

Eliot Ivan Bernstein

From: Kevin Horan <KHoran@stamostrucco.com>
Sent: Saturday, January 31, 2015 7:02 PM
To: Adam Simon
Cc: Eliot Bernstein; James J. Stamos
Subject: RE: Estate of Bernstein: Joint Status Report

Adam:

I will edit the current draft and attempt to synthesize our respective positions. I will circulate a draft in advance of any conference we may have Monday morning. I would think we'd all agree that we'd prefer not to have a minority report.

Thanks,
Kevin

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Adam Simon <asimon21@att.net>
Date: 01/31/2015 11:02 AM (GMT-06:00)
To: Adam Simon <asimon21@att.net>, Kevin Horan <KHoran@stamostrucco.com>
Cc: Eliot Bernstein <iviewit@iviewit.tv>, "James J. Stamos" <JStamos@stamostrucco.com>
Subject: Re: Fwd: Estate of Bernstein: Joint Status Report

Kevin and Eliot:

I have looked over the changes suggested by Eliot. With his suggested modifications, the joint status report does not comport with the Court's template or its Order regarding the content and length of the report.

Also, on behalf of my client, there is simply no way we could consent to 90% of Eliot's suggested modifications. At this point, I would suggest two options:

- 1) Kevin you can attempt to include, based on what Eliot provided, a brief summary of the nature of his claims and relief requested, and recirculate for all to approve and then we can submit a joint report in accordance with the Court's order; or
- 2) Eliminate all of Eliot's suggested modifications, and then Plaintiff's and the Estate of Simon Bernstein can file a joint report indicating we could not come to agreement with Eliot on the content, and then Eliot can file a separate report. I will reserve my client's rights to seek to strike the report if it contains much of the substance that is contained in these modifications.

I can think of no other options that would result in our compliance with Judge Blakey's order. Let me know your thoughts.

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