

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.

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**ORDER DETERMINING THAT ELIOT BERNSTEIN'S PETITION  
TO REMOVE TED S. BERNSTEIN IS AN ADVERSARY PROCEEDING**

THIS CAUSE came before the Court during hearings held on April 23, 2015, upon consideration of Eliot Bernstein's Petition to Remove Ted S. Bernstein as Successor Trustee of the Shirley Bernstein Trust, Motion to Strike and Motion to Stay Proceedings (the "Petition"). The Court, having reviewed the Petition 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 Petition, seeking the removal of a trustee, is determined to be an adversary proceeding as specified in Florida Probate Rule 5.025(c).

2. These proceedings, as nearly as practicable, must be conducted similar to suits of a civil nature. Interested persons must serve written defenses, if any, within 20 days from the date of the order.

DONE AND ORDERED in Chambers, in Palm Beach County, Florida, this \_\_\_\_ day of April, 2015.

Martin H. Colin  
CIRCUIT COURT JUDGE

**SIGNED & DATED**  
**MAY 04 2015**  
**JUDGE MARTIN H. COLIN**

cc: All parties on the attached service list

## SERVICE LIST

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and Eliot and Candice Bernstein,  
as Parents and Natural Guardians of  
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