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

Case No. 502014CP003698XXXXSB

In Re: Hon. Martin Colin

Shirley Bernstein Trust

Agreement, dated, May 20, 2008,

Deceased.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Eliot Ivan Bernstein, Individually;

Eliot IVAN Bernstein in his capacity as

Natural Guardian of his minor children,

Joshua, Jacob and Daniel;

and as beneficiary of the Shirley

Bernstein Trust dated May 20, 2008, as

amended and Eliot IVAN Bernstein

as Trustee of the Eliot Bernstein Family

Trust dated May 20, 2008,

Counter Plaintiffs,

v.

Tescher & Spallina, P.A., and all Partners Associates and of Counsel;

Robert L. Spallina, Esq., Personally;

Robert L. Spallina, Esq., Professionally;

Donald R. Tescher, Esq., Personally;

Donald R. Tescher, Esq., Professionally;

Gutter Chaves Josepher Rubin Forman Fleisher Miller, P.A.;

Theodore Stuart Bernstein, Individually;

Theodore Stuart Bernstein, as alleged Trustee of the Shirley Trust;

Theodore Bernstein as Personal Representative of the Shirley Estate;

Lisa Sue Friedstein, Individually;

Jill Marla Iantoni, Individually;

Pamela Beth Simon, Individually;

Mark Manceri, Esq., Personally;

Mark Manceri, Esq., Professionally;

Mark R. Manceri, P.A., and all Partners, Associates and of Counsel;

Page, Mrachek, Fitzgerald & Rose, P.A., and all Partners Associates and of Counsel;

Alan B. Rose, Esq. – Personally;

Alan B. Rose, Esq. – Professionally;

Pankauski Law Firm PLLC, and all Partners, Associates and of Counsel;

John J. Pankauski, Esq. – Personally;

John J. Pankauski, Esq. – Professionally;

Kimberly Francis Moran – Personally;

Kimberly Francis Moran – Professionally;

Lindsay Baxley aka Lindsay Giles – Personally;

Lindsay Baxley aka Lindsay Giles – Professionally;

“Simon L. Bernstein Amended and Restated Trust Agreement” Dated July 25, 2012;

Simon Bernstein Trust Agreement Dated May 20th 2008;

Shirley Bernstein Trust Agreement Dated May 20th 2008;

The Estate of Simon Bernstein;

The Estate of Shirley Bernstein;

SIMON L. BERNSTEIN IRREVOCABLE TRUST AGREEMENT (2008);

SIMON BERNSTEIN IRREVOCABLE TRUST U/A 9/7/06;

SHIRLEY BERNSTEIN IRREVOCABLE TRUST U/A 9/7/06;

SHIRLEY BERNSTEIN IRREVOCABLE TRUST AGREEMENT (2008);

SIMON BERNSTEIN IRREVOCABLE INSURANCE TRUST DATED 6/21/1995;

SIMON BERNSTEIN 2000 INSURANCE TRUST (dated August 15, 2000);

SHIRLEY BERNSTEIN 2000 INSURANCE TRUST (DATED AUGUST 15, 2000);

Trust f/b/o Joshua Bernstein under the Simon L. Bernstein Trust dtd 9/13/2012;

Trust f/b/o Daniel Bernstein under the Simon L. Bernstein Trust dtd 9/13/2012;

Trust f/b/o Jake Bernstein under the Simon L. Bernstein Trust dtd 9/13/2012;

ELIOT BERNSTEIN FAMILY TRUST DATED MAY 20, 2008;

DANIEL BERNSTEIN IRREVOCABLE TRUST DATED SEPTEMBER 7, 2006;

JAKE BERNSTEIN IRREVOCABLE TRUST DATED SEPTEMBER 7, 2006;

JOSHUA Z. BERNSTEIN IRREVOCABLE TRUST DATED SEPTEMBER 7, 2006;

DANIEL BERNSTEIN IRREVOCABLE TRUST 07-JUL-10 049738;

JAKE BERNSTEIN IRREVOCABLE TRUST 07-JUL-10 0497381;

JOSHUA Z BERNSTEIN IRREVOCABLE TRUST 07-JUL-10 0497381;

John and Jane Doe’s (1-5000),

Counter Defendants.  
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*I*

**AMENDED NOTICE OF HEARING**

**CHANGE OF HEARING DATE – From April, 02, 2015 to April 23, 2015**

**(SPECIAL SET - 120 Minutes Reserved)**

PLEASE TAKE NOTICE this hearing has been CHANGED from April 2, 2015 at 1:30pm to the new date and time below to be heard before Honorable Judge Martin Colin at the Palm Beach South County Courthouse, 200 West Atlantic Avenue, Delray Beach, Florida 33444. The hearing time on April 02, 2015 will now be used instead to hear a different matter that was agreed to be heard in Case # 502015CP001162XXXXSB on April 23, 2015.

**Date:** April 23, 2015

**Time:**  10:00am – 12:00pm

**Judge:**  The Honorable Martin Colin

**Matter(s):**

Docket #41 PET - PETITION

Filing Date: 05-DEC-2014

Filing Party: BERNSTEIN, ELIOT IVAN

Docket Text: **PETITION TO REMOVE THEODORE STUART BERNSTEIN AS ALLEGED SUCCESSOR TRUSTEE BY ELIOT IVAN BERNSTEIN**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by e-mail upon the attached service list on Friday, March 13, 2015 by court eservice.

Respectfully submitted,

\_\_\_\_s/Eliot Ivan Bernstein\_\_\_\_\_

By: ELIOT IVAN BERNSTEIN, Individually; in his capacity as Natural Guardian of his minor children, Joshua, Jacob and Daniel alleged beneficiaries of the SHIRLEY BERNSTEIN TRUST dated May 20, 2008, as amended; as beneficiary of the SHIRLEY BERNSTEIN TRUST dated May 20, 2008, as amended; and as Trustee of the ELIOT BERNSTEIN FAMILY TRUST dated May 20, 2008 created under the SHIRLEY BERNSTEIN TRUST dated May 20, 2008, as amended.

Counter Plaintiff (pro se)

2753 N.W. 34th St.

Boca Raton, Florida 33434-3459

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Email address: [iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)

**EMAIL SERVICE LIST**

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| Alan B. Rose, Esq. PAGE, MRACHEK, FITZGERALD, ROSE, KONOPKA, THOMAS & WEISS, P.A. 505 South Flagler Drive, Suite 600 West Palm Beach, Florida 33401 arose@pm-law.com  and arose@mrachek-law.com | John P Morrissey. Esq.  John P. Morrissey, P.A. 330 Clematis Street Suite 213 West Palm Beach, FL 33401 john@jmorrisseylaw.com | Lisa Friedstein, Individually, and as Trustee for Carley & Max Friedstein, Minors  2142 Churchill Lane Highland Park, IL 6003 Lisa@friedsteins.com  lisa.friedstein@gmail.com |
| Jill Iantoni, Individually and as Trustee for Julia Iantoni, a Minor  210 I Magnolia Lane Highland Park, IL 60035 jilliantoni@gmail.com | Pamela Simon, Individually and as Trustee f/b/o Molly Simon under the Simon L. Bernstein Trust Dtd 9/13/12.  950 N. Michigan Avenue  Apartment 2603  Chicago, IL 60611  psimon@stpcorp.com |  |

“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 Krista Garber, 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.”

“Si usted es una persona minusválida que necesita algún 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 Krista Garber, 205 N. Dixie Highway, West Palm Beach, Florida 33401; teléfono número (561) 355-4380, por lo menos 7 días antes de la cita fijada para su comparecencia en los tribunales, o inmediatamente después de recibir esta notificación si el tiempo antes de la comparecencia que se ha programado es menos de 7 días; si usted tiene discapacitación del oído o de la voz, llame al 711.”

“Si ou se yon moun ki enfim ki bezwen akomodasyon pou w ka patisipe nan pwosedi sa, ou kalifye san ou pa gen okenn lajan pou w peye, gen pwovizyon pou jwen kèk èd. Tanpri kontakte Krista Garber, kòòdonatè pwogram Lwa pou ameriken ki Enfim yo nan Tribinal Konte Palm Beach la ki nan 205 North Dixie Highway, West Palm Beach, Florida 33401; telefòn li se (561) 355-4380 nan 7 jou anvan dat ou gen randevou pou parèt nan tribinal la, oubyen imedyatman apre ou fin resevwa konvokasyon an si lè ou gen pou w parèt nan tribinal la mwens ke 7 jou; si ou gen pwoblèm pou w tande oubyen pale, rele 711.”