

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.

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TRUSTEE'S MOTION FOR ENTRY OF STANDING ORDER
GOVERNING HEARINGS

Plaintiff, Ted S. Bernstein (the "Trustee"), moves for entry of a standing order to govern future hearings in this case, and states:

1. From time to time, this Court sets hearings on various matters. The scheduling and coordination of hearings is cumbersome given the number of different parties who are involved in this probate proceeding.

2. At several recently scheduled hearings, which were set at a length of time in the future and at great expense to the parties, Eliot Bernstein has complained that he is not available beyond the amount of time scheduled by the Court. In other words, if the Court sets a one-hour hearing to start at 3:30 p.m., Eliot Bernstein at 4:30 p.m. claims that the hearing is concluded and he must leave, and that any further hearing be delayed. Eliot Bernstein made the same statement at a hearing held on April 27, 2017, which was a 30-minute hearing set to start at 4:30 p.m. Promptly at 5:00 p.m., Eliot Bernstein claimed he needed to leave immediately.

3. To prevent this same thing from reoccurring, we seek the entry of a standing order that follows:

When the Court schedules a hearing to start at a particular time and/or has reserved a particular amount of time for a hearing, the parties and their counsel all are advised that a hearing may start later than expected and/or may run later than planned, at the discretion of the Court and based upon the Court's schedule. No party should assume that any particular hearing will end automatically at a given time, or last only a precise amount of time. All parties and their counsel should reasonably plan accordingly.

WHEREFORE, Trustee requests the Court enter a standing order that will govern all future hearings in this matter.

CERTIFICATE OF SERVICE

I CERTIFY that a copy of the foregoing has been furnished to parties listed on attached Service List by: Facsimile **and** U.S. Mail; U.S. Mail; Email Electronic Transmission; FedEx; Hand Delivery this 28th day of April, 2017.

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SERVICE LIST Case No.: 502014CP003698XXXXNBIH

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