

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

WILLIAM E. STANSBURY,

CASE NO: 50 2012 CA 013933 MB AK

Plaintiff,

vs.

ESTATE OF SIMON L. BERNSTEIN and  
BERNSTEIN FAMILY REALTY, LLC,

Defendants.

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**DEFENDANT'S, ESTATE OF SIMON L. BERNSTEIN, MOTION TO COMPEL  
RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS AND  
INTERROGATORIES SERVED JUNE 22, 2017**

Defendant, Estate of Simon L. Bernstein (the "Estate"), pursuant to Fla. R. Civ. P. 1.380, files its Motion to Compel William E. Stansbury ("Stansbury") to produce documents requested in the Estate's Request for Production and Interrogatories, served June 22, 2017, and state as follows:

1. On June 22, 2017, the Estate filed its Request for Production and Interrogatories to Stansbury. A copy of the Request for Production and Interrogatories is attached as Exhibit "A."
2. On August 18, 2017, Stansbury filed his Response to Request for Production and Interrogatories. A copy of Stansbury's responses (without exhibits) are attached as Exhibit "B."
3. Specifically, Interrogatory No. 1 asked Stansbury to:  
  
State the exact dollar amount and date of receipt of all monies or checks received by Plaintiff under Section 4.1 of the Settlement Agreement dated June 9, 2014, from the beginning of the world through and including the date on which these Interrogatories are answered.
4. Request 1 of the Estate's Request to Produce requested:

Documents showing all amounts and dates of receipt of all monies or checks received by Plaintiff under Section 4.1 of the Settlement Agreement dated June 9, 2014, as follows:

- a. all amount received before June 9, 2014, including all records of checks deposited into the Peter Feaman, P.A. trust Account and held in escrow before the Settlement Agreement was operative; and
- b. all amount received after June 9, 2014.

5. Stansbury objected to both the Interrogatory and the Request for Production, stating:

Objection. This particular request is not relevant and/or is immaterial to the subject matter of this action and not reasonably calculated to lead to the discovery of admissible evidence under Fla. R. Civ. P. 1.280(b)(1). This particular request is also overbroad as to scope and time.

Further, the Request is an unwarranted invasion of privacy of Plaintiff and has absolutely no bearing on the claim against the remaining Defendant, Estate of Simon L. Bernstein. Plaintiffs' claim is for unpaid commissions received and collected by the former corporate Defendants for 2008, 2009, 2010 and 2011. The amounts paid under the settlement with other Defendants are for the commissions earned in 2012, 2013, and 2014, and thereafter, due to renewals of life insurance policies.

6. In light of the broad discovery perimeters afforded by Fla. R. Civ. P. 1.280(b)(1), the settlement payments Stansbury received from co-defendants is reasonably calculated to lead to the discovery of admissible evidence relative to setoff, and these requests are limited in scope and time.

7. Under Florida law, setoff is an appropriate affirmative defense, and this information is at the heart of that issue. Therefore, Stansbury's objection should be overruled, and Stansbury should be required to respond to these two discovery requests.

### Argument

The requested information is relevant to prove total damages minus a setoff or a potential setoff. The Second DCA, through writ of certiorari, reversed a trial court's order denying the discovery of a settlement agreement for purposes of setoff. *Anderson v. Vander Meiden ex rel.*

*Duggan*, 56 So. 3d 830, 832 (Fla. 2d DCA 2011). In *Anderson*, the court held that, because the party seeking a setoff has the burden of demonstrating that he is entitled to a setoff, that party may obtain settlement documents to prove that setoff is proper. *Id.*

The Estate's position is that Stansbury is not entitled to any damages. However, if it is determined that damages are proper, a setoff equal to the settlement amount would be appropriate. The requested information is absolutely necessary for trial. Florida Statute 46.015(b) places the burden on the Estate to prove any setoff amount.

The settlement agreement – and more importantly, the amounts Stansbury actually has recovered under that settlement – are discoverable. The agreement itself contains only the terms of the settlement, but does not specify the amount Stansbury already has received, or may receive in the future. This information will likely lead to admissible information proving whether or not setoff is proper, and the amounts of any such setoff.

In *D'Angelo v. Fitzmaurice*, 863 So. 2d 311, 316 (Fla. 2003), the Florida Supreme Court reaffirmed that setoff continues to apply to economic damages for which parties are subject to joint and several liability. Here, Stansbury seeks purely economic damages from the Estate, having already settled with the decedent's employer and others. Discovery of the amounts actually received by Stansbury is relevant and critical to the Estate's defense. Therefore, Stansbury's objection should be overruled, and Stansbury should be required to respond to these two discovery requests.

WHEREFORE, the Estates request that this Court grant its Motion to Compel, requiring Stansbury to produce the requested settlement agreement, answer interrogatory number one, and any other relief this Court deems appropriate.

**CERTIFICATE OF SERVICE**

I CERTIFY that a copy of the foregoing has been furnished to the Service List set forth below by:  E-mail Electronic Transmission;  Facsimile;  U.S. Mail;  Overnight Delivery;  Hand-delivery, this 9th day of October, 2017.

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Counsel for Estate of Simon L. Bernstein

By: /s/ Alan B. Rose  
Alan B. Rose (Florida Bar No. 961825)

**SERVICE LIST** - CASE NO. 502012CA013933XXXXMBAN

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(561) 886-7628 - Cell  
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Email: Eliot I. Bernstein ([iviewit@iviewit.tv](mailto:iviewit@iviewit.tv))

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[service@ciklinlubitz.com](mailto:service@ciklinlubitz.com);  
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IN THE CIRCUIT COURT OF THE 15th  
JUDICIAL CIRCUIT IN AND FOR PALM  
BEACH COUNTY, FLORIDA

WILLIAM E. STANSBURY,

CASE NO: 2012CA013933MB

Plaintiff,

vs.

ESTATE OF SIMON L. BERNSTEIN and  
BERNSTEIN FAMILY REALTY, LLC,

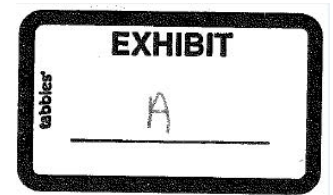
Defendants.  
\_\_\_\_\_ /

**DEFENDANT'S, ESTATE OF SIMON L. BERNSTEIN, REQUEST FOR PRODUCTION  
OF DOCUMENTS TO PLAINTIFF, WILLIAM E. STANSBURY**

Defendant, Estate of Simon L. Bernstein ("Defendant"), requests Plaintiff, William E. Stansbury, to file a written response within 30 days of service, and to produce and permit Defendants to inspect and copy the documents listed on Exhibit "A" attached hereto at such place and time as may be agreed upon by counsel.

**INSTRUCTIONS AND DEFINITIONS**

A. The term "documents" as used in this request is defined as including, but not limited to, the original and any non-incident copy (which is different from the original because of notations on such copy or otherwise) or draft of all correspondence, telegrams, telexes, teletype messages, contracts, memoranda, pencil jottings, diary entries, desk calendar entries, reported recollections and other written form of notation of events or intentions, transcripts and recordings of conversations and telephone calls, books, records, photographs, reports, charts, ledgers, invoices, financial statements, purchase orders, receipts, canceled checks, data compilations and other documentary material not subject to attorney/client privilege, together with any attachments thereto, or enclosures therewith.



B. The following additional definitions apply:

1. "Plaintiff," "You," "Your" or "Stansbury" shall mean Plaintiff, William E. Stansbury, as well as his agents, servants, employees, representatives, accountants, experts, attorneys, and assigns, or other persons acting or purporting to act on his behalf.

2. "LIC" shall mean Defendant, LIC Holdings, Inc., and/or its subsidiaries, as well as its agents, servants, employees, representatives, accountants, experts, attorneys, and assigns, or other persons acting or purporting to act on its behalf.

3. "AIM" shall mean Defendant, Arbitrage International Management, LLC f/k/a Arbitrage International Holdings, LLC, and/or its subsidiaries, as well as its agents, servants, employees, representatives, accountants, experts, attorneys, and assigns, or other persons acting or purporting to act on its behalf.

C. This request for production calls for production of all responsive documents in the possession, custody or control of you, your agents, or representatives without regard to physical location of said documents.

D. All documents shall be originals unless otherwise indicated. If the "original" is a photocopy (or other copy), then the photocopy should be produced as the original.

E. If you possess no documents responsive to a paragraph in this request, state this fact, specifying the paragraph concerned and where the documents may be found to the best of your belief.

F. If you object in part to any request for production, please produce the portion of the documents requested to which you do not object, and state your objections to the remainder.

G. If you claim a privilege of any type with respect to any of the documents, please identify the documents by date, title and each other descriptive information as will clearly identify the document. Further, the objection should state the legal basis of the privilege claim and provide such supporting information as will establish the claimed privilege.

H. In the event you do not have "possession" of any of the documents requested in this production, but you know that they are in the possession of other parties, give a brief description of the document(s) and the name and address of the party thought to be in possession thereof.



**CERTIFICATE OF SERVICE**

I CERTIFY that a copy of the foregoing has been furnished to the Service List set forth below

by:  E-mail Electronic Transmission;  Facsimile;  U.S. Mail;  Overnight Delivery;

Hand-delivery, this 22nd day of June, 2017.

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Counsel for Defendant, Estate of Simon L. Bernstein

By: /s/ Alan B. Rose  
Alan B. Rose (Florida Bar No. 961825)

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[mkoskey@feamanlaw.com](mailto:mkoskey@feamanlaw.com)  
Counsel for William Stansbury

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[service@ciklinlubitz.com](mailto:service@ciklinlubitz.com);  
[slobdell@ciklinlubitz.com](mailto:slobdell@ciklinlubitz.com)

**EXHIBIT "A"**

1. Documents showing all amounts and dates of receipt of all monies or checks received by Plaintiff under Section 4.1 of the Settlement Agreement dated June 9, 2014, as follows:
  - a. all amount received before June 9, 2014, including all records of checks deposited into the Peter Feaman, P.A. Trust Account and held in escrow before the Settlement Agreement was operative; and
  - b. all amount received after June 9, 2014.
2. All written contracts or agreements between Stansbury and Simon Bernstein. To the extent already produced to a different party, please provide document stamp (or what is commonly referred to as Bates-stamps) for all such responsive documents.
3. All documents evidencing, referring to, relating to, memorializing, confirming or otherwise referencing any oral contracts or agreements between Stansbury and Simon Bernstein. To the extent already produced to a different party, please provide document stamp (or what is commonly referred to as Bates-stamps) for all such responsive documents.
4. All documents evidencing, referring to or relating to any discussion, understanding or agreement evidencing Stansbury's alleged compensation arrangement between Stansbury and LIC and/or AIM. To the extent already produced to a different party, please provide document stamp (or what is commonly referred to as Bates-stamps) for all such responsive documents.
5. All e-mails that pertain to any alleged compensation agreement between Stansbury and Simon Bernstein. To the extent already produced to a different party, please provide document stamp (or what is commonly referred to as Bates-stamps) for all such responsive documents.
6. All written notes pertaining to any alleged compensation agreement between Stansbury and LIC, AIM, Ted Bernstein or Simon Bernstein. To the extent already produced to a different party, please provide document stamp (or what is commonly referred to as Bates-stamps) for all such responsive documents.
7. All Net Retained Commission Reports in Stansbury's possession (whether prepared by him or other parties). To the extent already produced to a different party, please provide document stamp (or what is commonly referred to as Bates-stamps) for all such responsive documents.

8. All W-2's, K-1s or 1099s, and the portion of Form 1040 for Stansbury (or Stansbury and spouse, if joint income tax return) relating to any taxable income derived by Stansbury for employment in the three years before Stansbury joined LIC, AIM, Cambridge, and/or any company in which Simon Bernstein was involved, and for all years from 2012 through the present. To the extent already produced to a different party, please provide document stamp (or what is commonly referred to as Bates-stamps) for all such responsive documents.

9. Written memoranda or other information regarding Stansbury's relationship with LIC Holdings, Inc. that was prepared in connection with defending Stansbury in case of *Phoenix v. Stansbury, et. al.* To the extent already produced to a different party, please provide document stamp (or what is commonly referred to as Bates-stamps) for all such responsive documents.

10. All correspondence, documents, emails, or text messages sent to or from Stansbury by Simon L. Bernstein, and vice versa, relating in any way to LIC, AIM, Cambridge, or the alleged oral agreement. To the extent already produced to a different party, please provide document stamp (or what is commonly referred to as Bates-stamps) for all such responsive documents.

11. All documents supporting your claim for money damages against the Estate.

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

WILLIAM E. STANSBURY,

CASE NO: 50 2012 CA 013933 MB AO

Plaintiff,

vs.

ESTATE OF SIMON L. BERNSTEIN and  
BERNSTEIN FAMILY REALTY, LLC,

Defendants.

---

**NOTICE OF SERVING INTERROGATORIES TO PLAINTIFF,  
WILLIAM E. STANSBURY DATED JUNE 22, 2017**

Defendant, Estate of Simon L. Bernstein (the "Estate"), hereby gives notice of serving Interrogatories dated June 22, 2017 to Plaintiff, William E. Stansbury, to be answered under oath and in writing within 30 days after service hereof, or a shorter period of time if so ordered by the Court.

**CERTIFICATE OF SERVICE**

I CERTIFY that a copy of the foregoing has been furnished to the Service List set forth below by:  E-mail Electronic Transmission;  Facsimile;  U.S. Mail;  Overnight Delivery;  Hand-delivery, this 22<sup>nd</sup> day of June, 2017.

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Email: [arose@mrachek-law.com](mailto:arose@mrachek-law.com); [mchandler@mrachek-law.com](mailto:mchandler@mrachek-law.com)  
Counsel for Estate of Simon L. Bernstein

By: /s/ Alan B. Rose  
Alan B. Rose (Florida Bar No. 961825)

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[service@ciklinlubitz.com](mailto:service@ciklinlubitz.com);  
[slobdell@ciklinlubitz.com](mailto:slobdell@ciklinlubitz.com)

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

WILLIAM E. STANSBURY,

CASE NO: 50 2012 CA 013933 MB AO

Plaintiff,

vs.

ESTATE OF SIMON L. BERNSTEIN and  
BERNSTEIN FAMILY REALTY, LLC,

Defendants.

---

**INTERROGATORIES TO PLAINTIFF DATED JUNE 22, 2017**

Defendant, Estate of Simon L. Bernstein (the "Estate"), pursuant to Florida Rules of Civil Procedure 1.340 hereby propound Interrogatories to Plaintiff, William E. Stansbury, to be answered under oath and in writing within 30 days after service hereof, or a shorter period of time if so ordered by the Court.

Dated: June 22, 2017

MRACHEK, FITZGERALD, ROSE,  
KONOPKA, THOMAS & WEISS, P.A.  
505 South Flagler Drive, Suite 600  
West Palm Beach, Florida 33401  
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Counsel for Estate of Simon L. Bernstein

By: /s/ Alan B. Rose  
Alan B. Rose (Florida Bar No. 961825)

## **INSTRUCTIONS AND DEFINITIONS**

(a) "Plaintiff," "You," "Your" or "Stansbury" shall mean Plaintiff, William E. Stansbury, as well as his agents, servants, employees, representatives, accountants, experts, attorneys, and assigns, or other persons acting or purporting to act on his behalf.

(b) The term "identify" or "identification", "describe", or "description" when used in reference to an individual means to state his or her full name, present or last-known address and telephone number.

(c) If you deem any interrogatory objectionable in part, please answer the portion of the interrogatory which you do not deem objectionable and, in addition, state your objection to the part which you deem objectionable.

(d) If you object to all or any part of any interrogatory based upon a claim that the information requested is protected by a privilege (attorney-client, work product or other privilege), please provide the following information as to each: (a) the specific reason for objection to the interrogatory; and (b) a statement of the basis for the claim of the privilege, work product or other grounds of non-disclosure.

(e) In lieu of identifying any document, You may attach a copy of it as an exhibit to your answer to these interrogatories, pursuant to Florida Rule of Civil Procedure 1.340(c).





IN THE CIRCUIT COURT OF THE  
15<sup>TH</sup> JUDICIAL CIRCUIT IN AND FOR  
PALM BEACH COUNTY, FLORIDA

WILLIAM E. STANSBURY,  
Plaintiff,

CASE NO. **502012CA013933XXXXMB AO**

v.

ESTATE OF SIMON L.  
BERNSTEIN and BERNSTEIN  
FAMILY REALTY, LLC,  
Defendants.

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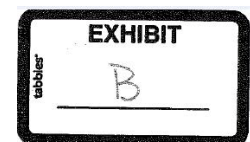
**PLAINTIFF'S RESPONSE TO DEFENDANTS'  
REQUEST FOR PRODUCTION OF DOCUMENTS**

Plaintiff, WILLIAM E. STANSBURY ("Stansbury"), by and through his undersigned counsel, and pursuant to Rule 1.350 of the Florida Rules of Civil Procedure, and hereby files his Response to Defendant, ESTATE OF SIMON L. BERNSTEIN, Request for Production of Documents, dated June 22, 2017, as follows:

**GENERAL OBJECTIONS**

1. Stansbury objects to the instructions and definitions set forth in the Discovery to the extent they purport to place any obligation upon Stansbury beyond what is required by the Florida Rules of Civil Procedure.

2. In responding to the Discovery, Stansbury does not concede the relevance or materiality of the information requested nor of the subject matter to which the Discovery refers. Rather, the responses to any discovery requests are made expressly subject to, and without in any way waiving or intending to waive, any question or objection as to competency, relevancy, privilege, or admissibility in evidence of any of the matters referred to or responses given herein. Stansbury reserves all trial objections.



3. Stansbury objects to the Discovery to the extent that responsive information is protected by the attorney/client privilege, or were prepared by Stansbury, his consultants, principals, agents, or attorneys in anticipation of litigation or for trial, and/or constitute privileged work product. Stansbury will withhold information protected by the attorney/client and work/product privileges and all responses will be subject to that limitation.

4. These General Objections apply to each specific discovery request unless stated otherwise. Reiteration of any General Objection in response to a specific discovery request shall not be construed to limit the applicability of any other General Objection.

#### **RESPONSES TO REQUEST FOR PRODUCTION**

1. Documents showing all amounts and dates of receipt of all monies or checks received by Plaintiff under Section 4.1 of the Settlement Agreement dated June 9, 2014, as follows:

a. all amount [*sic*] received before June 9, 2014, including all records of checks deposited into the Peter Feaman, P.a. trust Account and held in escrow before the Settlement Agreement was operative; and

b. all amount [*sic*] received after June 9, 2014.

**RESPONSE: Objection. This particular request is not relevant and/or is immaterial to the subject matter of this action and not reasonably calculated to lead to the discovery of admissible evidence under Fla. R. Civ. P. 1.280(b)(1). This particular request is also overbroad as to scope and time.**

**Further, the Request is an unwarranted invasion of privacy of Plaintiff and has absolutely no bearing on the claim against the remaining Defendant, Estate of Simon L. Bernstein. Plaintiffs' claim is for unpaid commissions received and collected by the former corporate Defendants for 2008, 2009, 2010 and 2011. The amounts paid under the settlement with other Defendants are for the commissions earned in 2012, 2013 and 2014, and thereafter, due to renewals of life insurance policies.**

2. All written contracts or agreements between Stansbury and Simon Bernstein. To the extent already produced to a different party, please provide document stamp (or what is commonly referred to as Bates-stamps) for all such responsive documents.

**RESPONSE: See the attached Bates Stamped documents numbered WSEB-00001-WSEB-00040.**

3. All documents evidencing, referring to, relating to, memorializing, confirming or otherwise referencing any oral contracts or agreements between Stansbury and Simon Bernstein. To the extent already produced to a different party, please provide document stamp (or what is commonly referred to as Bates-stamps) for all such responsive documents.

**RESPONSE: See the attached Bates Stamped documents numbered WSEB-00041-WSEB-00054.**

4. All documents evidencing, referring to or relating to any discussion, understanding or agreement evidencing Stansbury's alleged compensation arrangement between Stansbury and LIC and/or AIM. To the extent already produced to a different party, please provide document stamp (or what is commonly referred to as Bates-stamps) for all such responsive documents.

**RESPONSE: See the attached Bates Stamped documents numbered WSEB-00041-WSEB-00054.**

5. All e-mails that pertain to any alleged compensation agreement between Stansbury and Simon Bernstein. To the extent already produced to a different party, please provide document stamp (or what is commonly referred to as Bates-stamps) for all such responsive documents.

**RESPONSE: See the attached Bates Stamped documents numbered WSEB-00055-WSEB-00067.**

6. All written notes pertaining to any alleged compensation agreement between Stansbury and LIC, AIM, Ted Bernstein or Simon Bernstein. To the extent already produced to a different party, please provide document stamp (or what is commonly referred to as Bates-stamps) for all such responsive documents.

**RESPONSE: None.**

7. All Net Retained Commission Reports in Stansbury's possession (whether prepared by him or other parties). To the extent already produced to a different party, please provide document stamp (or what is commonly referred to as Bates-stamps) for all such responsive documents.

**RESPONSE: See the attached Bates Stamped documents numbered WSEB-00040-WSEB-00113 and WSEB-00127.**

8. All W-2's, K-1s or 1099s, and the portion of Form 1040 for Stansbury (or Stansbury and spouse, if joint income tax return) relating to any taxable income derived by Stansbury for employment in the three years before Stansbury joined LIC, AIM, Cambridge, and/or any company in which Simon Bernstein was involved, and for all years from 2012 through the present. To the extent already produced to a different party, please provide document stamp (or what is commonly referred to as Bates-stamps) for all such responsive documents.

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**Further, the Request is an unwarranted invasion of privacy of Plaintiff and has absolutely no bearing on the claim against the remaining Defendant, Estate of Simon L. Bernstein. Plaintiffs' claim is for unpaid commissions received and collected by the former corporate Defendants for 2008, 2009, 2010 and 2011. The amounts paid under the settlement with other Defendants are for the commissions earned in 2012, 2013 and 2014, and thereafter, due to renewals of life insurance policies.**

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**RESPONSE: Objection. This particular request is not relevant and/or is immaterial to the subject matter of this action and not reasonably calculated to lead to the discovery of admissible evidence under Fla. R. Civ. P. 1.280(b)(1). Further, this request calls for work-product and attorney-client privileged information.**

**Moreover, this particular request is also overbroad as to scope and time.**

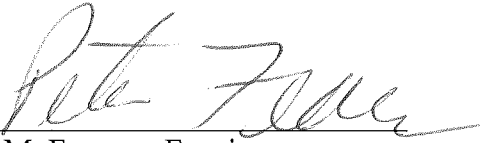
10. All correspondence, documents, e-mails, or text messages sent to or from Stansbury by Simon L Bernstein, and vice versa, relating in any way to LIC, AIM, Cambridge, or the alleged oral agreement. To the extent already produced to a different party, please provide document stamp (or what is commonly referred to as Bates-stamps) for all such responsive documents.

**RESPONSE:** See the attached Bates Stamped documents numbered WSEB-00114-WSEB-00126.

11. All documents supporting your claim for money damages against the Estate.

**RESPONSE:** Objection, overly broad.

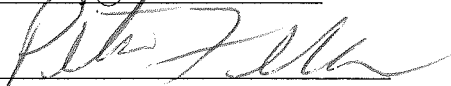
Without waiving said Objection, please see the attached Bates Stamped documents numbered WSEB-00128-WSEB-00137 and WSEB-00127, any and all other documents produced to any party in this case including the documents produced pursuant to this Request for Production.

  
Peter M. Feaman, Esquire

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been sent by electronic service through the E-filing Portal to Email: Alan Rose, Esq., PAGE, MRACHEK, 505 So. Flagler Drive, Suite 600, West Palm Beach, FL 33401, [arose@pm-law.com](mailto:arose@pm-law.com) and [mchandler@pm-law.com](mailto:mchandler@pm-law.com); and Eliot Bernstein, as natural guardians of Joshua, Jake and Daniel Bernstein (*for Defendant, Bernstein Family Realty, LLC*) 2753 Northwest 34<sup>th</sup> Street, Boca Raton, FL 33434, Email: [ivewit@ivewit.tv](mailto:ivewit@ivewit.tv); [ivewit@gmail.com](mailto:ivewit@gmail.com), on this 18<sup>th</sup> day of August, 2017.

PETER M. FEAMAN, P.A.  
3695 W. Boynton Beach Blvd., Suite 9  
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Tel: 561-734-5552  
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[mkoskey@feamanlaw.com](mailto:mkoskey@feamanlaw.com)

By:   
Peter M. Feaman  
Florida Bar No. 0260347

IN THE CIRCUIT COURT OF THE  
15<sup>TH</sup> JUDICIAL CIRCUIT IN AND FOR  
PALM BEACH COUNTY, FLORIDA

WILLIAM E. STANSBURY,  
Plaintiff,

CASE NO. **50 2012 CA 013933 MB AO**

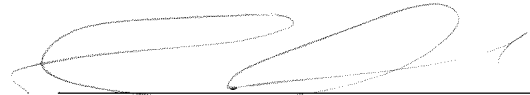
v.

ESTATE OF SIMON L. BERNSTEIN  
and BERNSTEIN FAMILY REALTY,  
LLC,  
Defendants.

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**PLAINTIFF'S NOTICE OF SERVICE OF UNVERIFIED  
ANSWERS TO INTERROGATORIES**

COMES NOW Plaintiff, WILLIAM A. STANSBURY, by and through his undersigned counsel, and hereby files his unverified answers to Defendant's Interrogatories to Plaintiff, served June 22, 2017.



Peter M. Feaman

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been sent by electronic service through the E-filing Portal to Email: Alan Rose, Esq. (*Counsel for Defendant, Estate of Simon L. Bernstein*), PAGE, MRACHEK, 505 So. Flagler Drive, Suite 600, West Palm Beach, FL 33401, [arose@pm-law.com](mailto:arose@pm-law.com) and [mchandler@pm-law.com](mailto:mchandler@pm-law.com); and Eliot Bernstein, as parents and natural guardians of Daniel Bernstein (*for Defendant, Bernstein Family Realty, LLC*) 2753 Northwest 34<sup>th</sup> Street, Boca Raton, FL 33434, Email: [ivewit@ivewit.tv](mailto:ivewit@ivewit.tv); [ivewit@gmail.com](mailto:ivewit@gmail.com), on this 8<sup>th</sup> day of August, 2017.

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By: 

Peter M. Feaman  
Florida Bar No. 0260347

**ANSWERS TO DEFENDANT'S INTERROGATORIES**

1. State the exact dollar amount and date of receipt of all monies or checks received by Plaintiff under Section 4.1 of the Settlement Agreement dated June 9, 2014, from the beginning of the world through and including the date on which these Interrogatories are answered.

**ANSWER: Objection. This particular request is not relevant and/or is immaterial to the subject matter of this action and not reasonably calculated to lead to the discovery of admissible evidence under Fla. R. Civ. P. 1.280(b)(1). This particular request is also overbroad as to scope and time.**

**Further, the Request is an unwarranted invasion of privacy of Plaintiff and has absolutely no bearing on the claim against the remaining Defendant, Estate of Simon L. Bernstein. Plaintiffs' claim is for unpaid commissions received and collected by the former corporate Defendants for 2008, 2009, 2010 and 2011. The amounts paid under the settlement with other Defendants are for the commissions earned in 2012, 2013 and 2014, and thereafter, due to renewals of life insurance policies.**