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

 PROBATE DIVISION IH

 CASE NO. 502014CP003698XXXXNB

Eliot Ivan Bernstein et al.,

Appellant,

v.

**NOTICE OF APPEAL OF A NON FINAL ORDER**

TED BERNSTEIN, AS TRUSTEE

OF THE SHIRLEY BERNSTEIN TRUST

TRUST AGREEMENT DATED MAY 20, 2008

AS AMENDED,

 Appellee

ALEXANDRA BERNSTEIN; ERIC BERNSTEIN; MICHAEL BERNSTEIN; MOLLY SIMON; PAMELA B. SIMON, Individually and as Trustee f/b/o Molly Simon under the Simon L. Bernstein

Trust Dtd 9/13/12; ELIOT BERNSTEIN, individually, as Trustee f/b/o D.B., Ja. B. and Jo. B. under the Simon L. Bernstein Trust Dtd 9/13/12, and on behalf of his minor children D.B., Ja. B. and Jo. B.;

JILL IANTONI, Individually, as Trustee f/b/o J.I. under the Simon L. Bernstein Trust Dtd 9/13/12, and on behalf of her Minor child J.I.; MAX FRIEDSTEIN;

LISA FRIEDSTEIN, Individually, as Trustee f/b/o Max Friedstein and C.F., under the Simon L. Bernstein Trust Dtd 9/13/12, and on behalf of her minor child, C.F.,

Appellee(s).

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**NOTICE IS GIVEN** that Eliot Ivan Bernstein, Appellant-Petitioner, appeals to the Fourth ( 4th ) District Court of Appeals from the Order of Palm Beach County Judge John L. Phillips sitting in the Probate Division dated September 01, 2016. A conformed copy of order is attached hereto, the nature of the order is a titled “ORDER ON SUCCESSOR TRUSTEE'S MOTION TO APPROVE AGREEMENT BETWEEN TED S. BERNSTEIN, TRUSTEE OF THE SHIRLEY BERNSTEIN TRUST, AND BRIAN O'CONNELL, AS PR OF THE ESTATE” (EXHIBIT 1) and hereby appeals from each and every part of said Order.

Dated: September 27, 2016

**/s/Eliot Ivan Bernstein**Eliot Ivan Bernstein

2753 NW 34th St

Boca Raton, FL 33434 561-245-8588

iviewit@iviewit.tv

**CERTIFICATE OF SERVICE**

I CERTIFY that a copy of the foregoing has been furnished to parties listed on attached Service List by E-mail Electronic Transmission; Court ECF; this 27th day of September, 2016.

 By: /s/ Eliot Ivan Bernstein

Eliot Ivan Bernstein

 2753 NW 34th St.

 Boca Raton, FL 33434

 561-245-8588

 iviewit@iviewit.tv

**SERVICE LIST - CASE NO. SC15-1077 & LOWER CASES DEFENDANTS, RESPONDENTS, COUNTER DEFENDANTS**

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| John P. Morrissey, Esq.330 Clematis Street, Suite 213West Palm Beach, FL 33401(561) 833-0766-Telephone(561) 833-0867 -FacsimileEmail: John P. Morrissey(iohn@jrnoiTisseylaw.com) | Lisa Friedstein2142 Churchill Lane Highland Park, IL 60035lisa@friedsteins.com |
| Peter M. Feaman, Esq.Peter M. Feaman, P.A.3695 West Boynton Beach Blvd., Suite 9Boynton Beach, FL 33436(561) 734-5552 -Telephone(561) 734-5554 -FacsimileEmail: service@feamanlaw.com:mkoskey@feamanlaw.com | Jill Iantoni2101 Magnolia Lane Highland Park, IL 60035jilliantoni@gmail.com |
| Gary R. Shendell, Esq.Kenneth S. Pollock, Esq.Shendell & Pollock, P.L.2700 N. Military Trail,Suite 150Boca Raton, FL 33431(561)241-2323 - Telephone (561)241-2330-FacsimileEmail: gary@shendellpollock.comken@shendellpollock.comestella@shendellpollock.combritt@shendellpollock.comgrs@shendellpollock.com | Counter DefendantRobert Spallina, Esq.Donald Tescher, Esq.Tescher & Spallina925 South Federal Hwy., Suite 500Boca Raton, Florida 33432 |
| Brian M. O'Connell, Esq.Joielle A. Foglietta, Esq.Ciklin Lubitz Martens & O'Connell515 N. Flagler Dr., 20th FloorWest Palm Beach, FL 33401561-832-5900-Telephone561-833-4209 - FacsimileEmail: boconnell@ciklinlubitz.com;ifoglietta@ciklinlubitz.com;service@ciklinlubitz.com;slobdell@ciklinliibitz.com | Counter DefendantJohn J. Pankauski, Esq.Pankauski Law Firm PLLC120 South Olive Avenue7th FloorWest Palm Beach, FL 33401courtfilings@pankauskilawfirm.comjohn@pankauskilawfirm.com |
| Counter DefendantMark R. Manceri, Esq., andMark R. Manceri, P.A.,2929 East Commercial BoulevardSuite 702Fort Lauderdale, FL 33308mrmlaw@comcast.net | Counter DefendantDonald Tescher, Esq.,Tescher & Spallina, P.A.Wells Fargo Plaza925 South Federal Hwy Suite 500Boca Raton, Florida 33432dtescher@tescherspallina.com |
| Theodore Stuart Bernstein880 BerkeleyBoca Raton, FL 33487tbernstein@lifeinsuranceconcepts.com | Counter DefendantTESCHER & SPALLINA, *P.A.*.Wells Fargo Plaza925 South Federal Hwy Suite 500Boca Raton, Florida 33432dtescher@tescherspallina.com |
| Theodore Stuart BernsteinLife Insurance Concepts, Inc.950 Peninsula Corporate CircleSuite 3010Boca Raton, FL 33487tbernstein@lifeinsuranceconcepts.com | Counter DefendantAlan B. Rose, Esq.PAGE, MRACHEK, FITZGERALD, ROSE, KONOPKA, THOMAS & WEISS, P.A.505 South Flagler Drive, Suite 600West Palm Beach, Florida 33401561-355-6991arose@pm-law.comarose@mrachek-law.com |
| Pamela Beth Simon950 N. Michigan AvenueApartment 2603Chicago, IL 60611psimon@stpcorp.com | Counter DefendantL. Louis Mrachek, Esq.PAGE, MRACHEK, FITZGERALD, ROSE, KONOPKA, THOMAS & WEISS, P.A.505 South Flagler Drive, Suite 600West Palm Beach, Florida 33401561-355-6991lmrachek@mrachek-law.com |
| Jill Iantoni2101 Magnolia LaneHighland Park, IL 60035jilliantoni@gmail.com | Counter DefendantPankauski Law Firm PLLC120 South Olive Avenue7th FloorWest Palm Beach, FL 33401 |
| Lisa Sue Friedstein2142 Churchill LaneHighland Park, IL 60035lisa.friedstein@gmail.comlisa@friedsteins.com | Dennis McNamaraExecutive Vice President and General Counsel Oppenheimer & Co. Inc.Corporate Headquarters125 Broad StreetNew York, NY 10004800-221-5588Dennis.mcnamara@opco.cominfo@opco.com |
| Dennis G. BedleyChairman of the Board, Director and Chief Executive OfficerLegacy Bank of FloridaGlades Twin Plaza2300 Glades RoadSuite 120 West – Executive OfficeBoca Raton, FL 33431info@legacybankfl.comDBedley@LegacyBankFL.com | Hunt Worth, Esq.PresidentOppenheimer Trust Company of Delaware405 Silverside RoadWilmington, DE 19809302-792-3500hunt.worth@opco.com |
| James DimonChairman of the Board and Chief Executive OfficerJP Morgan Chase & CO.270 Park Ave. New York, NY 10017-2070Jamie.dimon@jpmchase.com | Neil WolfsonPresident & Chief Executive OfficerWilmington Trust Company1100 North Market StreetWilmington, DE 19890-0001nwolfson@wilmingtontrust.com |
| William McCabeOppenheimer & Co., Inc.85 Broad St Fl 25New York, NY 10004William.McCabe@opco.com | STP Enterprises, Inc.303 East Wacker DriveSuite 210Chicago IL 60601-5210psimon@stpcorp.com |
| Charles D. RubinManaging PartnerGutter Chaves Josepher Rubin Forman Fleisher Miller PABoca Corporate Center2101 NW Corporate Blvd., Suite 107Boca Raton, FL 33431-7343crubin@floridatax.com | Ralph S. JanveyKrage & Janvey, L.L.P.Federal Court Appointed ReceiverStanford Financial Group2100 Ross Ave, Dallas, TX 75201rjanvey@kjllp.com |
| Kimberly MoranTescher & Spallina, P.A.Wells Fargo Plaza925 South Federal Hwy Suite 500Boca Raton, Florida 33432kmoran@tescherspallina.com | Lindsay Baxley aka Lindsay GilesLife Insurance Concepts950 Peninsula Corporate CircleSuite 3010Boca Raton, FL 33487lindsay@lifeinsuranceconcepts.com |
| Gerald R. LewinCBIZ MHM, LLC1675 N Military TrailFifth FloorBoca Raton, FL 33486 | CBIZ MHM, LLCGeneral Counsel6480 Rockside Woods Blvd. SouthSuite 330Cleveland, OH 44131ATTN: General Counselgeneralcounsel@cbiz.com(216)447-9000 |
| Albert Gortz, Esq.Proskauer Rose LLPOne Boca Place2255 Glades RoadSuite 421 AtriumBoca Raton, FL 33431-7360agortz@proskauer.com | Heritage Union Life Insurance CompanyA member of WiltonRe Group of Companies187 Danbury RoadWilton, CT 06897cstroup@wiltonre.com |
| Estate of Simon BernsteinBrian M O'Connell Pa515 N Flagler DriveWest Palm Beach, FL 33401boconnell@ciklinlubitz.com | Counter DefendantSteven Lessne, Esq.Gray Robinson, PA225 NE Mizner Blvd #500Boca Raton, FL 33432steven.lessne@gray-robinson.com |
| Byrd F. "Biff" Marshall, Jr.President & Managing DirectorGray Robinson, PA225 NE Mizner Blvd #500Boca Raton, FL 33432 biff.marshall@gray-robinson.com | Steven A. Lessne, Esq.Gunster, Yoakley & Stewart, P.A.777 South Flagler Drive, Suite 500 EastWest Palm Beach, FL 33401Telephone: (561) 650-0545Facsimile: (561) 655-5677E-Mail Designations:slessne@gunster.comjhoppel@gunster.comeservice@gunster.com |
| T&S Registered Agents, LLCWells Fargo Plaza925 South Federal Hwy Suite 500Boca Raton, Florida 33432dtescher@tescherspallina.com | David LanciottiExecutive VP and General CounselLaSalle National Trust NACHICAGO TITLE LAND TRUST COMPANY, as Successor10 South LaSalle StreetSuite 2750Chicago, IL 60603David.Lanciotti@ctt.com |
| Joseph M. LecceseChairmanProskauer Rose LLPEleven Times SquareNew York, NY 10036jleccese@proskauer.com | Brian MoynihanChairman of the Board and Chief Executive Officer100 N Tryon St #170, Charlotte, NC 28202Phone:(980) 335-3561 |

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EXHIBIT 1 - ORDER