

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

PROBATE DIVISION

CASE NO. 502015CP001162XXXXSB

IN RE:

**SIMON L. BERNSTEIN TRUST**

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ELIOT BERNSTEIN, individually;  
ELIOT BERNSTEIN as a beneficiary of the  
2008 SIMON L. BERNSTEIN TRUST  
AGREEMENT, as amended and restated in the  
SIMON L. BERNSTEIN AMENDED AND  
RESTATED TRUST AGREEMENT dated  
July 25, 2012 and as Legal Guardian of  
JOSHUA BERNSTEIN, JACOB BERNSTEIN,  
and DANIEL BERNSTEIN,

Plaintiffs,

v.

THEODORE STUART BERNSTEIN, individually;  
THEODORE STUART BERNSTEIN, as Successor  
Trustee of the 2008 SIMON L. BERNSTEIN  
TRUST AGREEMENT, as amended and restated in the  
SIMON L. BERNSTEIN AMENDED AND RESTATED  
TRUST AGREEMENT dated July 25, 2012;  
ALEXANDRA BERNSTEIN;  
ERIC BERNSTEIN;  
MICHAEL BERNSTEIN;  
MOLLY SIMON;  
JULIA IANTONI;  
MAX FRIEDSTEIN;  
CARLY FRIEDSTEIN;  
JOHN AND JANE DOE 1-5000,

Defendants.

The Estate of Simon Bernstein,

Interested Party.

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NOTICE OF HEARING - COMPLAINT TO REMOVE THEODORE STUART BERNSTEIN...

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Monday, March 23, 2015



**NOTICE OF HEARING**

PLEASE TAKE NOTICE that the undersigned will call up for hearing the matters designated below before Honorable Judge Martin Colin at the Palm Beach South County Courthouse, 200 West Atlantic Avenue, Delray Beach, Florida 33444.

**Date:** April 02, 2015  
**Time:** 1:30pm – 3:30pm  
**Judge:** The Honorable Martin Colin

**Matters:**

Already scheduled

Filing Date: 02-MAR-2015  
Filing Party: BERNSTEIN, ELIOT  
Docket Text: **COMPLAINT TO REMOVE THEODORE STUART BERNSTEIN AS SUCCESSOR TRUSTEE F/B ELIOT IVAN BERNSTEIN TRANSFER IN FROM 502014CA014637**

Add On

Docket #4 : MDIS - MOTION TO DISMISS  
Filing Date: 29-DEC-2014  
Filing Party: SIMON, MOLLY  
Docket Text: FILED BY DEFTS SIMON AND BERNSTEIN AND TO STRIKE

Add On

Docket #5 MDIS - MOTION TO DISMISS  
Filing Date: 29-DEC-2014  
Filing Party: ROSE , ESQ, ALAN B  
Docket Text: MOTION TO DISMISS COMPLAINT TO REMOVE THEODORE STUART BERNSTEIN AS SUCCESSOR TRUSTEE, OR ALTERNATIVE MOTION TO STRIKE AND MOTION TO STAY FILED BY ALAN B ROSE

Add On

Docket #12 MCMP - MOTION TO COMPEL  
Filing Date: 30-JAN-2015  
Filing Party: BERNSTEIN, ELIOT IVAN  
Docket Text: F\B PLT- TRUST ACCOUNTING

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by e-mail upon the attached service list on Monday, March 23, 2015 by court eservice and email.

Respectfully submitted,

NOTICE OF HEARING - COMPLAINT TO REMOVE THEODORE STUART BERNSTEIN...

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s/Eliot Ivan Bernstein

By: ELIOT IVAN BERNSTEIN, individually;  
as a beneficiary of the 2008 SIMON L.  
BERNSTEIN TRUST AGREEMENT, as amended  
and restated in the SIMON L. BERNSTEIN  
AMENDED AND RESTATED TRUST AGREEMENT  
dated July 25, 2012; and as Legal Guardian of  
JOSHUA, JACOB and DANIEL BERNSTEIN, as  
beneficiaries of the SIMON L. BERNSTEIN  
AMENDED AND RESTATED TRUST AGREEMENT  
dated July 25, 2012.

Plaintiff (pro se)  
2753 N.W. 34th St.  
Boca Raton, Florida 33434-3459  
(561) 245.8588 (telephone)  
Email address: [iviewit@iviewit.tv](mailto:iviewit@iviewit.tv)

### EMAIL SERVICE LIST

<p>Alan B. Rose, Esq. PAGE, MRACHEK, FITZGERALD, ROSE, KONOPKA, THOMAS &amp; WEISS, P.A. 505 South Flagler Drive, Suite 600 West Palm Beach, Florida 33401 <a href="mailto:arose@pm-law.com">arose@pm-law.com</a> and <a href="mailto:arose@mrachek-law.com">arose@mrachek-law.com</a></p>	<p>John P Morrissey. Esq. John P. Morrissey, P.A. 330 Clematis Street Suite 213 West Palm Beach, FL 33401 <a href="mailto:john@jmorrisseylaw.com">john@jmorrisseylaw.com</a></p>	<p>Carley &amp; Max Friedstein, Minors c/o Jeffrey and Lisa Friedstein Parents and Natural Guardians 2142 Churchill Lane Highland Park, IL 6003 <a href="mailto:Lisa@friedsteins.com">Lisa@friedsteins.com</a> <a href="mailto:lisa.friedstein@gmail.com">lisa.friedstein@gmail.com</a></p>
<p>Julia Iantoni, a Minor c/o Guy and Jill Iantoni, Her Parents and Natural Guardians 210 I Magnolia Lane Highland Park, IL 60035 <a href="mailto:jilliantoni@gmail.com">jilliantoni@gmail.com</a></p>	<p>Brian M. O'Connell PA Ciklin Lubitz Martens &amp; O'Connell 515 N Flagler Dr 20th Floor West Palm Beach, FL 33401 (561) 832-5900 (561) 301-2197 E-mail: <a href="mailto:boconnell@ciklinlubitz.com">boconnell@ciklinlubitz.com</a> Joielle "Joy" A. Foglietta, Esquire <a href="mailto:jfoglietta@ciklinlubitz.com">jfoglietta@ciklinlubitz.com</a></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 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, kòdonatè 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."