

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: 502012CP4391XXXXNB IH

Deceased.

PETITION FOR ORDER AUTHORIZING PAYMENT
OF ATTORNEY'S FEES AND EXPENSES FOR THE PERSONAL REPRESENTATIVE OF
THE ESTATE OF SIMON L. BERNSTEIN
FOR NOVEMBER 1, 2015 THROUGH NOVEMBER 30, 2015

Petitioner, BRIAN M. O'CONNELL, as Personal Representative of the Estate of Simon L. Bernstein and the attorney for the Personal Representative (collectively "Personal Representative"), alleges:

1. The Personal Representative is an attorney engaged in the practice of law in the State of Florida and is a partner with the law firm of Ciklin Lubitz & O'Connell.

2. On July 24, 2014, he was appointed as the Successor Personal Representative of the Estate of Simon L. Bernstein.

3. The Personal Representative has rendered services and incurred expenses for the benefit of the Estate, from November 1, 2015 to November 30, 2015, as more fully described and set forth in the itemized schedule of services and expenses attached hereto as Exhibit A, for which the Personal Representative has not been paid.

4. The Personal Representative's records indicate that during the period of time above 9.8 attorney hours and 4.6 paralegal hours have been expended as set forth in the itemized summary of services and expenses attached hereto as Exhibit "A".

5. The Personal Representative believes that a reasonable fee for the services performed during that period of time is \$2,930.00 and costs of \$653.35 – totaling \$3,583.85.

6. The Personal Representative fees and costs described on the attached Exhibit "A" were incurred in discharging administration responsibilities, as more particularly described in Exhibit "A".

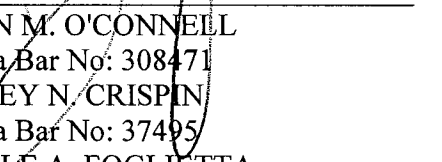
WHEREFORE, BRIAN M. O'CONNELL, as Personal Representative of the Estate of SIMON L. BERNSTEIN and the attorney for the Personal Representative, requests this Court award the Personal Representative a reasonable fee for his services and expenses incurred, and authorizing the payment of such fees and expenses from the assets of the estate.

Under penalties of perjury, I declare that I have read the foregoing, and the facts alleged are true, to the best of my knowledge and belief.

Dated January 20, 201⁶.

BRIAN M. O'CONNELL, ESQ.
Florida Bar No: 308471
ASHLEY N. CRISPIN, ESQ.
Florida Bar No: 37495
JOELLE A. FOGLIETTA, ESQ.
Florida Bar No: 94238
CIKLIN LUBITZ & O'CONNELL
515 N. Flagler Dr., 20th Floor
West Palm Beach, FL 33401
Telephone: 561-832-5900
Facsimile: 561-833-4209
primary e-mail: service@ciklinlubitz.com
secondary e-mail: probateservice@ciklinlubitz.com

I HEREBY CERTIFY that a true and correct of the foregoing was sent by e-mail service or U.S. Postal Service on the 20th day of JANUARY, 201⁶6 to the parties on the attached Service List.



BRIAN M. O'CONNELL
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secondary e-mail: probateservice@ciklinlubitz.com

SERVICE LIST

<p>Alan B. Rose, Esq. Page, Mrachek, Fitzgerald & Rose, PA. 505 S. Flagler Dr., Suite 600 West Palm Beach, FL 33401 (561) 355-6991 arose@mrachek-law.com mchandler@mrachek-law.com Attorney for Ted S. Bernstein</p>	<p>John P. Morrissey, Esq. 330 Clematis St., Suite 213 West Palm Beach, FL 33401 john@jmorrisseylaw.com Attorney for Molly Simon et al</p>	<p>Donald R. Tescher, Esq. Robert L. Spallina, Esq. 925 S. Federal Highway, Suite 500 Boca Raton, FL 33432 Dtescher@tescherlaw.com ddustin@tescherlaw.com rspallina@tescherspallina.com kmoran@tescherspallina.com</p>
<p>Peter Feaman, Esq. Peter M. Feaman, P.A. 3695 Boynton Beach Blvd., Suite 9 Boynton Beach, FL 33436 pfeaman@feamanlaw.com</p>	<p>Shendell & Pollock, P.L. 2700 N. Military Trail, suite 150 Boca Raton, FL 33431 241-2323 Fax: 241-2330 Gary R. Shendell, Esq. gary@shendellpollock.com estella@shendellpollock.com grs@shendellpollock.com Kenneth S. Pollock, Esq. ken@shendellpollock.com britt@shendellpollock.com grs@shendellpollock.com Attorney for Tescher and Spallina</p>	<p>Max Friedstein 2142 Churchill Lane Highland Park, IL 60035 Beneficiary</p>
<p>Eliot Bernstein and Joshua, Jacob and Daniel Bernstein, Minors c/o Eliot and Candice Bernstein, Parents and Natural Guardians 2753 N.W. 34th St. Boca Raton, FL 33434 iviewit@iviewit.tv</p>	<p>Pamela Beth Simon 950 N. Michigan Ave., Apt. 2603 Chicago, IL 60611 psimon@stpcorp.com</p>	<p>Lisa Friedstein and Carley Friedstein, Minor c/o Jeffrey and Lisa Friedstein Parent and Natural Guardian 2142 Churchill Lane Highland Park, IL 60035 Lisa@friedsteins.com Lisa.friedstein@gmail.com Beneficiary</p>
<p>Jill Iantoni and Julia Iantoni, a Minor c/o Guy and Jill Iantoni, her Parents & Natural Guardians 2101 Magnolia Lane Highland Park, IL 60035 jilliantoni@gmail.com</p>		

Brian M. O'Connell, Esq.
 Bernstein, Simon L. Estate

Re: Bernstein, Simon L. Estate

<u>Date</u>	<u>Atty</u>	<u>Hours</u>	<u>Rate</u>	<u>Value</u>	<u>Diary</u>	
11/02/15	BMO	0.10	350.00	\$35.00	Receipt and review of 10/30/15 correspondence from Delaware Life concerning commission information.	<input type="checkbox"/>
11/02/15	BMO	0.10	350.00	\$35.00	Receipt and review of JAF 11/2/15 memo to Alan Rose concerning our availability dates for mediation.	<input type="checkbox"/>
11/02/15	ZMR	0.10	175.00	\$17.50	Receipt and review of email from Jody Givens, Delaware Life Insurance Company re: request for commission information.	<input type="checkbox"/>
11/04/15	BMO	0.10	350.00	\$35.00	Receipt and review of 10/29/15 correspondence from Mass Mutual.	<input type="checkbox"/>
11/04/15	BMO	0.10	350.00	\$35.00	Receipt and review of 11/4/15 correspondence from Lincoln Financial Group.	<input type="checkbox"/>
11/05/15	BMO	0.10	350.00	\$35.00	Receipt and review of 11/5/15 email communications x4, Lisa Friedstein, Alan Rose, concerning mediation.	<input type="checkbox"/>
11/06/15	BMO	0.20	350.00	\$70.00	Review and revise Stamos and Trucco revised Retention Agreement.	<input type="checkbox"/>
11/06/15	BMO	0.60	350.00	\$210.00	Conference with JAF re: [REDACTED] (.1); conference with Illinois counsel and JAF re: same (.5).	<input type="checkbox"/>
11/06/15	JAF	0.60	205.00	\$123.00	Conference with BMO re: [REDACTED] (.1); Conference with Illinois counsel and BMO re: same (.5).	<input type="checkbox"/>
11/09/15	SHM	0.10	125.00	\$12.50	Conference with JAF re: [REDACTED]	<input type="checkbox"/>
11/09/15	JAF	0.20	205.00	\$41.00	Instructions to SHM re: [REDACTED] (.1); Attention to issues re; same (.1).	<input type="checkbox"/>
11/09/15	CJT	1.00	125.00	\$125.00	Request billing statement; Receipt and review of billing statement; Begin redacting; Prepare Petition for Order Authorizing Payment of Attorney's Fees and Expenses and proposed Order.	<input type="checkbox"/>
11/10/15	SHM	1.00	125.00	\$125.00	Review of documents from JP Morgan re: RC affidavit	<input type="checkbox"/>

Brian M. O'Connell, Esq.		Bernstein, Simon L. Estate			2	
11/11/15	JAF	0.60	205.00	\$123.00	Conference with Huihui and ZR re: ERISA pensions issues (.5); Prepared email to Huihui re: same (.1).	<input type="checkbox"/>
11/11/15	ZMR	0.40	175.00	\$70.00	Telephone conference with Huihui Jiang, Erisa Pension Plan advisor re: payments to be made, beneficiary designations, and plan information.	<input type="checkbox"/> 01 N/C
11/12/15	BMO	0.10	350.00	\$35.00	Receipt and review of JAF 11/12/15 memo to Kevin Horan.	<input type="checkbox"/>
11/12/15	JAF	0.20	205.00	\$41.00	[REDACTED] (.1); Instructions to SHM re: [REDACTED] (.1).	<input type="checkbox"/>
11/13/15	BMO	0.10	350.00	\$35.00	Receipt and review of Notice of Mediation filed 11/13/15 by Alan Rose.	<input type="checkbox"/>
11/13/15	BMO	0.10	350.00	\$35.00	Receipt and review of 11/13/15 email communications x2, Alan Rose, concerning court-ordered mediation.	<input type="checkbox"/>
11/13/15	JAF	0.40	205.00	\$82.00	Attention to records custodian affidavit for JP morgan docs (.2); INstructions to SHM re: same (.2).	<input type="checkbox"/>
11/16/15	BMO	0.10	350.00	\$35.00	Receipt and review of 11/16/15 email communications x2, Peter Feaman, JAF.	<input type="checkbox"/>
11/16/15	SHM	0.50	125.00	\$62.50	Finalize and file N/Unavailability	<input type="checkbox"/>
11/17/15	SHM	0.50	125.00	\$62.50	Revise Affidavit for JP Morgan. Forward to JAF for final review.	<input type="checkbox"/>
11/20/15	JAF	0.80	205.00	\$164.00	Attention to mediation (.1); Attention to issues set for trial 12-15 (.7).	<input type="checkbox"/>
11/24/15	SHM	1.50	125.00	\$187.50	Review and docketing of insurance companies responses (partial).	<input type="checkbox"/>
11/24/15	JAF	0.20	205.00	\$41.00	Attention to witness and exhibit list for trial.	<input type="checkbox"/>
11/25/15	BMO	1.10	350.00	\$385.00	Conference with JAF [REDACTED] (.7); conference with JAF re: [REDACTED] litigation (.2); [REDACTED] (.2).	<input type="checkbox"/>
11/25/15	JAF	2.00	205.00	\$410.00	Attention to ERISA pensions (.7); Conference with BMO [REDACTED] (.7); Conference with BMO re: [REDACTED] (.2); Conference with Illinois counsel re: [REDACTED] (.1); Instructions to SHM re: [REDACTED] (.2); Conf with ZR re: insurance information requested and commissions information (.1).	<input type="checkbox"/>
11/25/15	ZMR	0.10	175.00	\$17.50	Attention to issues with JAF re: commission payments.	<input type="checkbox"/>
11/25/15	ZMR	1.50	175.00	\$262.50	Review responses from insurance companies and prepare summary re: commission payments.	<input type="checkbox"/>

Brian M. O'Connell, Esq.
Total

Bernstein, Simon L. Estate
14.50 \$2,947.50

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Attorney Summary

Attorney	Hours	Rate	Value
BMO O'CONNELL, BRIAN M	2.80	350.00	\$980.00
CJT THOMAS, CYNTHIA J	1.00	125.00	\$125.00
JAF FOGLIETTA, JOY A	5.00	205.00	\$1,025.00
SHM MCDOWELL, SHERRI H	3.60	125.00	\$450.00
ZR ROTHMAN, ZACHARY M	2.10	175.00	\$367.50
Total	14.5 14.4		\$2,947.50 350.00 \$2,930.00

Disbursements

Class	Date	Description	Amount
01 Postage	11/30/15	Postage	\$13.92
02 Copy/Printing Expense	11/30/15	Copy/Printing Expense	\$621.00
03 Long Distance Telephone	11/30/15	Long Distance Telephone	\$16.43
44 Photocopy	11/25/15	Clerk of Court; Photocopy	\$2.00
Total			\$653.35

Billing Summary

Total Time
Total Disbursements

~~\$2,947.50~~
\$2,930.00
\$653.35

Total of new charges

~~\$3,600.85~~
\$3,583.35