

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

CASE NO.: 4D16-1449

L.T. CASE NO. 2014CP002815XXXXNB

ELIOT IVAN BERNSTEIN,

Appellant,

vs.

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,

Appellee.

**APPELLEE’S RESPONSE TO MOTION FOR EXTENSION
OF TIME AND JOINDER IN MOTION TO CONSOLIDATE**

Appellee, Oppenheimer Trust Company of Delaware, et al. (“Oppenheimer”), responds to Appellant’s Motion for Extension and joins in a motion for consolidation pending in this Court’s related Case No. 4D16-1478, and states as follows:

1. As set forth in the Motion for Consolidation filed by Appellee, Ted Bernstein in Case No. 4D16-1478, filed August 4, 2016, there are three pending appeals in this Court that relate to the appointment of a guardian ad litem for the

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children of Eliot and Candice Bernstein. Those case numbers are 4D16-1449, 4D16-1476, and 4D16-1478.

2. For the reasons stated in the motion for consolidation pending in 4D16-1478, Oppenheimer supports and joins in the relief requested in that motion and believes that these three appeals, for the best interests of the parties and this Court, should be consolidated.

3. If the three above-referenced appeals are consolidated, Appellant, Eliot I. Bernstein, should be directed to prepare a single brief with respect to the three appeals. This court has already established a deadline of September 2, 2016, for the filing of the initial brief in Case No. 4D16-1478 and a deadline of September 6, 2016, for the initial brief in Case No. 4D16-1476. If this Court grants consolidation, Oppenheimer does not object to an extension of time to September 6, 2016, for Appellant to file and serve his single initial brief in the consolidated appeals.

4. In the event that this Court does not consolidate the three appeals, Oppenheimer will not object to the requested thirty-day extension within which Appellant must serve and file his initial brief in this appeal.

Respectfully submitted,

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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 15th day of August, 2016.

/s/ Steven A. Lessne
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