

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

PROBATE DIVISION

FILE NO.: 502012CP004391XXXXNB IH

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IN RE: ESTATE OF

SIMON L. BERNSTEIN,

Deceased.

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**MOTION FOR ORDER AUTHORIZING THE ESTATE'S WITNESS,  
JAMES STAMOS, TO APPEAR AT EVIDENTIARY HEARING SCHEDULED FOR  
OCTOBER 19, 2017 ON SUCCESSOR PERSONAL REPRESENTATIVE'S  
VERIFIED MOTION FOR APPROVAL OF SETTLEMENT AGREEMENT  
ENTERED IN ILLINOIS FEDERAL ACTION**

Brian M. O'Connell, as Successor Personal Representative of the Estate of Simon L. Bernstein ("Successor PR" or "Estate," respectively), hereby moves this Court for an Order authorizing the Estate's witness, James Stamos, to appear via telephone at the evidentiary hearing scheduled for October 19, 2017 ("Evidentiary Hearing") on the Successor PR's Verified Motion for Approval of Settlement Agreement Entered in Illinois Federal Action ("Motion for Approval"), and as grounds therefore, would state the following:

1. This motion is filed pursuant to Fla.R.Civ.P. 1.451(b).
2. James Stamos, Esquire ("Mr. Stamos") is a witness the Successor PR intends to call and testify at the Evidentiary Hearing on behalf of the Estate. He was the attorney retained by the Successor PR for the Estate to represent the Estate's interest in the Illinois federal action and his testimony is important to support the Estate's Motion for Approval.
3. As Mr. Stamos resides and works full-time in Illinois, it is more economical for him to testify at the Evidentiary Hearing via telephone.

4. No person will be prejudiced by the appearance of Mr. Stamos via telephone.
5. The substance of Mr. Stamos's contemplated testimony is as follows:
  - A. His professional background;
  - B. His knowledge of the litigation; and
  - C. His evaluation of the settlement.
6. The length of Mr. Stamos's testimony is estimated to be fifteen (15) minutes.

WHEREFORE, Successor Personal Representative, Brian M. O'Connell, respectfully requests this Court for an Order authorizing James Stamos to appear and testify via telephone at the Evidentiary Hearing on his Verified Motion for Approval of Settlement Agreement Entered in Illinois Federal Action scheduled for October 19, 2017 at 2:00 p.m., and for any other further relief this Court deems just and proper.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent by e-mail service via the Court's e-portal or U.S. Postal Service to Counsel and Parties of record listed on the attached Service List this 11th day of October, 2017.

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IN RE: Estate of  
Simon L. Bernstein  
Case No.: 502012CP004391SXXXXNBIH

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<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>

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