

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

CASE NO. 502012CP 004391XXXXNB (IH)

IN RE: ESTATE OF SIMON L.  
BERNSTEIN,

Deceased.

**MOTION TO SCHEDULE MOTION CALENDAR HEARING**

PLEASE TAKE NOTICE that the undersigned attorney for William E. Stansbury, "Interested Person" in the Estate of Simon Bernstein, hereby files this Motion to Schedule Motion Calendar Hearing on the **Motion of Creditor, William E. Stansbury, for Discharge from Further Responsibility for the Funding of the Estate's Participation in the Chicago Life Insurance Litigation and for Assumption of Responsibility by the Estate and for Reimbursement of Advanced Funds** (hereinafter "Motion"), and states as follows:


1. On May 4, 2016, the Motion was filed and served on all parties.
2. On May 20, 2016, the Motion was coordinated, scheduled and noticed for a special set hearing for 30 minutes to take place on July 27, 2016 at 10:00 a.m.
3. Brian O'Connell, Esq., as Successor Personal Representative of the Estate, subsequently filed his Notice of Unavailability. A copy of the Notice of Unavailability is attached hereto as **Exhibit "A."**
4. Mr. O'Connell's unavailability spans over three months. However, Mr. O'Connell does have other lawyers within his law firm that would be available to attend a motion calendar hearing on the Motion. A calendar depicting Mr. O'Connell's Notice of Unavailability is attached hereto as **Exhibit "B."**

WHEREFORE, William E. Stansbury, "Interested Person" in the Estate of Simon Bernstein, requests this Honorable Court enter an order setting a motion calendar hearing within the next month on the pending aforementioned Motion, and such other and further relief as deemed just and proper under the circumstances.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the above and foregoing has been forwarded via e-mail service through the Florida E-portal system to those listed on the attached service list, on this 27<sup>th</sup> day of July, 2016.

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By:   
Peter M. Feaman  
Florida Bar No. 0260347

**SERVICE LIST**

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[mhandler@pm-law.com](mailto:mhandler@pm-law.com)

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

PROBATE DIVISION

FILE NO.: 502012CP004391XXXXNB IH

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IN RE: ESTATE OF:

SIMON L. BERNSTEIN,

Deceased.

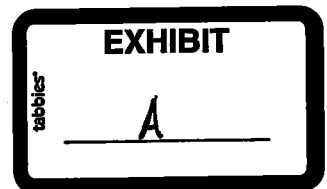
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**NOTICE OF UNAVAILABILITY**

**PLEASE TAKE NOTICE** that Brian M. O'Connell, as Personal Representative of the  
Estate of Simon L. Bernstein, is unavailable on the following dates:

July 18, 2016 through July 22, 2016  
July 26, 2016 through August 12, 2016  
August 16, 2016 through August 23, 2016  
August 25, 2016  
September 6, 2016 through September 19, 2016  
September 23, 2016  
October 7, 2016 through October 14, 2016  
October 19, 2016 through October 21, 2016  
October 28, 2016  
October 31, 2016  
November 10, 2016

and respectfully requests that no hearings, depositions, court appearances or mediations be scheduled during these times; no motions, requests to produce, interrogatories or other pleadings to be filed which require a timely response during this time; and that all pending matters remain in status quo, during these periods of time.




IN RE: Estate Of  
SIMON L. BERNSTEIN  
File No.: 502012CP4391XXXXNB/IH  
Notice of Unavailability of Brian M. O'Connell

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The filing and service of this notice shall constitute an application and request for continuance, extension of time and/or protective order as appropriately required for the above-reasons.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via the Court's ePortal filing system to all counsel and parties of record listed on the attached Service List this 18 day of July, 2016.

  
BRIAN M. O'CONNELL  
Florida Bar No.: 308471  
ASHLEY CRISPIN ACKAL  
Florida Bar No.: 37495  
JOIELLE A. FOGLIETTA  
Florida Bar No.: 94238  
Ciklin Lubitz & O'Connell  
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IN RE: Estate Of  
SIMON L. BERNSTEIN  
File No.: 502012CP4391XXXXNB/IH  
Notice of Unavailability of Brian M. O'Connell

**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></p> <p><b>Attorney for Ted S. Bernstein</b></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></p> <p><b>Attorney for Molly Simon et al</b></p>	<p>Donald R. Tescher, Esq.  Tescher &amp; Associates, P.A.  925 S. Federal Highway  Suite 500  Boca Raton, FL 33432  (561) 997-7008  <a href="mailto:Dtescher@tescherlaw.com">Dtescher@tescherlaw.com</a>  <a href="mailto:ddustin@tescherlaw.com">ddustin@tescherlaw.com</a></p> <p><b>Former PR of the Estate of Simon L. Bernstein</b></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><b>Attorney for William Stansbury</b></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></p> <p><b>Attorney for Tescher and Spallina</b></p>	<p>Max Friedstein  2142 Churchill Lane  Highland Park, IL 60035</p> <p><b>Beneficiary</b></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><b>Pro Se</b></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><b>Beneficiary</b></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></p> <p><b>Beneficiary</b></p>
<p>Jill Iantoni and Julia Iantoni, a Minor  c/o Guy and Jill Iantoni, her Parents &amp; Natural Guardians</p>	<p>Brian M. O'Connell, Esq.  Ashley Crispin Ackal, Esq.  Ciklin Lubitz &amp; O'Connell  515 N. Flagler Dr., 20<sup>th</sup> FL  West Palm Beach, FL 33401</p>	<p>Robert Spallina, Esq.  <a href="mailto:rspallina@comcast.net">rspallina@comcast.net</a></p>

IN RE: Estate Of  
SIMON L. BERNSTEIN  
File No.: 502012CP4391XXXXNB/IH  
Notice of Unavailability of Brian M. O'Connell

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2101 Magnolia Lane Highland Park, IL 60035 <u>jilliantoni@gmail.com</u> <b>Beneficiary</b>	<u>service@ciklinlubitz.com</u> <u>probateservice@ciklinlubitz.com</u> <b>PR of the Estate of Simon L. Bernstein</b>	<b>Former PR of the Estate of Simon L. Bernstein</b>
Diana Lewis <b>Guardian Ad Litem for Joshua, Jacob and Daniel Bernstein, Minors</b> ADR & Mediation Services, LLC 2765 Tecumseh Drive West Palm Beach, FL 33409 (561) 758-3017 <u>dzlewis@aol.com</u>		

# 2016

## January

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## September

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## October

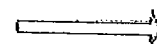
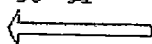
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**EXHIBIT**  
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