

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

CASE NO.: 50-2014-CP-003698-XXXX-NB
PROBATE DIVISION: IH

TED BERNSTEIN, as Trustee
of the Shirley Bernstein Trust Agreement
dated May 20, 2008, as amended,

Plaintiff / Petitioner,

and

ALEXANDRA BERNSTEIN; et. al,
Defendants / Respondent.

**ORDER TO SHOW CAUSE WHY ELIOT BERNSTEIN SHOULD NOT BE HELD IN
CONTEMPT OF COURT AND ORDER RE-SETTING HEARING¹**

THIS CAUSE came before the Court on Ted S. Bernstein, as Successor Trustee of the Shirley Bernstein Trust Motion to Hold Eliot Bernstein in Contempt of Court or Issue Order to Show Cause Against Eliot Bernstein, and for Sanctions (“Motion”) for Eliot’s Bernstein’s violation of Order on Successor Trustee’s Motion to Appoint a Guardian ad Litem; for a Gag Order to Protect the Guardian and Others; and to Strike Eliot Bernstein’s Filings dated March 1, 2016 (the “Order” D.E. 161).

The Court, having reviewed the Motion, the court file, and having been otherwise fully advised in the premises, finds as follows:

1. On March 1, 2017, this Court entered an Order on Successor Trustee’s Motion to Appoint a Guardian ad Litem; for a Gag Order to Protect the Guardian and Others; and to Strike Eliot Bernstein’s Filings dated March 1, 2016 (the “Order” D.E. 161).

¹ Reset based on administrative conflict of the Court raised by Court Administration.

2. The Court's Order stated as follows:

6. Eliot Bernstein states that his agenda includes ridding the court system of corruption among judges, lawyers and fiduciaries, regardless of the cost ^{to} the beneficiaries. He appears to have no interest in the swift and efficient administration of the Shirley Bernstein Trust. He has taken actions to hinder and delay the administration of the Trust, and caused waste of Trust assets to respond to his assertions.

7. To the extent not already covered by this Court's Order dated February 1, 2016, Eliot Bernstein is barred from any further participation in this action, whether individually or as purported parent and natural guardian. Any and all pending motions, claims, or other filings by Eliot Bernstein, on behalf of his children, ^{and} ~~is~~ hereby stricken from the record, without prejudice to the rights of the Guardian Ad Litem to take whatever actions are deemed appropriate.

3. Plaintiff / Petitioner's Motion proffers emails sent directly to Diana Lewis, the guardian ad litem, in direct violation of the Order. The Court concludes the Petitioner's / Plaintiff's Motion for Contempt for refusal to obey this Court's Order is well taken. It is therefore

ORDERED AND ADJUDGED, as follows:

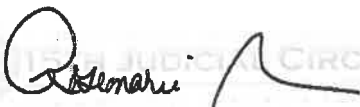
1. ELIOT BERNSTEIN is ordered to personally appear before this Court on THURSDAY, February 14, 2019 at 1:30 p.m., in Courtroom 4 of the North County Courthouse, 3188 PGA Blvd., Palm Beach Gardens, Florida 33410, and show cause why she should not be held in contempt of this Court for willful refusal to obey its Order, attached hereto. One hour shall be reserved.

2. FAILURE OF ELIOT BERNSTEIN TO PERSONALLY APPEAR MAY RESULT IN A FINDING OF CONTEMPT OF COURT, AN AWARD OF ATTORNEY'S FEES AND COSTS AGAINST ELIOT BERNSTEIN, THE ISSUANCE OF AN ORDER STRIKING ANY AND ALL FUTURE PARTICIPATION IN THIS CASE AND/OR ANY OTHER SANCTIONS THE COURT DEEMS FIT.

3. Petitioner/Plaintiff's counsel, at his own cost, shall cause a copy of this Order to Show Cause and Order Setting Hearing to be personally served VIA SHERIFF OR PRIVATE PROCESS SERVER upon ELIOT BERNSTEIN and file proof of personal service upon receipt. The Court will reserve to award these fees against ELIOT BERNSTEIN.

4. This Court reserves jurisdiction to award such fees and costs as may be proper to Petitioner/Plaintiff.

DONE AND ORDERED in Chambers at Palm Beach Gardens, Palm Beach County, Florida, this 22nd day of August, 2018.



ROSEMARIE SCHER

Circuit Judge

Copies furnished to:

SEE ATTACHED SERVICE LIST

This notice is provided pursuant to Administrative Order No. 2.207-1/15

“If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Tammy Anton, Americans with Disabilities Act Coordinator, Palm Beach County Courthouse, 205 North Dixie Highway West Palm Beach, Florida 33401; telephone number (561) 355-4380 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.”

“Si usted es una persona minusválida que necesita algún acomodamiento para poder participar en este procedimiento, usted tiene derecho, sin tener gastos propios, a que se le provea cierta ayuda. Tenga la amabilidad de ponerse en contacto con Tammy Anton, 205 N. Dixie Highway, West Palm Beach, Florida 33401; teléfono número (561) 355-4380, por lo menos 7 días antes de la cita fijada para su comparecencia en los tribunales, o inmediatamente después de recibir esta notificación si el tiempo antes de la comparecencia que se ha programado es menos de 7 días; si usted tiene discapacidad del oído o de la voz, llame al 711.”

“Si ou se yon moun ki enfim ki bezwen akomodasyon pou w ka patisipe nan pwosedè sa, ou kalifye san ou pa gen okenn lajan pou w peye, gen pwovizyon pou jwen kèk èd. Tanpri kontakte Tammy Anton, kòdonatè pwogram Lwa pou ameriken ki Enfim yo nan Tribinal Konte Palm Beach la ki nan 205 North Dixie Highway, West Palm Beach, Florida 33401; telefòn li se (561) 355-4380 nan 7 jou anvan dat ou gen randevou pou parèt nan tribinal la, oubyen imedyatman apre ou fin resevwa konvokasyon an si lè ou gen pou w parèt nan tribinal la mwens ke 7 jou; si ou gen pwoblèm pou w tande oubyen pale, rele 711.”

SERVICE LIST Case No.: 502014CP003698XXXXNBIJ

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