

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  
TRUST AGREEMENT DATED MAY 20, 2008  
AS AMENDED,

Plaintiff(s)

PROBATE DIVISION IH  
CASE NO. 502014CP003698XXXXNB

Related Cases:

502011CP00653XXXXSB  
502014CA014637XXXXMB  
502014CP002815XXXXSB  
502015CP001162XXXXNB  
502015CP002717XXXXNB

v.

**NOTICE OF APPEAL**

ALEXANDRA BERNSTEIN; ET AL.

Defendant(s).

ELIOT BERNSTEIN

v. ESTATE OF SIMON BERNSTEIN

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Appellant / Petitioner(s)

Appellee / Respondent(s)

**NOTICE OF APPEAL**

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**NOTICE IS GIVEN** that Eliot Ivan Bernstein, Appellant-Petitioner, appeals to the Fourth ( 4th ) District Court of Appeals from the Order of Palm Beach County Judge John L. Phillips sitting in the Probate Division dated Dec. 8, 2015 denying a Petition for Mandatory Disqualification of Judge John L. Phillips filed Dec. 4, 2015 together with a Notice of Correction on same date and further Denying said Petition as legally insufficient and hereby appeals from each and every part of said Order.

Dated: January 5, 2016  
/s/Eliot Ivan Bernstein  
Eliot Ivan Bernstein  
2753 NW 34th St  
Boca Raton, FL 33434  
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**CERTIFICATE OF SERVICE**

I CERTIFY that a copy of the foregoing has been furnished to parties listed on attached Service List by E-mail Electronic Transmission; Court ECF; this 5th day of January, 2016.

By: /s/ Eliot Ivan Bernstein  
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PROBATE DIVISION IH  
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TED BERNSTEIN, AS TRUSTEE  
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TRUST AGREEMENT DATED  
MAY 20, 2008 AS AMENDED  
Plaintiff(s)

v.

ALEXANDRA BERNSTEIN; ET AL.  
Defendant(s).

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**ORDER DENYING PETITIONER'S VERIFIED SWORN EMERGENCY PETITION  
AND AFFIDAVIT FOR IMMEDIATE MANDATORY DISQUALIFICATION OF  
CIRCUIT JUDGE JOHN L. PHILLIPS**

THIS MATTER came before the Court in chambers, upon Petitioner's VERIFIED SWORN EMERGENCY PETITION AND AFFIDAVIT FOR IMMEDIATE MANDATORY DISQUALIFICATION OF CIRCUIT JUDGE JOHN L PHILLIPS (DE #94), and his NOTICE OF CORRECTION filed December 4, 2015, (DE # 96), alleged to apply to other applicable related cases:

2012CP004391 –Simon Bernstein Estate

2011CP000653 – Shirley Bernstein Estate

2014CP002815 – Oppenheimer v. Bernstein Minor Children

2015CP001162- Eliot Bernstein v. Trustee Simon Trust Case

Old Case -2014CA014637.

The Court has reviewed same and upon consideration it is

**ORDERED and ADJUDGED** that the Petition for Disqualification, and the Notice of Correction as set forth above, are **DENIED** as legally insufficient..

DONE AND ORDERED in West Palm Beach, Palm Beach County, Florida, this 8th day of December, 2015.

The image shows a handwritten signature in blue ink that reads "John L. Phillips". The signature is written over a faded, light-colored official seal and text. The seal is circular and contains the text "OFFICE OF THE CLERK OF THE COURT" and "PALM BEACH COUNTY, FLORIDA". The text below the seal reads "ADMINISTRATIVE OFFICE OF THE COURT".

JOHN L PHILLIPS  
Circuit Judge

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JOHN L PHILLIPS  
Circuit Judge

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