AS SUCCESSOR
TRUSTEE OF THE SHIRLEY BERNSTEIN TRUST, MOTION TO
STRIKE AND MOTION TO STAY PROCEEDINGS**

CERTIFICATE OF SERVICE

I CERTIFY that a copy of the foregoing has been furnished to parties listed on attached Service List by: Facsimile **and** U.S. Mail; U.S. Mail; Email Electronic Transmission; FedEx; Hand Delivery this 15th day of January, 2015.

MRACHEK, FITZGERALD, ROSE, KONOPKA,
THOMAS & WEISS, P.A.
505 South Flagler Drive, Suite 600
West Palm Beach, FL 33401
(561) 655-2250 Telephone /(561) 655-5537 Facsimile
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Attorneys for Ted S. Bernstein

By: /s/ Alan B. Rose
Alan B. Rose (Fla. Bar No. 961825)

SERVICE LIST

<p>Eliot Bernstein, individually and Eliot and Candice Bernstein, as Parents and Natural Guardians of D.B., Ja. B. and Jo. B, Minors 2753 NW 34th Street Boca Raton, FL 33434 (561) 245-8588 - Telephone (561) 886-7628 - Cell (561) 245-8644 - Facsimile Email: Eliot I. Bernstein (iviewit@iviewit.tv)</p> <p>John P. Morrissey, Esq. 330 Clematis Street, Suite 213 West Palm Beach, FL 33401 (561) 833-0866 - Telephone (561) 833-0867 - Facsimile Email: John P. Morrissey (john@jmorrisseylaw.com) Counsel for Molly Simon, Alexandra Bernstein, Eric Bernstein, Michael Bernstein</p> <p>Lisa Friedstein, individually and as trustee for her children, and as natural guardian for M.F. and C.F., Minors; and Max Friedstein lisa.friedstein@gmail.com</p> <p>Jill Iantoni, individually and as trustee for her children, and as natural guardian for J.I. a minor jilliantoni@gmail.com</p>	<p>Alan Rose, Esq. Mrachek Fitzgerald Rose Konopka Thomas & Weiss, P.A. 505 S Flagler Drive, Suite 600 West Palm Beach, FL 33401 (561) 655-2250 - Telephone (561) 655-5537 - Facsimile Email: arose@mrachek-law.com</p> <p>Pamela Beth Simon 303 E. Wacker Drive, Suite 2725 Chicago, IL 60601 Email: psimon@stpcorp.com</p> <p>Brian M. O’Connell, Esq. Joielle A. Foglietta, Esq. Ciklin Lubitz Martens & O’Connell 515 N. Flagler Dr., 20th Floor West Palm Beach, FL 33401 561-832-5900 - Telephone 561-833-4209 - Facsimile Email: boconnell@ciklinlubitz.com; jfoglietta@ciklinlubitz.com; service@ciklinlubitz.com; slobdell@ciklinlubitz.com</p>
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"If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Germaine English, Americans with Disabilities Act Coordinator, Palm Beach County Courthouse, 205 North Dixie Highway, West Palm Beach, Florida 33401; telephone number (561) 355-4380 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.'

SPANISH

Si usted es una persona minusvalida que necesita algun acomodamiento para poder participar en este procedimiento, usted tiene derecho, sin tener gastos propios, a que se le provea cierta ayuda. Tenga la amabilidad de ponerse en contacto con Germaine English, 205 N. Dixie Highway, West Palm Beach, Florida, 33401; teléfono numero (561) 355-4380, por lo menos 7 dias antes de la cita fijada para su comparecencia en los tribunales, o inmediateamente despues de recibir esta notificacion si el tiempo antes de la comparecencia que se ha programado es menos de 7 dias; si usted tiene discapacitacion del oido o de la voz, llame al 711.

CREOLE

Si ou sè yon moun ki enfim, ki bézwen akomodasyon pou w ka patisipe nan powosedi sa, ou kalifye san ou pa gen okenn lajan pou w peye, gen pwovizyon pou jwen kek ed. Tanpri kontakte Germaine English, koodonate pwogram Lwa pou ameriken ki Enfim yo nan Tribinal Konte Palm Beach la ki nan, 205 North Dixie Highway, West Palm Beach, Florida 33401; telefonn li se (561) 355-4380 nan 7 jou anvan dat ou gen randevou pou paret nan tribinal la, oubyen imedyatman apre ou fin resevwa konvokasyon an si le ou gen pou w paret nan tribinal la mwens ke 7 jou; si ou gen pwoblem pou w tandè oubyen pale, rele 711.