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April 2, 2015

The Honorable Martin H. Colin
South County Courthouse
200 W Atlantic Ave.
Delray Beach, FL 33444

Re: *Eliot Bernstein, etc., et al. v. Theodore Stuart Bernstein, etc., et al.*
Case No. 502015CP001162XXXXSBIY

Ted Bernstein, etc., et al. v. Alexandra Bernstein, et al.
Case No.: 502014CP003698XXXXSBIY

Dear Judge Colin:

Pursuant to your instructions in Court this afternoon, attached please find original and copies of Order on Trustee's Motion to Dismiss Eliot Bernstein's Complaint to Remove Ted S. Bernstein as Successor Trustee of the Shirley Bernstein Trust in Case No. 502015CP001162XXXXSBIY, and original and copies of Order Permitting Trustee to File Motion to Hold Eliot Bernstein in Contempt of Court and For Sanctions in Case No. 502014CP003698XXXXSBIY. If the form of the proposed orders meet with your approval, would you please execute them and have your Judicial Assistant conform the copies and forward to all counsel and parties in the addressed, stamped envelopes enclosed.

We appreciate Your Honor's time and attention to this matter.

Respectfully submitted,

Alan B. Rose

Alan B. Rose
(Signed and sent in Mr. Rose's absence to avoid delay.)

ABR/mbc
Enclosure
cc: All parties listed on the Service List

Order on Trustee's Motion to Dismiss Eliot Bernstein's Complaint to
Remove Ted S. Bernstein, as Successor Trustee of the Simon L. Bernstein
Amended and Restated Trust
Case No. 502015CP001162XXXXSBIY

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Order Permitting Trustee to File Motion to Hold Eliot
Bernstein in Contempt of Court and For Sanctions
Case No. 502014CP003698XXXXSB

SERVICE LIST

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and Eliot and Candice Bernstein,
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Jill Iantoni, individually and as trustee for her
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IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

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,

Case No.: 502015CP001162XXXXSBIY

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.

**ORDER ON TRUSTEE'S MOTION TO DISMISS ELIOT BERNSTEIN'S
COMPLAINT TO REMOVE TED S. BERNSTEIN AS
SUCCESSOR TRUSTEE OF THE SHIRLEY BERNSTEIN TRUST**

THIS CAUSE came before the Court for hearing on April 2, 2015, Trustee's *Motion to Dismiss Eliot Bernstein's Complaint to Remove Ted S. Bernstein, as Successor Trustee of the Simon L. Bernstein Amended and Restated Trust* ("the Motion"). The Court, having reviewed the Motion

Order on Trustee's Motion to Dismiss Eliot Bernstein's Complaint to
Remove Ted S. Bernstein, as Successor Trustee of the Simon L. Bernstein
Amended and Restated Trust
Case No. 502015CP001162XXXXSBIY

and the record, having heard argument of counsel and/or the parties, and being otherwise fully
advised in the premises, hereby ORDERS AND ADJUDGES:

1. The Motion is _____.

DONE AND ORDERED in Chambers, in Palm Beach County, Florida, this ___ day of
_____, 2015.

Martin H. Colin
CIRCUIT COURT JUDGE

cc: All parties on the attached service list

Order on Trustee's Motion to Dismiss Eliot Bernstein's Complaint to
Remove Ted S. Bernstein, as Successor Trustee of the Simon L. Bernstein
Amended and Restated Trust
Case No. 502015CP001162XXXXSBIY

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Counsel for Molly Simon, Alexandra Bernstein,
Eric Bernstein, Michael Bernstein

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.

**ORDER PERMITTING TRUSTEE TO FILE MOTION TO HOLD ELIOT BERNSTEIN
IN CONTEMPT OF COURT AND FOR SANCTIONS**

THIS CAUSE came before the Court on April 2, 2015, on Trustee's request for permission to file Motion to Hold Eliot Bernstein in Contempt of Court and for Sanctions (the "Motion"). The Court, having reviewed the Motion and the record, and being otherwise fully advised in the premises, hereby ORDERS AND ADJUDGES:

1. Trustee's request for permission to file the Motion is Granted.

Order Permitting Trustee to File Motion to Hold Eliot
Bernstein in Contempt of Court and For Sanctions
Case No. 502014CP003698XXXXSB

2. Trustee will file and serve a notice of hearing scheduling the Motion for hearing on
April 23, 2015, from 10:00 a.m. to 12:00 noon.

DONE AND ORDERED in Chambers, in Palm Beach County, Florida, this ___ day of
_____, 2015.

Martin H. Colin
CIRCUIT COURT JUDGE

cc: All parties on the attached service list

Order Permitting Trustee to File Motion to Hold Eliot
Bernstein in Contempt of Court and For Sanctions
Case No. 502014CP003698XXXXSB

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