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**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,

CASE NUMBER: 2014CP003698

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 Dated  
September 13, 2012; ELIOT BERNSTEIN,  
Individually, As Trustee f/b/o D.B., Ja. B. and  
Jo. B. Under the Simon L. Bernstein Trust Dated  
September 13, 2012, 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 Dated  
September 13, 2012, 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 Dated September 13, 2012, and  
on Behalf of Her Minor Child, C.F.,

Defendants.

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**ORDER ON MOTION TO APPROVE MEDIATION SETTLEMENT AGREEMENT  
WITH TESCHER & SPALLINA, P.A. [D.E. 245]**

THIS CAUSE came before the Court on Friday, April 27, 2018 on Trustee's *Motion to Approve Settlement Agreement with Tescher and Spallina, P.A. (D.E. 245)* (the "Motion"). The Court, having reviewed the Motion and the record, heard argument of counsel and the parties, having received evidence, and being otherwise fully advised in the premises, hereby **ORDERS AND ADJUDGES:**

1. The Motion is granted as set forth in this Order.

as PR of Shirley's Estate  
and  
Shirley

2. After mediation, a written Mediation Settlement Agreement ("Settlement Agreement") was executed by and between: (i) Ted S. Bernstein, as Trustee of the ~~Simon L.~~ Bernstein Trust (the "~~Simon~~ Trust"), which is the sole residuary beneficiary of the Estate; and (ii) the trustees or court-appointed representatives of ten trusts created for the benefit of Simon's ten grandchildren under the terms of Simon's Trust, being all of beneficiaries and potential beneficiaries of the Simon Trust.<sup>1</sup>

3. The Settlement Agreement is approved and made effective immediately, subject to the terms set forth in the written agreement. Notwithstanding anything to the contrary in the Settlement Agreement, the release have no effect on the claims, if any, of Joshua Bernstein individually. *Based on that carve-out, made on the record, the objection was withdrawn as moot.*

by Joshua Bernstein

rshay

4. The Court retains jurisdiction to enforce and fully implement the Settlement Agreement.

DONE AND ORDERED in Chambers, North County Courthouse on April 27, 2018, 2018.

Senior Judge John Feusciante

*[Signature]*  
HONORABLE ROSEMARIE SCHER

cc: All parties on the attached service list

<sup>1</sup> Trusts created for the benefit of Jo. B., Ja. B. and D.B., (the Eliot Children's Trusts) by Diana Lewis as Guardian ad Litem and pending appointment of a Trustee; Trust created for the benefit of J.I. by Jill Iantoni as Trustee; Trusts created for the benefit of Alexandra Bernstein, Eric Bernstein and Michael Bernstein by Ted Bernstein as Trustee; Trust created for the benefit of Molly Simon by Pam Simon as Trustee; and Trust created for the benefit of Max Friedstein and C.F. by Lisa Friedstein as Trustee.

**SERVICE LIST Case No.: 502014CP003698XXXXNBIH**

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Jo.B., Ja.B., and D.B.

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Eric Bernstein, Michael Bernstein

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C.F., Minors; and Max Friedstein  
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