

Hon John S Kastrenakes ("JSK")

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

CASE NO.: 50-2018-CA-00231 7-XXXX-MB

WALTER E. SAHM and  
PATRICIA SAHM  
Plaintiffs/Petitioners,

v

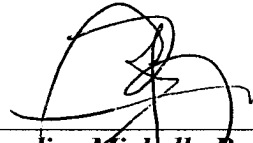
BERNSTEIN FAMILY REALTY, LLC,  
BRIAN O'CONNELL, AS SUCCESSOR PERSONAL REPRESENTATIVE OF THE ESTATE  
OF SIMON L. BERNSTEIN;  
ALEXANDRA BERNSTEIN, ERIC BERNSTEIN, MICHAEL BERNSTEIN, MOLLY  
SIMON, PAMELA B. SIMON, JILL IANTONI, MAX FRIEDSTEIN, LISA FRIEDSTEIN,  
INDIVIDUALLY AND TRUSTEES OF THE SIMON L. BERNSTEIN REVOCABLE TRUST  
AGREEMENT DATED MAY 20, 2008, AS AMENDED AND RESTATED;  
ELIOT BERNSTEIN, AND CANDICE BERNSTEIN, INDIVIDUALLY AND AS NATURAL  
GUARDIANS OF MINOR CHILDREN JO., JA. AND D. BERNSTEIN; AND  
ALL UNKNOWN TENANTS.  
Defendants/Respondents.

**LIS PENDENS**

- 1 The Plaintiffs have instituted this action against Defendants seeking to foreclose a mortgage with respect to the property described below and other counts contained in the Complaint.
- 2 The Plaintiffs in this action are WALTER E. SAHM and PATRICIA SAHM.
- 3 The case number of the action is 50-2018-CA-00231 7-XXXX-MB as shown in the caption of the case IN THE CIRCUIT COURT OF THE 15th JUDICIAL CIRCUIT IN AND FOR PALM BEACH COUNTY, FLORIDA.
- 4 The property that is the subject matter of this action is in Palm Beach County, Florida, and is described as follows:  
Real Property:  
Lot 68, Block G, Boca Madera Unit 2, according to the plat thereof as recorded in Plat Book 32, Page 59, and Public Records of Palm Beach County, Florida aka 2753 NW 34th St, Boca Raton, FL 33434.
- 5 A statement of the relief sought as to the property:  
Full refund from the Plaintiffs to the Defendant Candice Michelle Bernstein individually and as natural guardian the total sum of \$ 217,233.00 originally paid on 06.20.2008 with all monthly mortgage payments also duly paid to the Plaintiffs with statutory interest at the statutory rate of interest from time to time since 06.20.2008 to the date of full refund.

Dated: May 26, 2020

Respectfully Submitted by,



/s/Candice Michelle Bernstein  
PRO SE Candice Michelle Bernstein,  
INDIVIDUALLY AND AS  
NATURAL GUARDIAN OF  
MINOR CHILDREN JO., JA. AND  
D. BERNSTEIN  
2753 NW 34th St  
Boca Raton, FL 33434  
561-245-8588  
[tourcandy@gmail.com](mailto:tourcandy@gmail.com)

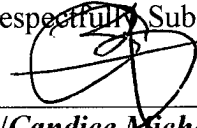
This is Not Certified Copy

- Attached:
- ① Comerica Bank Wire Transfer/HUD
  - ② Warranty Deed - Bernstein Family Realty 3 pgs
  - ③ Final Judgment - 3 pgs

**CERTIFICATE OF SERVICE**

I CERTIFY that Notice of Lis Pendens above has been furnished to parties listed on attached Service List by E-mail Electronic Transmission and/or Court ECF this May 26, 2020.

Respectfully Submitted by,



/s/Candice Michelle Bernstein  
PRO SE Candice Michelle Bernstein,  
INDIVIDUALLY AND AS  
NATURAL GUARDIAN OF  
MINOR CHILDREN JO., JA. AND  
D. BERNSTEIN  
2753 NW 34th St  
Boca Raton, FL 33434  
561-245-8588  
[tourcandy@gmail.com](mailto:tourcandy@gmail.com)

Original filed with Hon Clerk and Controller Palm Beach County with

Service Fee and Recording Fees Calculated as per website below:  
<https://www.mypalmbeachclerk.com/resources/fees/public-records-fees/recording>

Copies to all included in the Service List

Non Court  
Palm Beach County Courthouse  
Foreclosures  
PO Box 4667  
West Palm Beach, FL 33402  
Main Courthouse  
205 North Dixie Highway  
3<sup>rd</sup> Floor Room 3.23  
West Palm Beach, FL 33401  
Email:  
Phone: 561 355-2986

SWEET APPLE, BROEKER & VARKAS, P.L.

Attorneys for Plaintiffs  
4800 N. Federal Highway, Suite BIOS  
Boca Raton, Florida 33431  
Telephone: (561) 392-1330  
Email: [Pleadings@SweetappleLaw.com](mailto:Pleadings@SweetappleLaw.com)  
ROBERT A SWEETAPPLE  
Florida Bar No. 0296988  
BERKLEY SWEETAPPLE  
Florida Bar No. 112756

Eliot Ivan Bernstein, Pro Se – Attorney, in Fact, 2753 NW 34th St., Boca Raton, FL 33434,  
([iviewit@iviewit.tv](mailto:iviewit@iviewit.tv));

Brian O’Connell, Esq., and Ashley Crispin Ackal, Esq., O’Connell & Crispin, PLLC, 420  
Royal Palm Way, Palm Beach, FL 33480 ([boconnell@ocalawyers.com](mailto:boconnell@ocalawyers.com) ;  
[acrispinackal@ocalawyers.com](mailto:acrispinackal@ocalawyers.com));

Cary P. Sabol, Esq., Law Offices of Cary P. Sabol, P.O. Box 15981, West Palm Beach,  
Florida 33416 ([CSabol@sabollaw.com](mailto:CSabol@sabollaw.com));

Alan B. Rose, Esq., Mrachek, Fitzgerald & Rose, 505 South Flagler Drive Flagler Center,  
Suite 600, West Palm Beach, FL 33401 ([Arose@Mrachek-law.com](mailto:Arose@Mrachek-law.com))

**E-service recipients selected for service (selected by Court for In Chamber Notice of Service):**

Name	Email Address
Cary P. Sabol Esq.	<a href="mailto:CSABOL@SABOLLAW.COM">CSABOL@SABOLLAW.COM</a>
	<a href="mailto:Sara@sabollaw.com">Sara@sabollaw.com</a>
Clara Crabtree Ciadella	<a href="mailto:service@OCALawyers.com">service@OCALawyers.com</a>
	<a href="mailto:secondaryservice@OCALawyers.com">secondaryservice@OCALawyers.com</a>
Eliot Ivan Bernstein	<a href="mailto:iviewit@iviewit.tv">iviewit@iviewit.tv</a>

	<a href="mailto:iviewit@gmail.com">iviewit@gmail.com</a>
	<a href="mailto:tourcandy@gmail.com">tourcandy@gmail.com</a>
Alan B Rose	<a href="mailto:arose@mrachek-law.com">arose@mrachek-law.com</a>
	<a href="mailto:manderson@mrachek-law.com">manderson@mrachek-law.com</a>
	<a href="mailto:blewter@mrachek-law.com">blewter@mrachek-law.com</a>
	<a href="mailto:arose@mrachek-law.com">arose@mrachek-law.com</a>
	<a href="mailto:manderson@mrachek-law.com">manderson@mrachek-law.com</a>
	<a href="mailto:blewter@mrachek-law.com">blewter@mrachek-law.com</a>
Donald R. Tescher	<a href="mailto:dtescher@tescherlaw.com">dtescher@tescherlaw.com</a>
	<a href="mailto:agehle@tescherlaw.com">agehle@tescherlaw.com</a>
Robert L. Spallina	<a href="mailto:rspallina@tescherlaw.com">rspallina@tescherlaw.com</a>
	<a href="mailto:kmoran@tescherlaw.com">kmoran@tescherlaw.com</a>
Alan Jay Ciklin	<a href="mailto:aciklin@ciklinlubitz.com">aciklin@ciklinlubitz.com</a>
Brian M O'Connell	<a href="mailto:service@OCALawyers.com">service@OCALawyers.com</a>
	<a href="mailto:secondaryservice@OCALawyers.com">secondaryservice@OCALawyers.com</a>
Steven Alan Lessne	<a href="mailto:slessne@gunster.com">slessne@gunster.com</a>
	<a href="mailto:lvanegas@gunster.com">lvanegas@gunster.com</a>
	<a href="mailto:eservice@gunster.com">eservice@gunster.com</a>
Diana Lewis	<a href="mailto:dzlewis@aol.com">dzlewis@aol.com</a>
Mrachek, Fitzgerald, Rose, Konopka, Thomas & Weiss	<a href="mailto:arose@mrachek-law.com">arose@mrachek-law.com</a>
Ciklin Lubitz f.k.a. Ciklin Lubitz Martens & O'Con	<a href="mailto:aciklin@ciklinlubitz.com">aciklin@ciklinlubitz.com</a>
O'Connell & Crispin Ackal, PLLC	<a href="mailto:mailto:boconnell@ocalawyers.com">mailto:boconnell@ocalawyers.com</a>
Oppenheimer Trust Company of Delaware	<a href="mailto:Janet.Craig@opco.com">Janet.Craig@opco.com</a>
Oppenheimer Trust Company of New Jersey	<a href="mailto:Hunt.Worth@opco.com">Hunt.Worth@opco.com</a>
Ted Bernstein	<a href="mailto:ted@lifeinsuranceconcepts.com">ted@lifeinsuranceconcepts.com</a>
Gunster, Yoakley & Stewart, P.A.	<a href="mailto:slessne@gunster.com">slessne@gunster.com</a>
GrayRobinson, P.A.	<a href="mailto:mayanne.downs@gray-robinson.com">mayanne.downs@gray-robinson.com</a>
ADR & MEDIATIONS SERVICES, LLC	<a href="mailto:dzlewis@aol.com">dzlewis@aol.com</a>
Robert A Sweetapple	<a href="mailto:pleadings@sweetapplelaw.com">pleadings@sweetapplelaw.com</a>
	<a href="mailto:lwills@sweetapplelaw.com">lwills@sweetapplelaw.com</a>
	<a href="mailto:rsweetapple@sweetapplelaw.com">rsweetapple@sweetapplelaw.com</a>
Berkley Sweetapple	<a href="mailto:bsweetapple@sweetapplelaw.com">bsweetapple@sweetapplelaw.com</a>

**MASTER SERVICE LIST - SSFL15th - 2014CP002815**

Case

Oppenheimer v BFR and Children Trusts

#	Law Firm / Attorney	Address/Emails	Party Represented
---	---------------------	----------------	-------------------

1	Tescher & Spallina, PA / Donald R. Tescher, Robert L. Spallina	Boca Village Corporate Center I 4855 Technology Way Suite 720 Boca Raton, FL 33431 (561) 997-7008 dtescher@tescherlaw.com, dtescher@tescherspallina.com, ddustin@tescherlaw.com, rspallina@comcast.net, rspallina@tescherspallina.com	Tescher & Spallina, PA, Robert Spallina (Personally & Professionally), Donald Tescher (Personally & Professionally),
2	Mark R. Manceri, P.A. / Mark R. Manceri, Esq. - Bar Number: 444560	1600 S Federal Hwy Ste 900 Pompano Beach, FL 33062-7520 954-491-7099 mrmlaw@comcast.net, mrmlaw1@gmail.com	Bernstein Family Realty (BFR), Ted Bernstein, Mark R. Manceri, Esq. (Professionally & Personally)
3	Mrachek, Fitzgerald, Rose, Konopka, Thomas & Weiss, P.A. / Page, Mrachek, Fitzgerald & Rose, P.A. / Alan B. Rose, Esq.	505 South Flagler Drive Suite 600 West Palm Beach, Florida 33401 +1 (561) 355-6991 axose@mrachek-law.com, arose@ppm-law.com, mchandler@mrachek-law.com, abourget@mrachek-law.com	Ted Bernstein as Manager BFR, Attorney Alan B. Rose, Esq. (Personally & Professionally), Page, Mrachek, Fitzgerald & Rose, P.A.
4	Pankauski Law Firm PLLC / John J. Pankauski, Esq.	120 South Olive Avenue 7th Floor West Palm Beach, FL 33401 +1 (561) 514-0900 john@pankauskilawfirm.com, courtfilings@pankauskilawfirm.com, Michelle@Pankauskilawfirm.com	Ted Bernstein, Attorney John Pankauski, Esq. (Personally & Professionally), Pankauski Law Firm PLLC
5	ADR & MEDIATIONS SERVICES, LLC / Diana Lewis Fla. Bar No. 351350 - GAL	2765 Tecumseh Drive West Palm Beach, FL 33409 (561) 758-3017 dzlewis@aol.com	Joshua, Jacob & Daniel Bernstein

6	Gray Robinson, PA / Steven Lessne, Esq.	225 NE Mizner Blvd #500 Boca Raton, FL 33432 steven.lessne@gray-robinson.com	<p>Dennis McNamara Executive Vice President and General Counsel Oppenheimer &amp; Co. Inc. Corporate Headquarters 125 Broad Street New York, NY 10004 800-221-5588 Dennis.mcnamara@opco.com info@opco.com</p> <p>Janet Craig Oppenheimer Trust Company of Delaware, Manager BFR 405 Silverside Road Wilmington, DE 19809 Janet.Craig@opco.com</p> <p>Hunt Worth, Esq. President Oppenheimer Trust Company of Delaware 405 Silverside Road Wilmington, DE 19809 302-792-3500 hunt.worth@opco.com</p> <p>William McCabe Oppenheimer &amp; Co., Inc. 85 Broad St Fl 25 New York, NY 10004 William.McCabe@opco.com</p>
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7	Steven A. Lessne, Esq. Gunster, Yoakley & Stewart, P.A.	777 South Flagler Drive, Suite 500 East West Palm Beach, FL 33401 Telephone: (561) 650-0545 Facsimile: (561) 655-5677 E-Mail Designations: slessne@gunster.com jhoppel@gunster.com eservice@gunster.com	Dennis McNamara Executive Vice President and General Counsel Oppenheimer & Co. Inc. Corporate Headquarters 125 Broad Street New York, NY 10004 800-221-5588 Dennis.mcnamara@opco.com info@opco.com  Janet Craig Oppenheimer Trust Company of Delaware, Manager BFR 405 Silverside Road Wilmington, DE 19809 Janet.Craig@opco.com  Hunt Worth, Esq. President Oppenheimer Trust Company of Delaware 405 Silverside Road Wilmington, DE 19809 302-792-3500 hunt.worth@opco.com  William McCabe Oppenheimer & Co., Inc. 85 Broad St Fl 25 New York, NY 10004 William.McCabe@opco.com
8	Unrepresented		James Dimon Chairman of the Board and Chief Executive Officer JP Morgan Chase & CO. 270 Park Ave. New York, NY 10017- 2070 Jamie.dimon@jpmchase.com
9	Unrepresented		STP Enterprises, Inc. 303 East Wacker Drive Suite 210 Chicago IL 60601-5210 psimon@stpcorp.com

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10	Unrepresented		Gerald R. Lewin CBIZ MHM, LLC 1675 N Military Trail Fifth Floor Boca Raton, FL 33486 561-994-5050 lewin@cbiz.com
11	Unrepresented		CBIZ MHM, LLC General Counsel 6480 Rockside Woods Blvd. South Suite 330 Cleveland, OH 44131 ATTN: General Counsel generalcounsel@cbiz.com (216)447-9000
12	Unrepresented		Albert Gortz, Esq. Proskauer Rose LLP One Boca Place 2255 Glades Road Suite 421 Atrium Boca Raton, FL 33431-7360 agortz@proskauer.com
13	Unrepresented		Heritage Union Life Insurance Company A member of WiltonRe Group of Companies 187 Danbury Road Wilton, CT 06897 cstroup@wiltonre.com
14	Unrepresented		Estate of Simon Bernstein Brian M O'Connell Pa 515 N Flagler Drive West Palm Beach, FL 33401 boconnell@ciklinlubitz.com
15	Unrepresented		Byrd F. "Biff" Marshall, Jr. President & Managing Director Gray Robinson, PA 225 NE Mizner Blvd #500 Boca Raton, FL 33432 biff.marshall@gray-robinson.com

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16	Unrepresented		T&S Registered Agents, LLC Wells Fargo Plaza 925 South Federal Hwy Suite 500 Boca Raton, Florida 33432 dtescher@tescherspallina.com
17	Unrepresented		David Lanciotti Executive VP and General Counsel LaSalle National Trust NA CHICAGO TITLE LAND TRUST COMPANY, as Successor 10 South LaSalle Street Suite 2750 Chicago, IL 60603 David.Lanciotti@ctt.com
18	Unrepresented		Joseph M. Leccese Chairman Proskauer Rose LLP Eleven Times Square New York, NY 10036 jleccese@proskauer.com
19	Unrepresented		Brian Moynihan Bank of America Chairman of the Board and Chief Executive Officer 100 N Tryon St #170, Charlotte, NC 28202 Phone:(980) 335-3561
20	Unrepresented		Ralph S. Janvey Krage & Janvey, L.L.P. Federal Court Appointed Receiver Stanford Financial Group 2100 Ross Ave, Dallas, TX 75201 rjanvey@kjllp.com
21	Unrepresented		Neil Wolfson President & Chief Executive Officer Wilmington Trust Company 1100 North Market Street Wilmington, DE 19890-0001 nwolfson@wilmingtontrust.com

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22	Unrepresented		Dennis G. Bedley Chairman of the Board, Director and Chief Executive Officer Legacy Bank of Florida Glades Twin Plaza 2300 Glades Road Suite 120 West – Executive Office Boca Raton, FL 33431 info@legacybankfl.com DBedley@LegacyBankFL.com
23	Pro Se		Eliot Bernstein 2753 NW 34th St Boca Raton, FL 33434 561-245-8588 iviewit@iviewit.tv, iviewit@gmail.com, tourcandy@gmail.com
24	Unrepresented		Jacob Noah Archie Bernstein 2753 NW 34th St Boca Raton, FL 33434 561-245-8588 telenetjake@gmail.com
25	Unrepresented		Daniel Elijsha Abe Ottomo Bernstein c/o Eliot & Candice Bernstein 2753 NW 34th St Boca Raton, FL 33434 561-245-8588 iviewit@iviewit.tv, tourcandy@gmail.com
26	Unrepresented		Joshua Ennio Zander Bernstein 2753 NW 34th St Boca Raton, FL 33434 561-245-8588 telenetjosh@gmail.com
27	Unrepresented		Matthew Logan

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28	Unrepresented		Pamela Beth Simon, Molly Simon 950 North Michigan Avenue Suite 2603 Chicago, IL 60611 +1 (312) 819-7474 x Ext. 414 psimon@stpcorp.com, molly.simon1203@gmail.com
29	Unrepresented		Jill Iantoni 2101 Magnolia Lane Highland Park, IL 60035 +1 (312) 804-2318 jilliantoni@gmail.com
30	Unrepresented		Lisa Friedstein, Carly Friedstein, Max Friedstein 2142 Churchill Lane Highland Park, IL 60035 +1 (847) 877-4633 lisa@friedsteins.com, lisa.friedstein@gmail.com, mscarly@gmail.com, khoolmax@gmail.com
31	Unrepresented		Michael Bernstein, Eric Bernstein, Alexandra Bernstein 880 Berkley Street Boca Raton, FL 33487 alb07c@gmail.com, mchl_bernstein@yahoo.com, edb07fsu@gmail.com
32	Unrepresented		Lindsay Baxley aka Lindsay Giles (Personally & Professionally)
33	Unrepresented		Kimberly Francis Moran (Personally & Professionally)

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34	Wilson Elser / Anthony P. Strasius, Esq.	100 Southeast Second Street Suite 3800 Miami, FL 33131 +1 (305) 341-2287 anthony.strasius@wilsonelser.com	Gerald R. Lewin CBIZ MHM, LLC 1675 N Military Trail Fifth Floor Boca Raton, FL 33486 561-994-5050 lewin@cbiz.com
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COMERICA BANK  
WIRE TRANSFER FAX NOTIFICATION

DOMESTIC CREDIT ADVICE

FLORIDA TITLE AND CLOSING COMPANY  
CO JOHN M CAPPELLER JR PA  
350 CAMINO GARDENS BLVD STE303  
BOCA RATON, FL 33432

Fax Date 06/20/2008  
Transfer Date 06/20/2008  
Account [REDACTED]  
Seq # 080620003519  
Amount \$217,233.00  
Fed Ref 000712

Sending Bank [REDACTED] SILVERTON BK, N.A.

Receiving Bank [REDACTED] COMERICA BANK

Beneficiary ACCT-[REDACTED]  
FLORIDA TITLE & CLOSING COMPANY ESC  
350 CAMINO GARDENS BLVD # 303  
BOCA RATON, FL 33432

Originator ACCT-xxx [REDACTED]  
BERNSTEIN FAMILY REALTY LLC  
950 PENINSULA CORPORATE CIRCLE  
SUITE 3010 BOCA RATON, FL 33487

Originator's Bank ABA-[REDACTED]  
LEGACY BANK OF FLORIDA

Amount \$217,233.00

Acceptance Timestamp 06/20/2008 11:32

OMAD Fields 20080620F6QC949C00001006201132FT01

IMAD 20080620F1B7281C000712

*This is not a Certified Copy*  
*F+06 GEN*

THIS TRANSFER IS SUBJECT TO APPLICABLE FEES AND THE TERMS AND CONDITIONS OF THE 'FUNDS TRANSFER AUTHORIZATION AND AGREEMENT'.

PLEASE DIRECT INQUIRIES TO COMERICA INVESTIGATIONS AT 1-800-643-4421  
PRESS OPTION 3 AND REFER TO THE WIRE SEQ #

HUD-1

U.S. Department of Housing  
 and Urban Development

OMB No. 2502-0265

A. Settlement Statement

B. Type of Loan

1. FHA	2. FmHA	3. Conv. Unins.	6. File Number FT08-087	7. Loan Number ID:	8. Mortg. Ins. Case Num.
4. V.A.	5. Conv. Ins.				

NOTE: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.a.c.)\*" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.

**(I) NAME OF BORROWER:** Bernstein Family Realty, LLC, a Florida limited liability company  
 Address of Borrower: 950 Peninsula Corporate Circle, Suite 3010, Boca Raton, Florida 33431

**(J) NAME OF SELLER:** Walter E. Sahn and Patricia Sahn, his wife  
 Address of Seller: 8230 SE 177th Winterthur Loop, The Villages, Florida 32182  
 TIN: [REDACTED]

**(K) NAME OF LENDER:** Walter E. Sahn and Patricia Sahn  
 Address of Lender: 8230 SE 177th Winterthur Loop, The Villages, Florida 32182

**(L) PROPERTY LOCATION:** 2753 NW 34th Street, Boca Raton, Florida 33434

**(M) SETTLEMENT AGENT:** Florida Title & Closing Co.  
 Place of Settlement: 350 Camino Gardens Blvd., Suite 303, Boca Raton, Florida 33432  
 TIN: 72-1587283  
 Phone: 561-392-3636

**(N) SETTLEMENT DATE:** 8/20/08  
**DISBURSEMENT DATE:** 8/20/08

a. Summary of borrower's transaction		b. Summary of seller's transaction	
400 Gross amount due from borrower		400 Gross amount due to seller	
101. Contract sales price	360,000.00	401. Contract sales price	360,000.00
102. Personal property		402. Personal property	
103. Settlement charges to borrower (Line 1400)	4,359.18	403.	
104.		404.	
105.		405.	
Adjustments for items paid by seller in advance		Adjustments for items paid by seller in advance	
106. City/town taxes		406. City/town taxes	
107. County taxes		407. County taxes	
108. Assessments		408. Assessments	
109. Solid Waste Authority from 03/20/08 to 08/30/08	35.48	409. Solid Waste Authority from 08/20/08 to 08/30/08	35.48
110.		410.	
111.		411.	
112.		412.	
<b>120. Gross amount due from borrower:</b>	<b>364,394.64</b>	<b>420. Gross amount due to seller:</b>	<b>360,035.48</b>
500 Amounts paid on behalf of borrower		500 Reductions in amount due to seller	
201. Deposit or earnest money	38,000.00	501. Excess deposit (see instructions)	
202. Principal amount of new loan(s)		502. Settlement charges to seller (line 1400)	5,732.50
203. Existing loan(s) taken subject to		503. Existing loan(s) taken subject to	
204. Principal amount of second mortgage		504. Payoff of first mortgage loan	
205.		505. Payoff of second mortgage loan	
206.		506. Deposits held by seller	
207. Principal amt of mortgage held by seller	110,000.00	507. Principal amt of mortgage held by seller	110,000.00
208.		508.	
209.		509.	
Adjustments for items unpaid by seller		Adjustments for items unpaid by seller	
210. City/town taxes		510. City/town taxes	
211. County taxes from 01/01/08 to 08/20/08	1,181.84	511. County taxes from 01/01/08 to 08/20/08	1,181.84
212. Assessments		512. Assessments	
213.		513.	
214.		514.	
215.		515.	
216.		516.	
217.		517.	
218.		518.	
219.		519.	
<b>220. Total paid by/for borrower:</b>	<b>147,181.84</b>	<b>520. Total reductions in amount due seller:</b>	<b>116,894.14</b>
600 Cash at settlement from borrower		600 Cash at settlement to/from seller	
301. Gross amount due from borrower (line 120)	364,394.64	601. Gross amount due to seller (line 420)	360,035.48
302. Less amount paid by/for the borrower (line 220)	(147,181.84)	602. Less total reductions in amount due seller (line 520)	(116,894.14)
303. Cash ( <input checked="" type="checkbox"/> From   <input type="checkbox"/> To ) Borrower:	217,233.00	603. Cash ( <input checked="" type="checkbox"/> To   <input type="checkbox"/> From ) Seller:	243,141.32

Substitute Form 1099 Seller Statement: The information contained in blocks E, G, H, and I and on line 401 is important tax information and is being furnished to the IRS. If you are required to file a return, a negligence penalty or other sanction will be imposed on you if this item is required to be reported and the IRS determines that it has not been reported.

Seller Instructions: If this real estate was your principal residence, file Form 2119, Sale or Exchange of Principal Residence, for any gain, with your tax return; for other transactions, complete the applicable parts of Form 4797, Form 6282 and/or Schedule D (Form 1040).

Borrower's Initial(s):

Seller's Initial(s):  
 W E S A S

				Paid from Borrower's Funds at Settlement	Paid from Seller's Funds at Settlement
700.	Total Sales/Brokers Com. based on price	\$360,000.00 @	% = 540.00		
701.	540.00	% to	Remax Advantage Plus		
702.		% to			
703.	Commission paid at settlement				540.00
704.	Processing Fee	to	Remax Advantage Plus	245.00	245.00
801.	Loan origination fee	% to			
802.	Loan discount	% to			
803.	Appraisal fee	to			
804.	Credit report	to			
805.	Lender's inspection fee	to			
806.	Mortgage insurance application fee	to			
807.	Assumption Fee	to			
808.		to			
809.		to			
810.		to			
811.		to			
901.	Interest from	06/20/08 to 07/01/08	@ 19.5890 /day	215.48	
902.	Mortgage insurance premium for	months to			
903.	Hazard insurance premium for	years to			
904.	Flood insurance premium for	years to			
905.		years to			
1001.	Hazard insurance	months @	per month		
1002.	Mortgage insurance	months @	per month		
1003.	City property taxes	months @	per month		
1004.	County property taxes	months @	per month		
1005.	Annual assessments	months @	per month		
1006.	Flood insurance	months @	per month		
1007.		months @	per month		
1008.		months @	per month		
1009.	Aggregate accounting adjustment				
1101.	Settlement or closing fee	to	Florida Title & Closing Co.	150.00	150.00
1102.	Abstract or title search	to	Florida Title & Closing Co.		275.00
1103.	Title examination	to			
1104.	Title insurance binder	to			
1105.	Mortgage Document Preparation	to	Florida Title & Closing Co.	350.00	
1106.	Notary fees	to			
1107.	Attorney's Fees	to	Steven I. Groomwald, P.A.	2,250.00	
	(includes above item numbers:		)		
1108.	Title insurance	to	Florida Title & Closing Co.	25.00	1,875.00
	(includes above item numbers:		)		
1109.	Lender's coverage (Premium):	\$110,000.00 (\$25.00)			
1110.	Owner's coverage (Premium):	\$360,000.00 (\$1,875.00)			
1111.	Endorse:				
1112.	to				
1113.	to				
1201.	Recording fees	Deed \$19.10 Mortgage(s) \$97.10 Releases		106.20	
1202.	City/county tax/stamps	Deed Mortgage(s)	\$220.00	220.00	
1203.	State tax/stamps	Deed \$2,520.00 Mortgage(s) \$385.00		385.00	2,520.00
1204.		to			
1205.	Release Processing Fee	to	Florida Title & Closing Co.		25.00
1301.	Survey	to	PAC Surveying	325.00	
1302.	Courier/Recording/Express Processing	to	Florida Title & Closing Co.	50.00	25.00
1303.	Municipal Lien Processing Fee	to	Florida Title & Closing Co.		40.00
1304.	File Storage Processing Fee	to	Florida Title & Closing Co.	37.50	37.50
1305.		to			
1306.		to			
1307.		to			
1308.		to			
1309.					
<b>Total Settlement Charges</b>				<b>4,359.18</b>	<b>5,732.00</b>

I have carefully reviewed the HUD-1 Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or for me in this transaction. I further certify that I have received a copy of the HUD-1 Settlement Statement.

Bernstein Family Realty, LLC  
 By: Simon Bernstein, Manager Borrower  
Walter E. Sahn Seller  
Patricia Sahn Seller  
 Patricia Sahn

The HUD-1 Settlement Statement which I have prepared is a true and accurate account of this transaction. I have caused, or will cause, the funds to be disbursed in accordance with this statement.  
 Florida Title & Closing Co.  
 By: [Signature] Date 6-20-08



CFN 20080241510  
 OR BK 22723 PG 0689  
 RECORDED 06/26/2008 09:06:17  
 Palm Beach County, Florida  
 AMT 360,000.00  
 Doc Stamp 2,520.00  
 Sharon R. Bock, CLERK & COMPTROLLER  
 Pgs 0689 - 690; (2pgs)

Prepared by and return to:  
 John M. Cappeller, Jr.

Florida Title & Closing Co.  
 350 Camino Gardens Blvd. Suite 303  
 Boca Raton, FL 33432  
 561-392-3636  
 File Number FT08-087  
 Will Call No. 159

Parcel Identification No. 06-42-47-10-02-007-0680

[Space Above This Line For Recording Data]

## Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this 16<sup>th</sup> day of June, 2008 between Walter E. Sahm and Patricia Sahm, his wife whose post office address is 8230 SE 17<sup>th</sup> Winterthur Loop, The Villages, FL 32162 of the County of Marion, State of Florida, grantor\*, and Bernstein Family Realty, LLC, a Florida limited liability company whose post office address is 950 Peninsula Corporate Circle, Suite 3010, Boca Raton, FL 33431 of the County of Palm Beach, State of Florida, grantee\*,

Witnesseth that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Palm Beach County, Florida, to-wit:

Lot 68, Block G, BOCA MADERA UNIT 2, according to the Plat thereof, recorded in Plat Book 32, Pages 59 AND 60, of the Public Records of Palm Beach County, Florida.

Subject to restrictions, reservations and easements of record and taxes for the year 2008 and thereafter

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

\* "Grantor" and "Grantee" are used for singular or plural, as context requires.

DoubleTime®



**In Witness Whereof**, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

*[Signature]*  
Witness Name: Angela Lawrence

*[Signature]*  
Witness Name: Deborah Sumner

*[Signature]* (Seal)  
Walter E. Sahn

*[Signature]* (Seal)  
Patricia Sahn

State of Florida  
County of St. Johns

The foregoing instrument was acknowledged before me this 18 day of June, 2008 by Walter E. Sahn and Patricia Sahn, who  are personally known or  have produced a driver's license as identification.

[Notary Seal]



*[Signature]*  
Notary Public  
Printed Name: Kelly Wilkins  
My Commission Expires: 4-21-12

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

PROBATE DIVISION

CASE NO.: 502014CP002815XXXXNB (IH)

OPPENHEIMER TRUST COMPANY  
OF DELAWARE, in its capacity as  
Resigned Trustee of the Simon Bernstein  
Irrevocable Trusts created for the benefit  
of Joshua, Jake and Daniel Bernstein,

Petitioner,

vs.

ELIOT AND CANDICE BERNSTEIN,  
in their capacity as parents and natural  
guardians of JOSHUA, JAKE AND  
DANIEL BERNSTEIN, minors

Respondents.

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**FINAL JUDGMENT**

THIS CAUSE came before the Court upon the Motion For Entry Of Final Judgment (the "Motion") filed by Petitioner, Oppenheimer Trust Company Of Delaware ("Oppenheimer"), in its capacity as the resigned trustee of three irrevocable trusts settled by Simon Bernstein on September 7, 2006 for the benefit of his grandchildren, Joshua, Jake and Daniel Bernstein (the "Grandchildren Trusts"). Having considered the Motion, the May 11, 2016 Report and Recommendation of the grandchildren's Guardian *Ad Litem*, Diana Lewis (the "GAL"), and being otherwise duly advised in the premises, it is hereupon

ORDERED AND ADJUDGED as follows:

Oppenheimer v. Bernstein  
Case No. 502014CP002815XXXXNB (IH)

1. Final judgment is hereby entered in Oppenheimer's favor as to Count I of its Petition For Instructions, Approval Of Final Accounting, Release And Discharge ("Petition"). The Grandchildren Trusts are hereby terminated and, as proposed by Oppenheimer in its Plan of Distribution of Trust Assets, Oppenheimer shall distribute the liquid assets of the Grandchildren Trusts (approximately \$6,500) to the Palm Beach County Tax Collector to partially pay the property taxes due on the real property owned by Bernstein Family Realty, LLC ("BFR"), an asset wholly owned by the Grandchildren Trusts.<sup>1</sup> Oppenheimer shall distribute the remainder of the assets (the Grandchildren Trusts' interests in BFR and LIC Holdings, Inc.) as follows:

*to be split to Candice Bernstein  
as natural guardian of  
the children*

2. Final judgment is hereby entered in Oppenheimer's favor as to Count II of its Petition. Oppenheimer's accountings, as supplemented and amended, are approved in full. Oppenheimer and its former and current agents, employees and attorneys, together with Oppenheimer's parent and subsidiary companies, and all of their successors and assigns, are hereby released and discharged of all duties, claims, demands and liabilities arising out of or related to the Grandchildren Trusts or their assets.

DONE AND ORDERED in Chambers, Palm Beach County, Florida on

6-7-16, 2016.

  
Hon. John L. Phillips, Circuit Judge

<sup>1</sup> According to the Palm Beach County Tax Collector's records, BFR owes over \$13,000 in property taxes related to the home occupied by the grandchildren, including for a tax certificate sold to satisfy unpaid 2014 property taxes. The assets of the trust are insufficient to pay the property taxes in full.

Oppenheimer v. Bernstein  
Case No. 502014CP002815XXXXNB (IH)

Copies furnished to:

Oppenheimer Trust Company of Delaware  
c/o Steven A. Lessne, Esq.  
Gunster, Yoakley & Stewart, P.A.  
4855 Technology Way, Suite 630  
Boca Raton, FL 33431

Joshua, Jacob (Jake) and Daniel Bernstein  
c/o Diana Lewis, their Guardian *Ad Litem*  
ADR & Mediation Services, LLC  
2765 Tecumseh Drive  
West Palm Beach, FL 33409

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

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

Certified copy