

IN THE CIRCUIT COURT IN AND FOR THE 15<sup>TH</sup> JUDICIAL CIRCUIT IN AND FOR  
PALM BEACH COUNTY, FLORIDA

IN RE: ESTATE OF:

PROBATE DIVISION

SIMON L. BERNSTEIN,

FILE NO: 502012CP4391XXXXNB IH

Deceased.

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PETITION FOR ORDER AUTHORIZING PAYMENT  
OF ATTORNEY'S FEES AND EXPENSES FOR THE PERSONAL REPRESENTATIVE OF  
THE ESTATE OF SIMON L. BERNSTEIN  
FOR JANUARY 4, 2016 THROUGH JANUARY 29, 2016

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 January 4, 2016 to January 29, 2016, 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 13.5 attorney hours and 45.9 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 \$9,395.00 and costs of \$194.93 – totaling \$9,589.93.

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 July 22, 2016.



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BRIAN M. O'CONNELL  
Florida Bar No: 308471  
ASHLEY CRISPIN ACKAL  
Florida Bar No: 37495  
JOIELLE A. FOGLIETTA  
Florida Bar No. 94238  
ZACHARY M. ROTHMAN  
Florida Bar No. 117924  
CIKLIN LUBITZ & O'CONNELL  
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West Palm Beach, FL 33401  
Telephone: 561-832-5900  
Facsimile: 561-833-4209  
primary e-mail: [service@ciklinlubitz.com](mailto:service@ciklinlubitz.com)  
secondary e-mail: [probateservice@ciklinlubitz.com](mailto: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 22<sup>nd</sup> day of July, 2016 to the parties on the attached Service List.



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BRIAN M. O'CONNELL  
Florida Bar No: 308471  
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CIKLIN LUBITZ & O'CONNELL  
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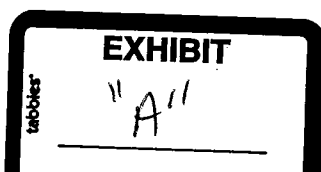
SERVICE LIST

<p>Alan B. Rose, Esq.        Page, Mrachek, Fitzgerald &amp;        Rose, PA.        505 S. Flagler Dr., Suite 600        West Palm Beach, FL 33401        (561) 355-6991  <a href="mailto:arose@mrachek-law.com">arose@mrachek-law.com</a>  <a href="mailto:mchandler@mrachek-law.com">mchandler@mrachek-law.com</a>        Attorney for Ted S. Bernstein</p>	<p>John P. Morrissey, Esq.        330 Clematis St., Suite 213        West Palm Beach, FL 33401  <a href="mailto:john@jmorrisseylaw.com">john@jmorrisseylaw.com</a>        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  <a href="mailto:Dtescher@tescherlaw.com">Dtescher@tescherlaw.com</a>  <a href="mailto:ddustin@tescherlaw.com">ddustin@tescherlaw.com</a>  <a href="mailto:rspallina@tescherspallina.com">rspallina@tescherspallina.com</a>  <a href="mailto:kmoran@tescherspallina.com">kmoran@tescherspallina.com</a></p>
<p>Peter Feaman, Esq.        Peter M. Feaman, P.A.        3695 Boynton Beach        Blvd., Suite 9        Boynton Beach, FL 33436  <a href="mailto:pfeaman@feamanlaw.com">pfeaman@feamanlaw.com</a></p>	<p>Shendell &amp; Pollock, P.L.        2700 N. Military Trail, suite 150        Boca Raton, FL 33431        241-2323 Fax: 241-2330        Gary R. Shendell, Esq.  <a href="mailto:gary@shendellpollock.com">gary@shendellpollock.com</a>  <a href="mailto:estella@shendellpollock.com">estella@shendellpollock.com</a>  <a href="mailto:grs@shendellpollock.com">grs@shendellpollock.com</a>        Kenneth S. Pollock, Esq.  <a href="mailto:ken@shendellpollock.com">ken@shendellpollock.com</a>  <a href="mailto:britt@shendellpollock.com">britt@shendellpollock.com</a>  <a href="mailto:grs@shendellpollock.com">grs@shendellpollock.com</a>        Matthew A. Tornincasa, Esq.  <a href="mailto:matt@shendellpollock.com">matt@shendellpollock.com</a>  <a href="mailto:robyne@shendellpollock.com">robyne@shendellpollock.com</a>  <a href="mailto:grs@shendellpollock.com">grs@shendellpollock.com</a>         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. 34<sup>th</sup> St.        Boca Raton, FL 33434  <a href="mailto:iviewit@iviewit.tv">iviewit@iviewit.tv</a></p>	<p>Pamela Beth Simon        950 N. Michigan Ave., Apt.        2603        Chicago, IL 60611  <a href="mailto:psimon@stpcorp.com">psimon@stpcorp.com</a></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  <a href="mailto:Lisa@friedsteins.com">Lisa@friedsteins.com</a>  <a href="mailto:Lisa.friedstein@gmail.com">Lisa.friedstein@gmail.com</a>        Beneficiary</p>
<p>Jill Iantoni and        Julia Iantoni, a Minor        c/o Guy and Jill Iantoni, her        Parents &amp; Natural Guardians        2101 Magnolia Lane        Highland Park, IL 60035  <a href="mailto:jilliantoni@gmail.com">jilliantoni@gmail.com</a></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>	
01/04/16	BMO	0.10	350.00	\$35.00	Conference with JAF re:	<input type="checkbox"/>
01/04/16	BMO	0.10	350.00	\$35.00	Receipt and review of 1/4/15 email from Shirley Sunshine re: trial transcript.	<input type="checkbox"/>
01/04/16	BMO	0.10	350.00	\$35.00	Receipt and review of 1/4/16 Order Denying Verified Sworn Emergency Petition and Affidavit for Immediate Mandatory Disqualification of Judge Phillips.	<input type="checkbox"/>
01/04/16	JAF	0.10	205.00	\$20.50	Attention to motion for new trial.	<input type="checkbox"/>
01/04/16	JAF	0.40	205.00	\$82.00	Conference with BMO re: (.1); Instructions to SHM re: (.1); Attention to issues re: same (.2).	<input type="checkbox"/>
01/05/16	BMO	0.10	350.00	\$35.00	Receipt and review of 1/5/16 Application for Determination of Civil Indigent Status filed by Eliot Bernstein in 4th DCA.	<input type="checkbox"/>
01/05/16	BMO	0.10	350.00	\$35.00	Receipt and review of 1/5/16 4th DCA Clerk correspondence re: Civil Indigent Status Determination.	<input type="checkbox"/>
01/05/16	BMO	0.10	350.00	\$35.00	Receipt and review of 1/5/16 Notice of Appeal filed by Eliot Bernstein.	<input type="checkbox"/>
01/06/16	BMO	0.20	350.00	\$70.00	Receipt and review of 1/6/16 Eliot Bernstein's Opposition to Improper Hearing Called up by Trustee Ted Bernstein and Counsel Alan Rose.	<input type="checkbox"/>
01/06/16	BMO	0.10	350.00	\$35.00	Receipt and review of 1/6/16 email communications x4, Candice Schwager, Eliot Bernstein, Alan Rose, concerning January 14th hearing.	<input type="checkbox"/>
01/06/16	BBJ	0.40	400.00	\$160.00	Telephone call with Alan Rose re:	<input type="checkbox"/>
01/06/16	JAF	0.20	205.00	\$41.00	Attention to deposition Hawkins.	<input type="checkbox"/>
01/06/16	CJT	0.80	125.00	\$100.00	Request billing statement for December, 2015; Prepare Petition for Order Authorizing Payment of Attorneys' Fees and Expenses and proposed Order;.	<input type="checkbox"/>



Brian M. O'Connell, Esq.		Bernstein, Simon L. Estate		2		
01/07/16	BMO	0.10	350.00	\$35.00	Receipt and review of 1/7/16 4th DCA Order denying Eliot's 12/15/15 Motion for Hearing En Banc.	<input type="checkbox"/>
01/07/16	BMO	0.10	350.00	\$35.00	Receipt and review of 1/7/16 Supreme Court of Florida Acknowledgment of New Case filed by Eliot.	<input type="checkbox"/>
01/07/16	BMO	0.10	350.00	\$35.00	Receipt and review of 1/7/16 Supreme Court of Florida Order Dismissing Eliot appeal.	<input type="checkbox"/>
01/08/16	BMO	0.10	350.00	\$35.00	Receipt and review of Notice of Appeal filed 1/5/16 by Eliot Bernstein.	<input type="checkbox"/>
01/08/16	BMO	0.10	350.00	\$35.00	Receipt and review of 4th DCA 1/8/16 Order re: no filing fee in Eliot indigency affidavit.	<input type="checkbox"/>
01/08/16	BMO	0.10	350.00	\$35.00	Receipt and review of 4th DCA 1/8/16 Order that Notice of Appeal filed in Circuit Court is treated as a Petition for Writ of Prohibition.	<input type="checkbox"/>
01/08/16	BMO	0.10	350.00	\$35.00	Receipt and review of 4th DCA 1/8/16 Acknowledgment of New Case.	<input type="checkbox"/>
01/08/16	BMO	0.20	350.00	\$70.00	Receipt and review of 1/7/16 email from Alan Rose summarizing hearing.	<input type="checkbox"/>
01/08/16	CAA	0.10	125.00	\$12.50	Receive and review Bernsteins' Notice of Appeal, Supreme Court's Acknowledgment and Supreme Court's Order denying appeal	<input type="checkbox"/>
01/08/16	CAA	0.20	125.00	\$25.00	Receive and review and profile in system multiple filings (Notice of Appeal, Application of Bernstein re: indigency and Order directed to Bernstein re: filing fee	<input type="checkbox"/>
01/11/16	CAA	0.10	125.00	\$12.50	Receive and review and profile in system 4th DCA's Acknowledgment of Appeal and Order on Bernsteins Notice of Appeal is treated as a Petition for Writ of Prohibition	<input type="checkbox"/>
01/11/16	ZMR	0.10	175.00	\$17.50	Attention to updates on commission information.	<input type="checkbox"/>
01/12/16	CAA	0.20	125.00	\$25.00	Attention to calendar for dates to coordinate John Hawkins' (JP Morgan) records custodian deposition; left detailed message for John Hawkins re: same	<input type="checkbox"/>
01/13/16	BMO	0.20	350.00	\$70.00	Receipt and review of 1/13/16 Eliot Response in Opposition Motions for Guardian & GAG filed by Alan B. Rose.	<input type="checkbox"/>
01/13/16	BMO	0.20	350.00	\$70.00	Receipt and review of 1/13/16 Eliot Response in Opposition to Omnibus Motion filed 1/17/16.	<input type="checkbox"/>
01/13/16	BMO	0.10	350.00	\$35.00	Receipt and review of 1/13/16 email communications x3, John Hawkins, JAF, CA re: Simon Bernstein accounts.	<input type="checkbox"/>
01/13/16	CAA	0.10	125.00	\$12.50	Prepare and send email to John Hawkins with JP Morgan re: Bernstein accounts	<input type="checkbox"/>
01/13/16	CAA	0.30	125.00	\$37.50	Telephone conference (from) with John Hawkins at JP Morgan re: his deposition; second telephone conference with John Hawkins explaining his deposition needed to authenticate records; receive and review email from John Hawkins re: same	<input type="checkbox"/>

Brian M. O'Connell, Esq.		Bernstein, Simon L. Estate		3		
01/13/16	CJT	0.20	125.00	\$25.00	Receipt and review of e-mail from White Lion Storage with invoice and voice mail message from Greg at White Lion.	<input type="checkbox"/>
01/14/16	BMO	0.10	350.00	\$35.00	Receipt and review of 1/14/16 Motion for Case Management Conference filed by Feaman.	<input type="checkbox"/>
01/14/16	BMO	0.10	350.00	\$35.00	Receipt and review of 1/14/16 email correspondence from Alan Rose with proposed Order Determining Eliot Bernstein Lacks Standing Individually and Striking Eliot's Filings, and Deferring Ruling on the Appointment of a Guardian ad Litem and Other Relief Sought.	<input type="checkbox"/>
01/14/16	BMO	0.20	350.00	\$70.00	Receipt and review of 1/14/16 email communications x5, Alan Rose, Eliot Bernstein, Steve Lessne, re: proposed Order and scheduling of evidentiary hearing.	<input type="checkbox"/>
01/14/16	BMO	0.10	350.00	\$35.00	Receipt and review of 1/14/16 e-correspondence from Rose to Feaman re: Feaman Motion for Case Management Conference.	<input type="checkbox"/>
01/14/16	BMO	0.10	350.00	\$35.00	Receipt and review of 1/14/16 correspondence from Alan Rose to Judge Phillips with attached proposed Order Determining Eliot Bernstein Lacks Standing, etc., and Notice of Evidentiary Hearing.	<input type="checkbox"/>
01/14/16	BMO	0.10	350.00	\$35.00	Receipt and review of 1/14/16 memos x2, JAF, CJT re: storage payment.	<input type="checkbox"/>
01/14/16	BMO	0.10	350.00	\$35.00	Receipt and review of 1/14/16 email correspondence from Alan Rose with proposed Order Determining Eliot Bernstein Lacks Standing Individually and Striking Eliot's Filings, and Deferring Ruling on the Appointment of a Guardian ad Litem and Other Relief Sought.	<input type="checkbox"/>
01/14/16	BMO	0.20	350.00	\$70.00	Receipt and review of 1/14/16 email communications x5, Alan Rose, Eliot Bernstein, Steve Lessne, re: proposed Order and scheduling of evidentiary hearing.	<input type="checkbox"/>
01/14/16	BMO	0.10	350.00	\$35.00	Receipt and review of 1/14/16 e-correspondence from Rose to Feaman re: Feaman Motion for Case Management Conference.	<input type="checkbox"/>
01/14/16	BMO	0.10	350.00	\$35.00	Receipt and review of 1/14/16 correspondence from Alan Rose to Judge Phillips with attached proposed Order Determining Eliot Bernstein Lacks Standing, etc., and Notice of Evidentiary Hearing.	<input type="checkbox"/>
01/14/16	CAA	0.10	125.00	\$12.50	Receive and review and profile in system, Eliot Bernstein's Response in Opposition to Motions for Guardian and Gag Order filed by Alan M. Rose	<input type="checkbox"/>
01/14/16	CAA	0.10	125.00	\$12.50	Receive and review and profile in system, E. Bernstein's Response in Opposition to Omnibus Motion Filed 1/7/16 by Lessnee-Oppenheimer	<input type="checkbox"/>
01/14/16	JAF	0.40	205.00	\$82.00	Correspondence with JP Morgan re: records custodian deposition (.2); Attention to various motions filed by Eliot on 1-14 (.2).	<input type="checkbox"/>
01/14/16	CJT	1.50	125.00	\$187.50	Instruction from JAF; Calendaring; Telephone calls to Judge Phillips' J.A. for hearing dates; Telephone call with Greg from White Lion Storage; E-mail to parties regarding hearing dates.	<input type="checkbox"/>
01/14/16	ZMR	0.10	175.00	\$17.50	Instructions from JAF re: issues to review in Eliot's Response in Opposition Motions for Guardian And Gag Filed by Alan Rose and Response in Opposition to Omnibus Motion.	<input type="checkbox"/>

Brian M. O'Connell, Esq.		Bernstein, Simon L. Estate		4		
01/14/16	SR	0.50	125.00	\$62.50	Conference with SHM re: commission statements project; copy CD of statements to main drive.	<input type="checkbox"/>
01/15/16	BMO	0.10	350.00	\$35.00	Receipt and review of Notice of Appeal filed 1/15/16 by Eliot Bernstein.	<input type="checkbox"/>
01/15/16	BMO	0.10	350.00	\$35.00	Receipt and review of 1/15/16 email from Peter Feaman's office re: setting Motion for Case Management Conference.	<input type="checkbox"/>
01/15/16	BMO	0.20	350.00	\$70.00	Receipt and review of 1/15/16 email communications x4, James Stamos, Kevin Horan, JAF re: payment of Illinois litigation.	<input type="checkbox"/>
01/15/16	CAA	0.10	125.00	\$12.50	Receive and review and profile in system, William Stansbury's Motion for Case Management Conference	<input type="checkbox"/>
01/15/16	JAF	0.50	205.00	\$102.50	Attention to reappraisal of jewelry (.2); Instructions to ZR re: .1); Correspondence with Illinois counsel re: (.2).	<input type="checkbox"/>
01/15/16	JAF	0.10	205.00	\$20.50	Instructions to ZR re:	<input type="checkbox"/>
01/15/16	CJT	0.20	125.00	\$25.00	Receipt and review of e-mail from Jill Lantoni regarding hearing availability; Prepare response.	<input type="checkbox"/>
01/15/16	ZMR	0.10	175.00	\$17.50	Instructions from JAF re:	<input type="checkbox"/>
01/15/16	ZMR	0.30	175.00	\$52.50	Review old jewelry appraisal and examine/inventory pieces prior to appraisal.	<input type="checkbox"/>
01/15/16	ZMR	1.10	175.00	\$192.50	Deliver jewelry to appraiser, Provident Jewelry; inventory items; discuss appraisal value standards and sale options;	<input type="checkbox"/>
01/15/16	ZMR	0.30	175.00	\$52.50	Telephone communication with appraiser re: liquidation values, negotiating price, and obtaining gemological documents for the diamonds (.2); Investigation of gemological documents requested for appraisal (.1).	<input type="checkbox"/>
01/15/16	SR	4.30	125.00	\$537.50	Review commission statements for 28 accounts	<input type="checkbox"/>
01/18/16	BMO	0.10	350.00	\$35.00	Receipt and review of JAF 1/18/16 email correspondence to Feaman firm re: motion calendar hearing.	<input type="checkbox"/>
01/18/16	JAF	0.10	205.00	\$20.50	Reviewed petition for fees for December.	<input type="checkbox"/>
01/18/16	ZMR	0.10	175.00	\$17.50	Instructions from JAF re: Fee Petition for December 1, 2015 through December 31, 2015, and redaction of same.	<input type="checkbox"/>
01/19/16	BMO	0.10	350.00	\$35.00	Receipt and review of Feaman 1/19/16 Notice of Hearing for 2/16/16 on Motion for Case Management Conference.	<input type="checkbox"/>
01/19/16	BMO	0.10	350.00	\$35.00	Receipt and review of Amended Notice of Appeal filed 1/16/16 by Eliot.	<input type="checkbox"/>
01/19/16	BMO	0.10	350.00	\$35.00	Receipt and review of 1/19/16 email communications x3, Eliot Bernstein, Feaman office, JAF.	<input type="checkbox"/>



Brian M. O'Connell, Esq.		Bernstein, Simon L. Estate		5		
01/19/16	CAA	0.20	125.00	\$25.00	Receive and review and profile in system, Notice of Appeal re: Final Judgment on Count II of Amended Complaint, and Application for Determination of Indigent Status	<input type="checkbox"/>
01/19/16	CAA	0.10	125.00	\$12.50	Receive and review and profile in system, Motion for Case Management Conference	<input type="checkbox"/>
01/19/16	CAA	0.10	125.00	\$12.50	Receive and review and profile in system, letter from attorney Candice Schwager (dated 1/6/16) to Alan Rose with various attachments	<input type="checkbox"/>
01/19/16	CAA	0.10	125.00	\$12.50	Receive and review multiple emails re: scheduling Motion for Case Management Conference for hearing	<input type="checkbox"/>
01/19/16	CAA	0.10	125.00	\$12.50	Receive and review and profile in system, Amended Notice of Appeal re: Order Denying Petitioner's verified sworn Emergency Petition re: Disqualification of Judge Phillips	<input type="checkbox"/>
01/19/16	CAA	0.20	125.00	\$25.00	Receive and review and profile in system and calendar Notice of Hearing on Motion for Case Management Conference set for 2/18/16	<input type="checkbox"/>
01/19/16	CAA	0.10	125.00	\$12.50	Receive and review multiple e-mails coordinating scheduling evidentiary hearing on 2/17/16	<input type="checkbox"/>
01/19/16	CAA	0.20	125.00	\$25.00	Receive and review multiple emails from E. Bernstein re: Order from 1/7/16 hearing	<input type="checkbox"/>
01/19/16	CAA	0.10	125.00	\$12.50	Receive and review email from A. Rose to E. Bernstein re: prior rulings	<input type="checkbox"/>
01/19/16	CAA	0.10	125.00	\$12.50	Receive and review and profile in system, letter from attorney A. Rose to Judge Phillips re: proposed Order from 1/14/16 hearing	<input type="checkbox"/>
01/19/16	CAA	0.10	125.00	\$12.50	Attempt to contact John Hawkins at JP Morgan (left detailed message) re: who will be designated as a records custodian to take deposition authenticating Simon accounts	<input type="checkbox"/>
01/19/16	JAF	0.40	205.00	\$82.00	Prepared email to JP MOrgan rep re: records custodian depo (.1); Attention to Eliot filing reply and opposition to Rose order (.1); Instructions to SHM re: hearing on mot for case mangement conf (.1); INstructions to CJT re: November fee petition and hearing on same (.1).	<input type="checkbox"/>
01/19/16	JAF	0.30	205.00	\$61.50	Revisions to petition for fees for November (.2); Conference with Illinois counsel (.1).	<input type="checkbox"/>
01/19/16	CJT	1.00	125.00	\$125.00	Voice mail message to Judge Phillips' J.A. regarding March 10th hearing; Telephone call with J.A. regarding scheduling hearing; Prepare Notice of Hearing; Confer with JAF; Revise Petition for Attorneys Fees and Expenses.	<input type="checkbox"/>
01/19/16	ZMR	0.20	175.00	\$35.00	Correspondence with CJT and JAF x3 re: November Fee Petition.	<input type="checkbox"/>
01/20/16	BMO	0.10	350.00	\$35.00	Receipt and review of Feaman 1/20/16 Notice of Cancellation of 2/18/16 Hearing.	<input type="checkbox"/>
01/20/16	BMO	0.10	350.00	\$35.00	Receipt and review of Feaman 1/20/16 Notice of Case Management Hearing for 3/7/16.	<input type="checkbox"/>

Brian M. O'Connell, Esq.		Bernstein, Simon L. Estate		6		
01/20/16	BMO	0.10	350.00	\$35.00	Receipt and review of Eliot Notice of Appeal filed with 4th DCA 1/20/16.	
01/20/16	BMO	0.10	350.00	\$35.00	Receipt and review of 1/20/16 email communications x2, Feaman's office, JAF re: Status Conference.	
01/20/16	CAA	0.10	125.00	\$12.50	Receive and review email from Peeter Feaman's office re: coordinating status conference	
01/20/16	CAA	0.10	125.00	\$12.50	Receive, review and profile in system, Notice of Cancellation of Hearing on Motion for Case Management Conference set for 2/18/16; update Calendar	
01/20/16	CAA	0.20	125.00	\$25.00	Receive, review and profile iin system, Notice of Hearing on William Stansbury's Case Management Conference set for 3/7/16; update calendar	
01/20/16	JAF	0.10	205.00	\$20.50	Instructions to CJT re: December fee petition.	
01/20/16	CJT	1.00	125.00	\$125.00	E-file Petition for Attorney Fees and Expenses for November 2015; Revise Notice of Hearing; E-file Notice of Hearing (March 7, 2016 @ 1:30); Calendaring; Prepare letter to Judicial Assistant to Judge Phillips with Notice of Hearing and Petitions; Serve parties; Prepare e-mail serving copy of Notice and Petitions.	
01/21/16	BMO	0.10	350.00	\$35.00	Receipt and review of 1/21/16 correspondence from Steven Lessne to Court with attached Notice of Evidentiary Hearing.	
01/21/16	CAA	0.20	125.00	\$25.00	Receive, review and profile in system, Notice of Appeal filed with 4th DCA, Case No. 16-0222 re: Appeal of 12/16/15 Trial Order and Final Judgment	
01/21/16	CAA	0.10	125.00	\$12.50	Receive, review and profile in system, E. Bernstein's Application for Determination of Civil Indigent Status filed in 4th DCA 16-0222	
01/21/16	CAA	0.40	125.00	\$50.00	Receive, review and profile letter received from attorney Steven Lessne to Judge Phillips and Notice of Evidentiary Hearing scheduling Oppenheimer Trust Company's Omnibus Motion and Oppenheimer's Requests for Judicial Notice for 2/25/16; prepare and send email to J. Foglietta re: same	
01/21/16	CAA	0.20	125.00	\$25.00	Receive, review and profile in system Oppenheimer's letter to Judge Phillips and Notice of Evidentiary Hearing for 2/25/16 re: Oppenheimer's Omnibus Motion and Requests for Judicial Notice; update calendar re: same	
01/21/16	SHM	2.00	125.00	\$250.00	Review and organize multiple appeals to 4DCA and Supreme Court - filed by Eliot Bernstein	
01/21/16	SR	5.60	125.00	\$700.00	Continue analysis of commission statements	
01/22/16	BMO	0.10	350.00	\$35.00	Receipt and review of Acknowledgment of New Case.	
01/22/16	BMO	0.10	350.00	\$35.00	Receipt and review of email correspondence from Eileen M. Rosenquist regarding invoice for legal services through December 31, 2015.	

Brian M. O'Connell, Esq.		Bernstein, Simon L. Estate		7		
01/22/16	CAA	1.70	125.00	\$212.50	Attention to file re: deposition of JPMorgan records custodian; Review Delaware's Uniform Interstate Deposition and Discovery Act re: out-of-state deposition of Records Custodian for JPMorgan Private bank in Newark, DE; communications with Veritext Court Reporters in DE; locate county of Newark, DE and attempts to communicate with Clerk re: issuing Subpoena; review calendar to coordinate date and time for deposition;	<input type="checkbox"/>
01/22/16	CAA	0.30	125.00	\$37.50	Communications with attorney J. Foglietta re: Simon JP Morgan accounts; Attention to file re: same; coordinate and schedule deposition of Records Custodian of JP Morgan re: Simon Accounts	<input type="checkbox"/>
01/22/16	CAA	0.10	125.00	\$12.50	Attention to file re: status of attempts to schedule records custodian's deposition re: JP Morgan accounts of Simon; prepare and send email to J. Foglietta re: same	<input type="checkbox"/>
01/22/16	JAF	0.10	205.00	\$20.50	Instructions to CA re: records custodian depo JP Morgan.	<input type="checkbox"/>
01/22/16	ZMR	0.20	175.00	\$35.00	Telephone communications with Provident Jewelers re: issues with liquidation values and renegotiating price.	<input type="checkbox"/>
01/22/16	SR	5.40	125.00	\$675.00	Continue analyziation of commission statements for multiple accounts with many years of statements therein.	<input type="checkbox"/>
01/25/16	BMO	0.40	350.00	\$140.00	Conference with BBJ.	<input type="checkbox"/>
01/25/16	CAA	0.80	125.00	\$100.00	Telephone conference with JPMorgan Private Bank to determine who records custodian to serve subpoena for deposition; discuss same with J. Foglietta and A. Crispin; coordination of telephone deposition with counsel of record;	<input type="checkbox"/>
01/25/16	CAA	0.10	125.00	\$12.50	Discussion with J. Foglietta re: deposition of Records Custodian, JPMorgan Bank to confirm what information we are wanting to authenticate	<input type="checkbox"/>
01/25/16	JAF	0.30	205.00	\$61.50	Re: records custodian depo of JP Morgan rep.	<input type="checkbox"/>
01/25/16	CJT	0.10	125.00	\$12.50	Receipt and review of 1/22/16 invoice from Stamos & Trucco LLP.	<input type="checkbox"/>
01/25/16	ZMR	0.50	175.00	\$87.50	Redact December 2015 Fee Petition.	<input type="checkbox"/>
01/25/16	SR	4.50	125.00	\$562.50	Continue compiling commissions data	<input type="checkbox"/>
01/26/16	CAA	0.20	125.00	\$25.00	Receive and review email from attorney A. Rose re: good dates for JPMorgan records custodian deposition; prepare and send email to Jill Iantoni and Pamela Simon re: available dates for deposition;	<input type="checkbox"/>
01/26/16	CAA	0.20	125.00	\$25.00	Prepare and send follow-up email to counsel of record re: availability to attend telephone deposition of JPMorgan's Records Custodian; receive and review response email from E. Bernstein; prepare and send email to J. Foglietta re: attaching records to subpoena;	<input type="checkbox"/>

Brian M. O'Connell, Esq.		Bernstein, Simon L. Estate		8		
01/26/16	JAF	0.20	205.00	\$41.00	Instructions to CA re: records custodian depo of JP Morgan rep.	<input type="checkbox"/>
01/26/16	SR	8.00	125.00	\$1,000.00	Continue compiling data from commission statements	<input type="checkbox"/>
01/27/16	CAA	0.20	125.00	\$25.00	Attention to file re: Appraisal invoice from Provident; prepare and send email to J. Foglietta re: payment of same	<input type="checkbox"/>
01/27/16	ANG	0.10	295.00	\$29.50	Conference with JAF re: JP Morgan documents.	<input type="checkbox"/>
01/27/16	JAF	0.20	205.00	\$41.00	Instructions to CA re: pet for auth to reappraise jewelry (.1); Conference with ANC re: JP morgan documents (.1).	<input type="checkbox"/>
01/27/16	ZMR	0.20	175.00	\$35.00	Review final bill from Provident for appraisal (.1); Telephone communication with provident re: same and pickup (following order authorizing payment) (.1).	<input type="checkbox"/>
01/27/16	SR	2.80	125.00	\$350.00	Finalize commission data analysis	<input type="checkbox"/>
01/28/16	BMO	0.10	350.00	\$35.00	Receipt and review of Notice of UMC Hearing scheduled for 02/04/2016.	<input type="checkbox"/>
01/28/16	BMO	0.10	350.00	\$35.00	Receipt and review of Motion to Modify Final Order Approving Sale dated May 6, 2015 and for further Injunctive Relief.	<input type="checkbox"/>
01/28/16	JAF	0.10	205.00	\$20.50	Instructions to CA re: personal property issues.	<input type="checkbox"/>
01/29/16	BMO	0.20	350.00	\$70.00	Receipt and review of Petition to Determine the Whereabouts of Missing Tangible Personal Property and for Payment of Restitution to the Estate of Simon Bernstein.	<input type="checkbox"/>
01/29/16	BMO	0.10	350.00	\$35.00	Receipt and review of Motion for One Day Late Filing Prohibition.	<input type="checkbox"/>
01/29/16	BMO	0.20	350.00	\$70.00	Receipt and review of Petition for All Writs, Writ of Prohibition, Writ of Mandamus and Petition to Stay Cases and Temporarily Restrain Sale, Transfer, Disposition of Any Asset and for Preservation of All Evidence.	<input type="checkbox"/>
01/29/16	BMO	0.10	350.00	\$35.00	Receipt and review of Appendix.	<input type="checkbox"/>
01/29/16	CAA	0.20	125.00	\$25.00	Attention to file re: Ted Bernstein's Motion to Modify Final Order Approving Sale dated 5/6/15 and Notice of Hearing on same for 2/4/16	<input type="checkbox"/>
01/29/16	JAF	0.10	205.00	\$20.50	Instructions to CJT re: storage of PP.	<input type="checkbox"/>
01/29/16	CJT	0.20	125.00	\$25.00	Instruction from BMO; Arrange payment for White Lion Storage.	<input type="checkbox"/>
Total			<u>59.40</u>	<u>\$9,395.00</u>		

**Attorney Summary**

Attorney		Hours	Rate	Value
ANG	ACKAL, ASHLEY CRIPSIN	0.10	295.00	\$29.50
BBJ	JOSLYN, BRIAN B	0.40	400.00	\$160.00
BMO	O'CONNELL, BRIAN M	6.20	350.00	\$2,170.00
CAA	ANDERSON, CHARLENE A	7.80	125.00	\$975.00
CJT	THOMAS, CYNTHIA J	5.00	125.00	\$625.00
JAF	FOGLIETTA, JOY A	3.60	205.00	\$738.00
SHM	MCDOWELL, SHERRI H	2.00	125.00	\$250.00
SR	ROBINSON, SUZANNE	31.10	125.00	\$3,887.50
ZR	ROTHMAN, ZACHARY M	3.20	175.00	\$560.00
	Total	59.40		\$9,395.00

**Disbursements**

	<u>Class</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
01	Postage	01/31/16	Postage	\$12.90
02	Copy/Printing Expense	01/31/16	Copy/Printing Expense	\$59.10
03	Long Distance Telephone	01/31/16	Long Distance Telephone	\$6.51
20	Court Reporter Costs	01/12/16	Pleasanton, Greenhill, Meek & Marsaa	\$96.43
42	Federal Express	01/04/16	Fedex	\$19.99
	Total			\$194.93

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**Billing Summary**

Total Time	\$9,395.00
Total Disbursements	\$194.93
Total of new charges	<hr/> \$9,589.93