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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.

**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.
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.~~ ^{Shirley} Bernstein Trust (the "~~Simon~~ Trust"), which is the sole residuary beneficiary of the ~~the~~ ^{Shirley} 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.¹
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. ^{rs have} Based on that carve-out, made on the record, the objection was withdrawn as moot.
4. The Court retains jurisdiction to enforce and fully implement the Settlement Agreement.

as PR of Shirley's Estate
and
Shirley
Shirley

by Joshua Bernstein

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

¹ 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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**IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA**

IN RE: CASE NO. 502012CP004391XXXXNBIH

ESTATE OF SIMON L. BERNSTEIN,
_____ /

**ORDER ON MOTION TO APPROVE MEDIATION SETTLEMENT AGREEMENT
WITH TESCHER & SPALLINA, P.A. [D.E. 534]**

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. 534)* (the "Motion") and Joshua Bernstein's *Objection to Motion to Approve Mediation Settlement Agreement with Tescher and Spallina* (the "Objection"). The Court, having reviewed the Motion and the Objection, 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.
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 this 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.¹

¹ 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.

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 ^{r shall} have no effect on the claims, if any, of Joshua Bernstein individually. *Based on that carve-out, which was made on the record, the objection of Joshua Bernstein was withdrawn as moot.*

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 Frusciante

for 
HONORABLE ROSEMARIE SCHER

cc: All parties on the attached service list

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

PROBATE DIVISION

FILE NO.: 502012CP004391XXXXNB IH

IN RE: ESTATE OF

SIMON L. BERNSTEIN,

Deceased. /

**ORDER ON PETITION FOR ORDER AUTHORIZING PAYMENT
OF ATTORNEY'S FEES AND EXPENSES FOR THE PERSONAL
REPRESENTATIVE OF THE ESTATE OF SIMON L. BERNSTEIN
FOR JULY 1, 2016 THROUGH AUGUST 12, 2016 (DE #744)**

THIS CAUSE having come upon Successor Personal Representative's Petition for Order Authorizing Payment of Attorney's Fees and Expenses for the Personal Representative of the Estate of Simon L. Bernstein for July 1, 2016 through August 12, 2016 (DE #744) ("Petition"), and the Court being duly advised on the premises it is thereupon

ORDERED AND ADJUGED that the Petition is hereby GRANTED. The Personal Representative's hourly rates and the number of hours expended by attorneys and paralegals of Ciklin Lubitz & O'Connell, as set forth in the Petition, are reasonable and the sum of \$19,510.00 is a reasonable fee for the services of the Personal Representative for the period from July 1, 2016 through August 12, 2016.


The Personal Representative is entitled to reimbursement for expenses in the amount of \$4,755.97.

The Personal Representative is hereby awarded fees and costs totaling \$24,265.97.

The Personal Representative of the Estate is authorized and directed to pay the amount of \$24,265.97 to Ciklin Lubitz & O'Connell from the assets of the estate.

In Re: Estate of Simon L. Bernstein
File No: 502012CP004391XXXXNB IH
Order on Petition for Order Authorizing
Payment of Attorney's Fees and Expenses
for the Personal Representative of the
Estate of Simon L. Bernstein for
July 1, 2016 through August 12, 2016 (DE #744)

DONE AND ORDERED in Palm Beach Gardens, Palm Beach County, Florida, this 27
day of April, 2018.

Senior Judge John Frusciano


ROSEMARY FISCHER, Circuit Judge

Copies furnished to:

All Counsel of Record and Parties listed on attached Service List

In Re: Estate of Simon L. Bernstein
 File No: 502012CP004391XXXXNB IH
 Order on Petition for Order Authorizing
 Payment of Attorney's Fees and Expenses
 for the Personal Representative of the
 Estate of Simon L. Bernstein for
 July 1, 2016 through August 12, 2016 (DE #744)

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In Re: Estate of Simon L. Bernstein
File No: 502012CP004391XXXXNB IH
Order on Petition for Order Authorizing
Payment of Attorney's Fees and Expenses
for the Personal Representative of the
Estate of Simon L. Bernstein for
July 1, 2016 through August 12, 2016 (DE #744)

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

PROBATE DIVISION

FILE NO.: 502012CP004391XXXXNB IH

IN RE: ESTATE OF

SIMON L. BERNSTEIN,

Deceased. /

**ORDER ON PETITION FOR ORDER AUTHORIZING PAYMENT
OF ATTORNEY'S FEES AND EXPENSES FOR THE PERSONAL
REPRESENTATIVE OF THE ESTATE OF SIMON L. BERNSTEIN
FOR AUGUST 13, 2016 THROUGH NOVEMBER 30, 2016 (DE #745)**

THIS CAUSE having come upon Successor Personal Representative's Petition for Order Authorizing Payment of Attorney's Fees and Expenses for the Personal Representative of the Estate of Simon L. Bernstein for August 13, 2016 through November 30, 2016 (DE #745) ("Petition"), and the Court being duly advised on the premises it is thereupon

ORDERED AND ADJUGED that the Petition is hereby GRANTED. The Personal Representative's hourly rates and the number of hours expended by attorneys and paralegals of Ciklin Lubitz & O'Connell, as set forth in the Petition, are reasonable and the sum of \$16,773.00 is a reasonable fee for the services of the Personal Representative for the period from August 13, 2016 through November 30, 2016.

The Personal Representative is entitled to reimbursement for expenses in the amount of \$511.30.

The Personal Representative is hereby awarded fees and costs totaling \$17,284.30.

The Personal Representative of the Estate is authorized and directed to pay the amount of \$17,284.30 to Ciklin Lubitz & O'Connell from the assets of the estate.

In Re: Estate of Simon L. Bernstein
File No: 502012CP004391XXXXNB IH
Order on Petition for Order Authorizing
Payment of Attorney's Fees and Expenses
for the Personal Representative of the
Estate of Simon L. Bernstein for
August 13, 2016 through November 30, 2016
(DE #745)

DONE AND ORDERED in Palm Beach Gardens, Palm Beach County, Florida, this 27
day of April, 2018.

Senior Judge John Fruse ante

for 
ROSEMARYSCHER, Circuit Judge *for*

Copies furnished to:

All Counsel of Record and Parties listed on attached Service List

In Re: Estate of Simon L. Bernstein
 File No: 502012CP004391XXXXNB IH
 Order on Petition for Order Authorizing
 Payment of Attorney's Fees and Expenses
 for the Personal Representative of the
 Estate of Simon L. Bernstein for
 August 13, 2016 through November 30, 2016
 (DE #745)

SERVICE LIST

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In Re: Estate of Simon L. Bernstein
File No: 502012CP004391XXXXNB IH
Order on Petition for Order Authorizing
Payment of Attorney's Fees and Expenses
for the Personal Representative of the
Estate of Simon L. Bernstein for
August 13, 2016 through November 30, 2016
(DE #745)

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

PROBATE DIVISION

FILE NO.: 502012CP004391XXXXNB IH

IN RE: ESTATE OF

SIMON L. BERNSTEIN,

Deceased. /

**ORDER ON PETITION FOR ORDER AUTHORIZING PAYMENT
OF ATTORNEY'S FEES AND EXPENSES FOR THE PERSONAL
REPRESENTATIVE OF THE ESTATE OF SIMON L. BERNSTEIN
FOR DECEMBER 1, 2016 THROUGH JANUARY 31, 2017 (DE #746)**

THIS CAUSE having come upon Successor Personal Representative's Petition for Order Authorizing Payment of Attorney's Fees and Expenses for the Personal Representative of the Estate of Simon L. Bernstein for December 1, 2016 through January 31, 2017 (DE #746) ("Petition"), and the Court being duly advised on the premises it is thereupon

ORDERED AND ADJUGED that the Petition is hereby GRANTED. The Personal Representative's hourly rates and the number of hours expended by attorneys and paralegals of Ciklin Lubitz & O'Connell, as set forth in the Petition, are reasonable and the sum of \$9,358.50 is a reasonable fee for the services of the Personal Representative for the period from December 1, 2016 through January 31, 2017.

The Personal Representative is entitled to reimbursement for expenses in the amount of \$358.33.

The Personal Representative is hereby awarded fees and costs totaling \$9,716.83.

The Personal Representative of the Estate is authorized and directed to pay the amount of \$9,716.83 to Ciklin Lubitz & O'Connell from the assets of the estate.

In Re: Estate of Simon L. Bernstein
File No: 502012CP004391XXXXNB IH
Order on Petition for Order Authorizing
Payment of Attorney's Fees and Expenses
for the Personal Representative of the
Estate of Simon L. Bernstein for
December 1, 2016 through January 31, 2017
(DE #746)

DONE AND ORDERED in Palm Beach Gardens, Palm Beach County, Florida, this 27
day of April, 2018.

Senior Judge John Fruscione
for


ROSEMARY SCHER, Circuit Judge

Copies furnished to:

All Counsel of Record and Parties listed on attached Service List

In Re: Estate of Simon L. Bernstein
 File No: 502012CP004391XXXXNB IH
 Order on Petition for Order Authorizing
 Payment of Attorney's Fees and Expenses
 for the Personal Representative of the
 Estate of Simon L. Bernstein for
 December 1, 2016 through January 31, 2017
 (DE #746)

SERVICE LIST

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<p>Jill Iantoni and Julia Iantoni, a Minor c/o Guy and Jill Iantoni, her Parents & Natural Guardians</p>	<p>Brian M. O'Connell, Esq. Ashley Crispin Ackal, Esq. Ciklin Lubitz & O'Connell 515 N. Flagler Dr., 20th FL</p>	<p>Robert Spallina, Esq. rspallina@comcast.net</p>

In Re: Estate of Simon L. Bernstein
File No: 502012CP004391XXXXNB IH
Order on Petition for Order Authorizing
Payment of Attorney's Fees and Expenses
for the Personal Representative of the
Estate of Simon L. Bernstein for
December 1, 2016 through January 31, 2017
(DE #746)

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

PROBATE DIVISION

FILE NO.: 502012CP004391XXXXNB IH _____

IN RE: ESTATE OF

SIMON L. BERNSTEIN,

Deceased. _____ /

**ORDER ON PETITION FOR ORDER AUTHORIZING
SUCCESSOR PERSONAL REPRESENTATIVE TO PAY FOR
SERVICES OF CPA (DE #747)**

THIS CAUSE having come upon Successor Personal Representative, Brian M. O'Connell's,
Petition for Order Authorizing Successor Personal Representative to Pay for Services of CPA (DE #747)
("Petition"), and the Court being duly advised on the premises, it is thereupon

ORDERED AND ADJUDGED as follows:

The Petition is GRANTED / DENIED.

DONE AND ORDERED in Palm Beach Gardens, Palm Beach County, Florida, this 27th day of

April, 2018.

Senior Judge, John F. Ruscianto

[Signature]
ROSEMARY SCHER, Circuit Judge

Copies furnished to:

All Counsel of Record and Parties listed on attached Service List

In Re: Estate of Simon L. Bernstein
 File No: 502012CP004391XXXXNB
 Order on Successor Personal Representative's
 Petition for Order Authorizing Successor
 Personal Representative to Pay for Services
 of CPA (DE #747)

SERVICE LIST

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In Re: Estate of Simon L. Bernstein
File No: 502012CP004391XXXXNB
Order on Successor Personal Representative's
Petition for Order Authorizing Successor
Personal Representative to Pay for Services
of CPA (DE #747)

/

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

PROBATE DIVISION

FILE NO.: 502012CP004391XXXXNB IH

IN RE: ESTATE OF

SIMON L. BERNSTEIN,

Deceased. /

**ORDER ON SUCCESSOR PERSONAL REPRESENTATIVE'S
VERIFIED MOTION FOR APPROVAL OF SETTLEMENT AGREEMENT
WITH WILLIAM STANSBURY (DE #749)**

THIS CAUSE having come upon Successor Personal Representative, Brian M. O'Connell's,
Verified Motion for Approval of Settlement Agreement With William Stansbury (DE #749) ("Motion"),
and the Court being duly advised on the premises, it is thereupon

ORDERED AND ADJUDGED as follows:

The Motion is GRANTED / DENIED.

DONE AND ORDERED in Palm Beach Gardens, Palm Beach County, Florida, this 27th day of
April, 2018.

Senior Judge John Frusciante
Copies furnished to:

[Signature]
ROSEMARIE SCHER, Circuit Judge

All Counsel of Record and Parties listed on attached Service List

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In Re: Estate of Simon L. Bernstein
File No: 502012CP004391XXXXNB
Order on Successor Personal Representative's
Verified Motion for Approval of Settlement
Agreement With William Stansbury (DE # 749)

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