

IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT IN AND FOR PALM
BEACH COUNTY, FLORIDA

CASE NO. 502012CP004391XXXXNB (IH)

IN RE: ESTATE OF SIMON L.
BERNSTEIN,

Deceased.

**MOTION REQUESTING A SPECIAL SET HEARING ON STANSBURY'S
MOTION TO BE RELIEVED OF RESPONSIBILITY OF FUNDING
THE CHICAGO LITIGATION AND SUCCESSOR TRUSTEE'S MOTION TO BE
RATIFIED AS SUCCESSOR TRUSTEE**

COMES NOW William Stansbury ("Stansbury"), interested person in the Estate of Simon L. Bernstein by and through his undersigned attorney, and moves this Court to set, as soon as practicable and in accordance with the Court's schedule, Stansbury's Motion for Discharge from Further Responsibility for Funding of the Estate Participation in the Chicago Life Insurance Litigation, and for Assumption of Responsibility by the Estate and for Reimbursement of Advanced Funds (Docket Entry #448); and Successor Trustee's Motion to Ratify Appointment as Successor Trustee (Docket Entry # 473), and states as follows:

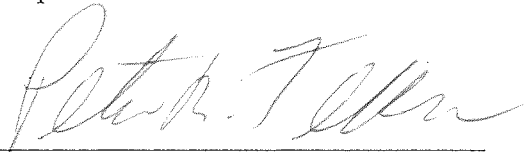
1. By this Motion, William Stansbury requests this Court to set, as soon as practicable, the above-referenced Motions because: Stansbury initially filed his Motion for Discharge of Responsibility for Funding of the Estate's Participation in the Chicago Life Insurance Litigation **two and one-half (2½) years ago**, to wit, on October 13, 2014 (*see*, Docket Entry #275). It was noticed for hearing no less than seven (7) times, between October 15, 2015 and August 14, 2015 (*see*, Docket Entries #276, #289, #290, #301, #362, #382 and #387).

2. On May 4, 2016, Stansbury re-served his Motion (*see*, Docket Entry #448).

3. This Motion was noticed for hearing on four (4) occasions, on May 26, 2016, July 28, 2016, December 13, 2016 and March 3, 2017 (*see* Docket Entries #453, #467, #511 and #558).

4. As to Successor Trustee's Motion to Ratify the Appointment of Ted Bernstein as Successor Trustee to the Simon Bernstein Trust dated May 20, 2008, Amended on July 25, 2012, serious conflict of interest issues were presented to this Court during the hearing to appoint Ted Bernstein as Administrator *Ad Litem* to this Estate. These conflict of interest issues are even greater in connection with Ted Bernstein serving as Successor Trustee. (*see* Docket Entries #495 and #510). Resolving this motion will go a long way in narrowing any other issues before this Court.

WHEREFORE, William Stansbury respectfully requests that this Court set these Motions as soon as practicable.



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 those listed on the attached service list, on this 14 day of April, 2017.

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