

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

CASE NO. 4D16-4120  
L.T. CASE NO. 502012CA013933MBAN

ELIOT IVAN BERNSTEIN,

Appellant,

v.

WILLIAM E. STANSBURY,  
ESTATE OF SIMON L. BERNSTEIN and  
BERNSTEIN FAMILY REALTY, LLC,

Appellees.

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**APPELLEE'S RESPONSE TO APPELLANT'S MOTION FOR  
REHEARING AND CLARIFICATION UNDER RULE 9.330**

Appellee, Estate of Simon L. Bernstein (the "Estate"), responds to the *Motion for Rehearing and Clarification Under Rule 9.330 and Reinstating the Appeal* ("Motion for Rehearing") filed by Appellant, Eliot Ivan Bernstein ("Eliot"), and states:

The Motion for Rehearing is frivolous and vexatious, and should be denied because there is no appellate jurisdiction and Eliot lacks standing, as detailed in the Estate's Response to the jurisdictional questions, which is incorporated herein. The Court properly dismissed this appeal. The latest Motion for Rehearing is just improper reargument of the same issues, consistent with Eliot's *modus operandi*.

WHEREFORE, the Estate requests the Motion for Rehearing be denied.

**CERTIFICATE OF SERVICE**

I CERTIFY that a copy of the foregoing has been served by email on all parties listed on the attached service list, this 23rd day of January, 2017.

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