

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

IN RE:

Case No. 502012CP004391XXXXNB

ESTATE OF SIMON
BERNSTEIN,
Deceased.

NOTICE OF PRODUCTION FROM NON-PARTY
(Florida Probate Rule 5.080 & Fla.R.Civ.P. 1.351)

YOU ARE NOTIFIED that, ten (10) days from the date of service of this Notice, if service is by delivery, or fifteen (15) days from the date of service if service is by mail, and if no objection is received from any party, the undersigned will issue, or will apply to the Clerk of this Court for issuance of, the attached Subpoenas directed to the following:

1. **Alan Benjamin Rose**
Mrachek Fitzgerald Rose Konopka Thomas Weiss
505 South Flagler Drive, Suite 600
West Palm Beach, FL 33401
2. **Records Custodian of:**
Mrachek Fitzgerald Rose Konopka Thomas Weiss
505 South Flagler Drive, Suite 600
West Palm Beach, FL 33401

who are not parties, and whose addresses are listed above, to produce the items listed at the time and place specified in the Subpoena.

Respectfully submitted,

By: 
Peter M. Feaman

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: Alan Rose, Esq., Mrachek, Fitzgerald Rose, 505 So. Flagler Drive, Suite 600, West Palm Beach, FL 33401, arose@pm-law.com and mchandler@pm-law.com; Eliot Bernstein, 2753 NW 34th Street, Boca Raton, FL

33434, iviewit@iviewit.tv; Brian O'Connell, Esq., Ciklin Lubitz Martens & O'Connell, 515 North Flagler Drive, 20th Floor, West Palm Beach, FL 33401, boconnell@ciklinlubitz.com; John P. Morrissey, Esq., 330 Clematis Street, Suite 213, West Palm Beach, FL 33401, john@jmorrisseylaw.com; Lisa Friedstein, lisa@friedsteins.com, 2142 Churchill Lane, Highland Park, IL 60035; Jill Iantoni, jilliantoni@gmail.com, 2101 Magnolia Lane, Highland Park, IL 60035, on this 12th day of January, 2017.

PETER M. FEAMAN, P.A.
3695 W. Boynton Beach Blvd., Suite 9
Boynton Beach, FL 33436
Tel: 561-734-5552
Fax: 561-734-5554
Service: service@feamanlaw.com
mkoskey@feamanlaw.com

By: 
Peter M. Feaman
Florida Bar No. 0260347

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ESTATE OF SIMON
BERNSTEIN,
Deceased.

SUBPOENA DUCES TECUM WITHOUT DEPOSITION

TO: **Alan Benjamin Rose**
Mrachek Fitzgerald Rose Konopka Thomas Weiss
505 South Flagler Drive, Suite 600
West Palm Beach, FL 33401

YOU ARE COMMANDED to appear at the offices of **Peter M. Feaman, P.A., 3695 W. Boynton Beach Blvd., Suite #9, Boynton Beach, FL 33436** on **February 10, 2017 at 10:00 a.m.** and to have with you at that time and place copies of all of the following documents:

Definitions:

- A. "Chicago Litigation" means the litigation case number 13CV3643 in the U.S. District Court for the Northern District of Illinois and case number 2013L003498 in the Circuit Court of Cook County, Illinois.

DUCES TECUM:

1. Correspondence, emails, postal mail, or any and all other type of written communication between Alan B. Rose and Ted Bernstein from October 2, 2012 to the current date regarding the Chicago Litigation.
2. Correspondence, emails, postal mail, or any and all other type of written communication between Alan B. Rose and Ted Bernstein, as Trustee to the purported Trust, from October 2, 2012 to the current date regarding the Chicago Litigation.
3. Correspondence, emails, postal mail, or any and all other type of written communication between Alan B. Rose and John M. O'Halloran, from October 2, 2012 to the current date regarding the Chicago Litigation.
4. Correspondence, emails, postal mail, or any and all other type of written communication between Alan B. Rose and Alexander D. Marks, from October 2, 2012 to the current date regarding the Chicago Litigation.

5. Correspondence, emails, postal mail, or any and all other type of written communication between Alan B. Rose and Adam M. Simon, from October 2, 2012 to the current date regarding the Chicago Litigation.
6. Correspondence, emails, postal mail, or any and all other type of written communication between Alan B. Rose and Glenn E. Heilizer, from October 2, 2012 to the current date regarding the Chicago Litigation.
7. Correspondence, emails, postal mail, or any and all other type of written communication between Alan B. Rose and Frederic A. Mendelsohn, from October 2, 2012 to the current date regarding the Chicago Litigation.

The documents will be inspected and may be copied at that time. You will not be required to surrender the original documents. You have the right to object to the production pursuant to this subpoena at any time before production by giving written notice to the attorney whose name appears on this subpoena. THIS WILL NOT BE A DEPOSITION. NO TESTIMONY WILL BE TAKEN.

If you fail to:

- (1) appear or furnish the records at the time and place specified instead of appearing; or
- (2) object to this subpoena,

you may be in contempt of court. You are subpoenaed by the attorney whose name appears on this subpoena, and unless excused from this subpoena by the attorney or the court, you shall respond to this subpoena as directed.

NOTE: *You may mail or deliver the copies of the requested records to the attorney whose name appears below and thereby eliminate your appearance at the time and place specified.*

Dated on _____, 2017.

Issued by: _____
PETER M. FEAMAN, ESQ.
FOR THE COURT

PETER M. FEAMAN, P.A.
Attorney for William E. Stansbury
3695 W. Boynton Beach Blvd., Suite 9
Boynton Beach, FL 33436
(561) 734-5552
Service: service@feamanlaw.com

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Mrachek Fitzgerald Rose Konopka Thomas Weiss
505 South Flagler Drive, Suite 600
West Palm Beach, FL 33401

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DUCES TECUM:

1. Correspondence, emails, postal mail, or any and all other types of written communication between any corporate member or employee of Mrachek Fitzgerald Rose Konopka Thomas Weiss and Ted Bernstein from October 2, 2012 to the current date.
2. Correspondence, emails, postal mail, or any and all other types of written communication between any corporate member or employee of Mrachek Fitzgerald Rose Konopka Thomas Weiss and Ted Bernstein, as Trustee to the purported Trust, which is the subject matter of case number 13CV3643 in the U.S. District Court for the Northern District of Illinois from October 2, 2012 to the current date.

The documents will be inspected and may be copied at that time. You will not be required to surrender the original documents. You have the right to object to the production pursuant to this subpoena at any time before production by giving written notice to the attorney whose name appears on this subpoena. **THIS WILL NOT BE A DEPOSITION. NO TESTIMONY WILL BE TAKEN.**

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Dated on _____, 2017.

Issued by: _____
PETER M. FEAMAN, ESQ.
FOR THE COURT

PETER M. FEAMAN, P.A.
Attorney for William E. Stansbury
3695 W. Boynton Beach Blvd., Suite 9
Boynton Beach, FL 33436
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Service: service@feamanlaw.com