

IN THE CIRCUIT COURT IN AND FOR THE 15TH JUDICIAL CIRCUIT IN AND
FOR PALM BEACH COUNTY, FLORIDA

IN RE: ESTATE OF:

PROBATE DIVISION

SIMON L. BERNSTEIN,

FILE NO: 502012CP4391XXXXSB

Deceased.

**PETITION FOR INSTRUCTIONS TO DETERMINE WHETHER THE ESTATE
SHOULD MAKE A LOAN TO ELIOT BERNSTEIN AND FOR OTHER RELIEF**

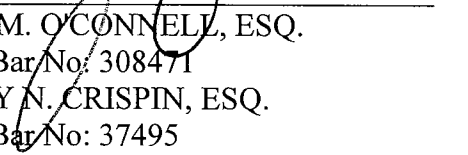
BRIAN M. O'CONNELL, as Personal Representative of the Estate of Simon L. Bernstein ("Personal Representative," "Estate," and "Decedent," respectively), by and through undersigned counsel, hereby files his Petition for Instructions on Eliot Bernstein's ("Eliot") Request for a Loan of one hundred thousand dollars (\$100,000.00), and states as follows:

1. The Decedent died on September 13, 2012.
2. Eliot, the decedent's son, has requested that the Estate loan him one hundred thousand dollar (\$100,000.00) for the living and household expenses of himself and/or his three (3) minor children.
3. Elliot has requested the monies come either from the assets of the Estate or, alternatively, that the Personal Representative request the monies from the Simon L. Bernstein Amended and Restated Trust Agreement, dated July 25, 2012 ("Simon Trust").
4. The Personal Representative seeks instructions as to whether such a loan can and should be made to Elliot and if so, whether the loan shall be paid from the assets of the Estate or from the Simon Trust.

5. Accordingly, by this Petition, the Personal Representative advises the Court and all persons on the certificate of service list of the foregoing, and, in the abundance of caution, seeks instructions regarding Elliot's request for a \$100,000.00 loan.

WHEREFORE, BRIAN M. O'CONNELL, as Personal Representative of the Estate of Simon L. Bernstein, by and through undersigned counsel, hereby respectfully requests that this Court enter an Order providing instructions as described above, and for attorneys' fees and costs and such other relief as this Court deems just and proper.

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by e-mail service on the 4th day of, May 2015 to all on the Service List attached.



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