

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

CASE NO. 502012CP004391XXXXNBIH  
CP - Probate

IN RE:

ESTATE OF SIMON L. BERNSTEIN,  
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**TRUSTEE'S OBJECTION TO NOTICE OF PRODUCTION FROM NON-PARTY**

Ted S. Bernstein, Successor Trustee of the Simon Bernstein Amended and Restated Trust Agreement dated July 25, 2012 ("Trustee"), pursuant to Fla. R. Civ. P. 1.410, files his Objection to William E. Stansbury's Subpoena Duces Tecum Without Deposition.

1. On January 12, 2017, William E. Stansbury ("Stansbury"), filed his Notice of Production from Non-Party to Mrachek, Fitzgerald, Rose, Konopka, Thomas and Weiss ("MFRKTW"), and attached a Subpoena Duces Tecum without Deposition to MFRKTW (the "Subpoena"). A copy of the Subpoena is attached as Exhibit "A."

2. Trustee objects to the Subpoena because the Subpoena purports to seek documents and information which are: (1) not relevant nor reasonably calculated to lead to admissible evidence; (2) clearly covered by the attorney-client privilege and the attorney work-product doctrine, and violate the right of the Trustee under the Simon L Bernstein Amended and Restated Trust Agreement dated 7-25-12; (3) unduly burdensome and designed to harass the Trustee and the Trustee's counsel, and simply preparing a privilege log would entail a large, unreasonable and unnecessary expense.

3. In addition, it appears that Stansbury lacks standing in this estate to seek the disqualification of the Estate's counsel defending against Stansbury's claims, and therefore lacks