

IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT, IN AND
FOR PALM BEACH COUNTY, FLORIDA

PROBATE DIVISION

CASE NO.: 502014CP002815XXXXNB (IH)

OPPENHEIMER TRUST COMPANY
OF DELAWARE, in its capacity as
Resigned Trustee of the Simon Bernstein
Irrevocable Trusts created for the benefit
of Joshua, Jake and Daniel Bernstein,

Petitioner,

vs.

ELIOT AND CANDICE BERNSTEIN,
in their capacity as parents and natural
guardians of JOSHUA, JAKE AND
DANIEL BERNSTEIN, minors,

Respondents.

NOTICE TO COURT REGARDING SELECTION OF GUARDIAN *AD LITEM*

Petitioner, OPPENHEIMER TRUST COMPANY OF DELAWARE (“Oppenheimer”), as the resigned trustee of three irrevocable trusts created by the late Simon Bernstein for the benefit of his minor grandchildren, Joshua, Jake and Daniel Bernstein (the “Grandchildren Trusts”), notifies this Court as follows pursuant to the Order entered in this case, and the companion Order entered in Case No. 502014CP003698XXXXNB, on March 1, 2016:

1. The parties have conferred and all parties, other than Eliot and Candice Bernstein, have agreed on the appointment of retired Judge Diana Lewis as guardian *ad litem* for minor beneficiaries Joshua, Jake and Daniel Bernstein (the “Minor Beneficiaries”).

2. As of the date of this filing, Eliot and Candice Bernstein have not proposed an alternate guardian *ad litem*.

3. In an effort to comply with this Court's directive for each party to "submit a list of three names of potential guardian *ad litem*s, each of whom has agreed to accept the appointment if selected," see *Order entered in Case No. 502014CP003698XXXXNB*, ¶ 8, Oppenheimer, through the undersigned, contacted several Florida attorneys located in Palm Beach County; however, none of them would agree to accept the appointment if selected.

4. Oppenheimer consents to the appointment of retired Judge Diana Lewis, or any Florida-licensed lawyer located in Palm Beach County that is selected by the Court, as guardian *ad litem*.

Respectfully submitted,

GUNSTER, YOAKLEY & STEWART, P.A.
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By: /s/Steven A. Lessne

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished via e-mail to all parties on the attached Service List this 14th day of March, 2016.

/s/ Steven A. Lessne

SERVICE LIST

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All counsel of record in Case No. 502014CP003698XXXXNB