**From the desk of …**

**Eliot I. Bernstein**

**Direct Dial: (561) 245-8588 (o)
 (561) 886-7628 (c)**

Sent Via Email:

Friday, January 16, 2015

Brian M. O'Connell PA, Esq.

Partner

Joielle "Joy" A. Foglietta, Esq.

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**RE: Eliot Bernstein Family Loan**

Dear Brian and Joielle,

Under the Simon L. Bernstein Will that you are currently acting under there are provisions stated for making loans to beneficiaries. Specifically under,

 **ARTICLE IV - PERSONAL REPRESENTATIVES**

2. Powers of Personal Representatives. My fiduciary may exercise its powers without court approval. No one dealing with my fiduciary need inquire into its authority or its application of property. My fiduciary shall have the following powers:

c. Lending. …and to loan funds to beneficiaries at commercially reasonable rates, terms and conditions.

Due to the delays my father and mother’s estates administration have encountered directly related to the breaches of fiduciary duties and felonious acts of the prior fiduciaries, the true and proper beneficiaries inheritances have been tortuously interfered with. As you know, the expected timeframe to adjudicate our current reimbursement requests/statements of claim and other claims against the estates and trusts may be held up for several more weeks/months and as beneficiaries, either myself personally or on behalf of my minor children we are therefore requesting a loan of $50,000 from the Estate to meet life critical expenses caused by the torturous interference with our expectancy. This money can be repaid when distributions to beneficiaries occur, when the claims/reimbursements are determined after the hearings or you may maintain the loan for interest.

Regardless of the outcome of litigation to determine who the beneficiaries are, my family is inheriting proceeds of approximately 1/3rd of the Estate and Trusts of Simon and Shirley in any scenario. The expected distribution timeframe will not happen timely enough to prevent irreparable harm to our children, which has already occurred as you are aware. Our family is facing extreme financial circumstances in regards to our children’s education and well-being due directly to these delays in administration.

Thank you for your prompt attention to this matter and all of your efforts on behalf of our family. If you need me to do anything else in order to secure the loan please let me know ASAP.

DATED: Friday, January 16, 2015

Respectfully Yours,



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Eliot I. Bernstein

cc/ec:

cmb/eib

Enclosure(s)/Attachment(s)/URL’s