

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

File Number: 502012CP004391XXXXNB  
Division: Probate "IH"

IN RE: ESTATE OF  
SIMON L. BERNSTEIN,

Deceased.

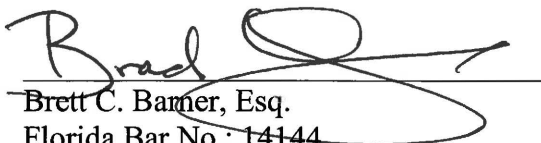
---

**MOTION FOR ORDER TO SHOW CAUSE**

Ciklin Lubitz, by and through its undersigned counsel, hereby files this Motion for Order to Show Cause ("Motion"), and as grounds therefore, states as follows:

1. On April, 27, 2018, this Court entered three orders on three separate petitions for payment of the Personal Representative's fees and costs and the Personal Representative's attorney's fees and costs, totaling \$51,267.10. The three orders are attached hereto as Composite Exhibit "A".
2. The three orders directed Brian O'Connell, Esq., as Personal Representative of this Estate, to pay the amounts awarded to Ciklin Lubitz from the assets of the Estate.
3. As of the date of the filing of this Motion, Ciklin Lubitz has not received payment on any of the three orders.
4. The Court should order Brian O'Connell, Esq., as Personal Representative of this Estate, to show cause in writing as to why he has not complied the three orders.

**WHEREFORE**, Ciklin Lubitz requests the Court order Brian O'Connell, Esq., as Personal Representative of this Estate, to show cause in writing as to why he has not complied with this Court's three orders, for attorneys' fees incurred in bringing this motion, and for such other and further relief as may be necessary and proper.

  
Brett C. Barner, Esq.  
Florida Bar No.: 14144  
Thornton "Brad" Henry, Esq.  
Florida Bar No.: 53239  
*Counsel for Ciklin Lubitz*

**CERTIFICATE OF SERVICE**

I **HEREBY CERTIFY** that on this 19 day of September, 2018, a true and correct copy of the foregoing has been furnished, via the Florida Courts E-Filing Portal, or as otherwise indicated below, on:

**Brian M. O'Connell, Esq.**  
**Ashley Crispin Ackal, Esq.**  
O'Connell & Crispin Ackal, PLLC  
420 Royal Palm Way, Suite 300  
Palm Beach, FL 33480

**Paul D. Turner, Esq.**  
**Christopher T. Perre**  
Perlman, Bajandas, Yevoli & Albright, P.L.  
200 South Andrews Avenue, Suite 600  
Fort Lauderdale, FL 33301

**Peter Feaman, Esq.**  
Peter M. Feaman, P.A.  
3695 Boynton Beach Blvd., Suite 9  
Boynton Beach, FL 33436

*Via U.S. Mail*  
**Max Friedstein**  
2142 Churchill Lane  
Highland Park, IL 60035

**Pamela Beth Simon**  
950 N. Michigan Avenue, Apt. 2603  
Chicago, IL 60611

**Jill Iantoni and Julia Iantoni, Minor**  
c/o Guy and Jull Iantoni,  
Parents and Natural Guardians  
2101 Magnolia Lane  
Highland Park, IL 60035

**Alan B. Rose, Esq.**  
Page Mrachek, Fitzgerald & Rose, P.A.  
505 S. Flagler Drive, Suite 600  
West Palm Beach, FL 33401

*Via U.S. Mail*  
**Diana Lewis obo Jacob and Daniel Bernstein**  
ADR & Mediation Services, LLC  
2765 Tecumseh Drive  
West Palm Beach, FL 33409

**Gary Shendell, Esq.**  
Shendell & Pollock, P.L.  
2700 N. Military Trail, Suite 150  
Boca Raton, FL 33431

**Eliot Bernstein**  
2753 N.W. 34<sup>th</sup> Street  
Boca Raton, FL 33434

**Robert Spallina, Esq.**  
7407 Wisteria Ave  
Parkland, FL 33076

**Lisa Friedstein and Carley Friedstein, Minor**  
c/o Jeffrey and Lisa Friedstein  
Parents and Natural Guardians  
2142 Churchill Lane  
Highland Park, IL 60035

**John P. Morrissey, Esq.**  
330 Clematis Street, Suite 213  
West Palm Beach, FL 33401

**Marc J. Soss, Esq.**  
11010 Hyacinth Place  
Lakewood Ranch, FL 34202

**Jeffrey M. Garber, Esq.**  
Ciklin Lubitz  
515 N. Flagler Drive, 20<sup>th</sup> Floor  
West Palm Beach, FL 33401



**Brett C. Barner, Esq.**  
Florida Bar No.: 14144  
Thornton "Brad" Henry, Esq.  
Florida Bar No.: 53239  
*Counsel for Ciklin Lubitz*  
Barner & Barner, P.A.  
Mirasol Town Square  
11360 Jog Road, Suite 104  
Palm Beach Gardens, FL 33418  
Phone: 561-296-7771  
Fax: 561-296-7773  
Email: [service@barnerlaw.com](mailto:service@barnerlaw.com)  
[bbarner@barnerlaw.com](mailto:bbarner@barnerlaw.com)  
[bhenry@barnerlaw.com](mailto:bhenry@barnerlaw.com)

**COMPOSITE  
EXHIBIT “A”**

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 \_\_\_\_\_

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.

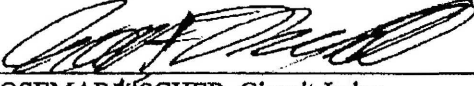
The Personal Representative is hereby awarded fees and costs totaling \$24,265.97.

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 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 \_\_\_\_\_

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 F. Ruse

  
ROSEMARYSCHER, Circuit Judge

Copies furnished to:

All Counsel of Record and Parties listed on attached Service List



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

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

  
ROSEMAR VISCHER, Circuit Judge

**Copies furnished to:**

All Counsel of Record and Parties listed on attached Service List