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**PRELIMINARY STATEMENT**

This is an Appeal to the 4th District Court of Appeals of the Order of Judge Phillips dated Sept. 1, 2016. Eliot Bernstein is the Appellant. Ted Bernstein, purporting to act as the Trustee of the Shirley Bernstein Trust, is the Appellee. The Record on Appeal shall be designated as ROA, including any prior supplements. An additional supplemental Appendix is attached by Appellant. Abuse of discretion and lack of competent, substantial evidence is the standard of review. “The standard of review for evidentiary rulings is abuse of discretion.” Holt v. Calchas, LLC, 155 So. 3d 499, 503 (Fla. 4th DCA 2015). However, whether evidence is hearsay and whether evidence fits within an exception to the hearsay rule are questions of law reviewed de novo. Browne v. State, 132 So. 3d 312, 316 (Fla. 4th DCA 2014). Those based on findings of fact from disputed evidence are reviewed for competent, substantial evidence. Acoustic Innovations, Inc. v. Schafer, 976 So. 2d 1139, 1143 (Fla. 4th DCA 2008); In re Estate of Sterile,