

**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).

_____ /

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
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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
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<p>Joseph M. Leccese Chairman Proskauer Rose LLP Eleven Times Square New York, NY 10036 jleccese@proskauer.com</p>	<p>Brian Moynihan Chairman of the Board and Chief Executive Officer 100 N Tryon St #170, Charlotte, NC 28202 Phone:(980) 335-3561</p>

EXHIBIT 1 - ORDER

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

TED BERNSTEIN, as Trustee
of the Shirley Bernstein Trust Agreement
dated May 20, 2008, as amended,

Probate Division
Case No.: 502014CP003698XXXXNBIH

Plaintiff,

v.

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.,

Defendants.

**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**

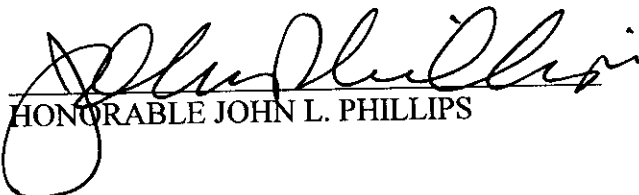
THIS CAUSE came before the Court on Successor Trustee's *Trustee's Motion to Approve Agreement Between Ted S. Bernstein, Trustee and Brian O'Connell, as Pr of The Estate of Simon Bernstein, Regarding the Estate's Personal Property Sold with Trust's Real Estate* ("the Motion").

The Court, having reviewed the Motion and the record, and having been advised that no one else

objected to the Motion or this proposed Order, and being otherwise fully advised in the premises,
hereby ORDERS AND ADJUDGES:

1. The Motion is GRANTED.
2. The Shirley Trust will pay the Personal Representative of Simon's Estate \$12,457 for the sold personal property, and there will be no further or outstanding obligations between those parties.

DONE AND ORDERED in Chambers, North County Courthouse on 9-1, 2016.


HONORABLE JOHN L. PHILLIPS

cc: All parties on the attached service list

SERVICE LIST Case No.: 502014CP003698XXXXNBIJ

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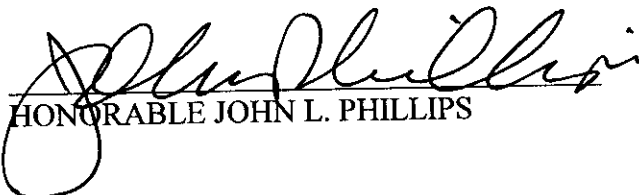
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