

I IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA  
PROBATE DIVISION "IH"

CASE NO. 502012-CP-004391 XXXX NB IH

IN RE: THE ESTATE OF:  
SIMON L. BERNSTEIN  
Deceased.

ORDER DENYING ELIOT BERNSTEIN, AS A BENEFICIARY OF THE  
ESTATE OF SIMON L. BERNSTEIN WITH STANDING AND AN INTERESTED  
PERSON UNDER LAW (D.E. #541)


**THIS MATTER** came before the Court on Eliot I. Bernstein, as a Beneficiary of the Estate of Simon L. Bernstein With Standing and an Interested Person Under Law, Makes this Motion filed February 16, 2017 (D.E. #541). Upon consideration, it is hereby

**ORDERED AND ADJUDGED** that:

Eliot I. Bernstein, as a Beneficiary of the Estate of Simon L. Bernstein With Standing and an Interested Person Under Law, Makes this Motion filed February 16, 2017 (D.E. #541) is essentially an omnibus motion for rehearing on several orders previously entered by this Court. Arguments of counsel are not evidence. While it alleges 1.540 relief, on its face no new evidence substantiates at 1.540 versus rehearing. 1.540 is not the proper tool for judicial error and not a replacement for an appeal.

Accordingly, the motion is **DENIED**.

**DONE AND ORDERED** in Palm Beach Gardens, Palm Beach County, Florida  
this 28 day of April, 2017.

  
\_\_\_\_\_  
**ROGER B. COLTON**, Senior Judge

Copies furnished:  
See attached Service List

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**SERVICE LIST**

<p>Alan B. Rose, Esq.        Page, Mrachek, Fitzgerald &amp;        Rose, PA.        505 S. Flagler Dr., Suite 600        West Palm Beach, FL 33401        (561) 355-6991  <a href="mailto:arose@mrachek-law.com">arose@mrachek-law.com</a>  <a href="mailto:mchandler@mrachek-law.com">mchandler@mrachek-law.com</a></p>	<p>John P. Morrissey, Esq.        330 Clematis St., Suite 213        West Palm Beach, FL 33401  <a href="mailto:john@jmorrisseylaw.com">john@jmorrisseylaw.com</a></p>	<p>Diana Lewis obo Joshua, Jacob        and Daniel Bernstein.        ADR &amp; Mediation Services,        LLC        2765 Tecumseh Drive        West Palm Beach, FL 33409        (561) 758-3017  <a href="mailto:dzlewis@aol.com">dzlewis@aol.com</a></p>
<p>Peter Feaman, Esq.        Peter M. Feaman, P.A.        3695 Boynton Beach        Blvd., Suite 9        Boynton Beach, FL 33436  <a href="mailto:pfeaman@feamanlaw.com">pfeaman@feamanlaw.com</a></p>	<p>Shendell &amp; Pollock, P.L.        2700 N. Military Trail, suite 150        Boca Raton, FL 33431        241-2323 Fax: 241-2330        Gary R. Shendell, Esq.  <a href="mailto:gary@shendellpollock.com">gary@shendellpollock.com</a>  <a href="mailto:estella@shendellpollock.com">estella@shendellpollock.com</a>  <a href="mailto:grs@shendellpollock.com">grs@shendellpollock.com</a>        Kenneth S. Pollock, Esq.  <a href="mailto:ken@shendellpollock.com">ken@shendellpollock.com</a>  <a href="mailto:britt@shendellpollock.com">britt@shendellpollock.com</a>  <a href="mailto:grs@shendellpollock.com">grs@shendellpollock.com</a>        Matthew A. Tornincasa, Esq.  <a href="mailto:matt@shendellpollock.com">matt@shendellpollock.com</a>  <a href="mailto:robyne@shendellpollock.com">robyne@shendellpollock.com</a>  <a href="mailto:grs@shendellpollock.com">grs@shendellpollock.com</a></p>	<p>Max Friedstein        2142 Churchill Lane        Highland Park, IL 60035</p>
<p>Eliot Bernstein        2753 N.W. 34<sup>th</sup> St.        Boca Raton, FL 33434  <a href="mailto:iviewit@iviewit.tv">iviewit@iviewit.tv</a></p>	<p>Pamela Beth Simon        950 N. Michigan Ave., Apt. 2603        Chicago, IL 60611  <a href="mailto:psimon@stpcorp.com">psimon@stpcorp.com</a></p>	<p>Lisa Friedstein and        Carley Friedstein, Minor        c/o Jeffrey and Lisa Friedstein        Parent and Natural Guardian        2142 Churchill Lane        Highland Park, IL 60035  <a href="mailto:Lisa@friedsteins.com">Lisa@friedsteins.com</a>  <a href="mailto:Lisa.friedstein@gmail.com">Lisa.friedstein@gmail.com</a></p>
<p>Jill Iantoni and        Julia Iantoni, a Minor        c/o Guy and Jill Iantoni, her        Parents &amp; Natural Guardians        2101 Magnolia Lane        Highland Park, IL 60035  <a href="mailto:jilliantoni@gmail.com">jilliantoni@gmail.com</a></p>	<p>Brian M. O'Connell, Esq.        Ashley Crispin Ackal, Esq.        Ciklin Lubitz &amp; O'Connell        515 N. Flagler Dr., 20<sup>th</sup> FL        West Palm Beach, FL 33401  <a href="mailto:service@ciklinlubitz.com">service@ciklinlubitz.com</a>  <a href="mailto:probateservice@ciklinlubitz.com">probateservice@ciklinlubitz.com</a></p>	<p>Robert Spallina, Esq.  <a href="mailto:rspallina@comcast.net">rspallina@comcast.net</a></p>