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AND ESTATES

May 30, 2014

VIA FEDERAL EXPRESS

The Honorable Martin H. Colin
Palm Beach South County Courthouse
200 West Atlantic Avenue
Delray Beach, Florida 33444

Re: Estate of Simon L. Bernstein
File No. 502012CP004391XXXXSB

Dear Judge Colin:

This is with regard to the Curator's Motion for Instructions regarding May 1, 2014 Accounting and Curator's Motion for Instructions Regarding 2012 Will ("Motions") heard May 23, 2014. Enclosed please find the following:

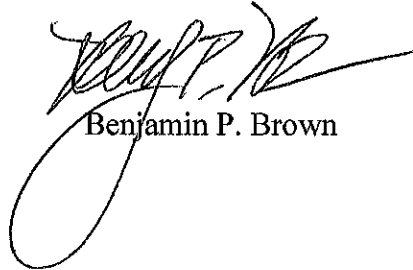
1. May 27, 2014 e-mail from the Curator's office with proposed Orders on the Motions;
2. May 28, 2014 e-mail from Alan Rose, Esq. with changes to proposed Orders on Motions;
3. May 28, 2014 e-mail thread between the Curator and Eliot Bernstein regarding the proposed orders on the Motions; and
4. Pages 44-46 from the transcript of the May 23, 2014 hearing on the Motions.

As Your Honor can see, there are two competing proposed Orders as to each Motion, and Mr. Eliot Bernstein believes that the minor beneficiaries (Decedent's grandchildren) of Decedent's pour-over trust have not received adequate notice of the hearing on the Motions and the matters set forth in the Motions.

In the event Your Honor decides to enter Orders on the Motion, we have enclosed addressed, stamped envelopes. Thank you for your consideration.

Very truly yours,

MATWICZYK & BROWN, LLP

A handwritten signature in black ink, appearing to read 'Benjamin P. Brown', with a large, stylized loop at the bottom.

Benjamin P. Brown

Enclosures

Cc: Alan Rose, Esq.
John Pankauski, Esq.
Peter Feaman, Esq.
Eliot Bernstein
William Glasko, Esq.

Linda McDaniel

From: Linda McDaniel
Sent: Tuesday, May 27, 2014 2:00 PM
To: 'arose@mrachek-law.com'; 'mchandler@mrachek-law.com'; Peter M. Feaman; 'bill@palmettobaylaw.com'; John Pankauski; 'iviewit@iviewit.tv'
Cc: Ben Brown
Subject: Bernstein - draft orders on Motion for Instructions (accounting and 2012 will)
Attachments: Bernstein - DRAFT Order on Motion for Instuctions (accounting).pdf; Bernstein - DRAFT Order on Motion for Instuctions (2012 will).pdf

Please see the attached proposed orders for review and comment. We will submit to Judge Colin by Friday at noon (he is on vacation) if we do not have objections/comments/edits.

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

PROBATE DIVISION
CASE NO. 5021012CP004391XXXXSB

IN RE: ESTATE OF SIMON L. BERNSTEIN
_____ /

**ORDER ON CURATOR'S MOTION FOR INSTRUCTIONS REGARDING
MAY 1, 2014 ACCOUNTING**

THIS MATTER came before the Court on the Curator's Motion for Instructions Regarding May 1, 2014 Accounting dated May 13, 2014 ("Motion"), the Court having reviewed the Motion, and the Court being otherwise fully advised in the premises, it is hereby:

ORDERED and ADJUDGED as follows:

The Motion is granted. The Curator is not authorized to file objections to the May 1, 2014 Final Accounting ("Accounting") filed by Donald R. Tescher and Robert L. Spallina, former Co-Personal Representatives of this Estate, or to otherwise undertake any investigation into the Accounting, absent further order of this Court amending the March 11, 2014 Letters of Curatorship to grant such authority.

DONE AND ORDERED in Chambers, Delray Beach, Palm Beach County, Florida, on
May _____, 2014.

Circuit Court Judge

Copies furnished to the parties on the attached service list

ESTATE OF SIMON L. BERNSTEIN

File No. 502012CP004391XXXXSB

Service List

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

PROBATE DIVISION
CASE NO. 5021012CP004391XXXXSB

IN RE: ESTATE OF SIMON L. BERNSTEIN
_____ /

**ORDER ON CURATOR'S MOTION FOR INSTRUCTIONS REGARDING
2012 WILL**

THIS MATTER came before the Court on the Curator's Motion for Instructions Regarding 2012 Will dated May 2, 2014 ("Motion"), the Court having reviewed the Motion, and the Court being otherwise fully advised in the premises, it is hereby:

ORDERED and ADJUDGED as follows:

The Motion is granted. In the event any interested person believes that the July 25, 2012 Will of Decedent that has been admitted for probate ("Will") is invalid, then such interested person may seek such remedies as are available under Florida law. The Curator is not authorized to challenge the Will, absent further order of this Court amending the March 11, 2014 Letters of Curatorship to grant such authority.

DONE AND ORDERED in Chambers, Delray Beach, Palm Beach County, Florida, on
May _____, 2014.

Circuit Court Judge

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ESTATE OF SIMON L. BERNSTEIN

File No. 502012CP004391XXXXSB

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Linda McDaniel

From: Marie Chandler <MChandler@mrachek-law.com> on behalf of Alan Rose <ARose@mrachek-law.com>
Sent: Wednesday, May 28, 2014 9:53 AM
To: Linda McDaniel; Peter M. Feaman; bill@palmettobaylaw.com; John Pankauski; iviewit@iviewit.tv
Cc: Ben Brown; Alan Rose; Marie Chandler
Subject: E/O Simon Bernstein - ABR to Counsel 05-28-14 re Suggested Changes - draft orders M-Instructions (accounting and 2012 will)
Attachments: 20140528094912907.pdf; 20140528094917742.pdf

Attached are my suggested changes to the draft orders.

Best wishes.

Alan B. Rose, Esq.
arose@Mrachek-Law.com
561.355.6991



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From: Linda McDaniel [<mailto:lmcdaniel@matbrolaw.com>]

Sent: Tuesday, May 27, 2014 2:00 PM

To: Alan Rose; Marie Chandler; Peter M. Feaman; 'bill@palmettobaylaw.com'; John Pankauski; 'iviewit@iviewit.tv'

Cc: Ben Brown

Subject: Bernstein - draft orders on Motion for Instructions (accounting and 2012 will)

Please see the attached proposed orders for review and comment. We will submit to Judge Colin by Friday at noon (he is on vacation) if we do not have objections/comments/edits.

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

PROBATE DIVISION
CASE NO. 5021012CP004391XXXXSB

IN RE: ESTATE OF SIMON L. BERNSTEIN
_____ /

**ORDER ON CURATOR'S MOTION FOR INSTRUCTIONS REGARDING
MAY 1, 2014 ACCOUNTING**

THIS MATTER came before the Court on the Curator's Motion for Instructions Regarding May 1, 2014 Accounting dated May 13, 2014 ("Motion"), the Court having reviewed the Motion, and the Court being otherwise fully advised in the premises, it is hereby:

ORDERED and ADJUDGED as follows:

Court instructs that *required or*
The ~~Motion is granted.~~ The Curator is not authorized to file objections to the May 1, 2014 Final Accounting ("Accounting") filed by Donald R. Tescher and Robert L. Spallina, former Co-Personal Representatives of this Estate, or to otherwise undertake any investigation into the Accounting, absent further order of this Court amending the March 11, 2014 Letters of Curatorship to grant such authority.

DONE AND ORDERED in Chambers, Delray Beach, Palm Beach County, Florida, on
May _____, 2014.

Circuit Court Judge

Copies furnished to the parties on the attached service list

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File No. 502012CP004391XXXXSB
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IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT IN AND FOR PALM BEACH COUNTY, FLORIDA

PROBATE DIVISION
CASE NO. 5021012CP004391XXXXSB

IN RE: ESTATE OF SIMON L. BERNSTEIN
_____ /

**ORDER ON CURATOR'S MOTION FOR INSTRUCTIONS REGARDING
2012 WILL**

THIS MATTER came before the Court on the Curator's Motion for Instructions Regarding 2012 Will dated May 2, 2014 ("Motion"), the Court having reviewed the Motion, and the Court being otherwise fully advised in the premises, it is hereby:

ORDERED and ADJUDGED as follows:

Court instructs flat
~~The Motion is granted. In the event any interested person believes that the July 25, 2012 Will of Decedent that has been admitted for probate ("Will") is invalid, then such interested person may seek such remedies as are available under Florida law.~~ *required or* The Curator is not authorized to challenge the Will, absent further order of this Court amending the March 11, 2014 Letters of Curatorship to grant such authority.

DONE AND ORDERED in Chambers, Delray Beach, Palm Beach County, Florida, on
May _____, 2014.

Circuit Court Judge

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*of Decedent
or take any further actions
outlined in the email attached to
the Motion,*

ESTATE OF SIMON L. BERNSTEIN
File No. 502012CP004391XXXXSB
Service List

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Linda McDaniel

From: Eliot Ivan Bernstein <iviewit@iviewit.tv>
Sent: Wednesday, May 28, 2014 12:07 PM
To: Ben Brown
Cc: Caroline Prochotska Rogers Esq.; Michele M. Mulrooney ~ Partner @ Venable LLP; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Marc R. Garber Esq.; tourcandy@gmail.com; Eliot I. Bernstein, Inventor ~ Iviewit Technologies, Inc.; Alan B. Rose Esq.; Linda McDaniel; Peter Feaman, Esq. ~ Attorney at Law @ Peter M. Feaman, P.A.; William Henry Glasko Esq.; John J. Pankauski; John@Pankauskilawfirm.com
Subject: RE: E/O Simon Bernstein - ABR to Counsel 05-28-14 re Suggested Changes - draft orders M-Instructions (accounting and 2012 will)

Ben, I think before submitting this to Colin for approval the Estate should notify him of the position of the minor children in regard to them having no counsel and how the Estate should preserve these rights for them by hiring counsel to raise appropriate objections and expend Estate assets to do this on their behalf, as it will benefit the Estate too, as I do not think any of the six minors are going to file Objections on their own and may not even be aware of their rights. Eliot

From: Ben Brown [mailto:bbrown@matbrolaw.com]
Sent: Wednesday, May 28, 2014 11:36 AM
To: Eliot Ivan Bernstein; 'Alan Rose'; Linda McDaniel; 'Peter M. Feaman'; bill@palmettobaylaw.com; 'John Pankauski'
Cc: tourcandy@gmail.com; Ben Brown
Subject: RE: E/O Simon Bernstein - ABR to Counsel 05-28-14 re Suggested Changes - draft orders M-Instructions (accounting and 2012 will)

Eliot-

Both orders (with or without Alan's changes) specify that the Curator is not authorized to take the actions described in the motions, "absent further order of this Court..." That means that you are free to raise Lucom with Judge Colin when he gets back, but would need to make a motion and set it for hearing. In the meantime, I believe Judge Colin was clear in his ruling, based on the transcript. Assuming the language as originally drafted (e.g., without Alan's changes) is OK with you (including the "absent further order of this Court..."- which Alan left in his version), I would like to go ahead and submit the orders. Alan, if I need to submit your changes as well, then I can do that and note in the cover letter who is OK with which version of the orders.

Regards,

Ben Brown, Curator.

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From: Eliot Ivan Bernstein [<mailto:iviewit@iviewit.tv>]
Sent: Wednesday, May 28, 2014 11:11 AM
To: 'Alan Rose'; Linda McDaniel; 'Peter M. Feaman'; bill@palmettobaylaw.com; 'John Pankauski'
Cc: Ben Brown; 'Marie Chandler'; Caroline Prochotska Rogers Esq.; Michele M. Mulrooney ~ Partner @ Venable LLP; Andrew R. Dietz @ Rock It Cargo USA; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Marc R. Garber Esq. @ Flaster Greenberg P.C.; Marc R. Garber Esq.; tourcandy@gmail.com; Eliot I. Bernstein, Inventor ~ Iviewit Technologies, Inc.
Subject: RE: E/O Simon Bernstein - ABR to Counsel 05-28-14 re Suggested Changes - draft orders M-Instructions (accounting and 2012 will)

I object to all Alan's inputs and suggest also that we send this case, <http://blogs-images.forbes.com/trialandheirs/files/2011/10/Lucom-Estate-Florida-Court-Ruling.pdf> to Judge Colin to review his decision prior to making a final order, as it appears the Estate may have obligations to object and to pursue possible fraud and forgery of the documents and not put the burden on the beneficiaries who mainly appear minors that are all still unrepresented by counsel. Eliot

From: Marie Chandler [<mailto:MChandler@mrachek-law.com>] **On Behalf Of** Alan Rose
Sent: Wednesday, May 28, 2014 9:53 AM
To: Linda McDaniel; Peter M. Feaman; bill@palmettobaylaw.com; John Pankauski; iviewit@iviewit.tv
Cc: Ben Brown; Alan Rose; Marie Chandler
Subject: E/O Simon Bernstein - ABR to Counsel 05-28-14 re Suggested Changes - draft orders M-Instructions (accounting and 2012 will)

Attached are my suggested changes to the draft orders.

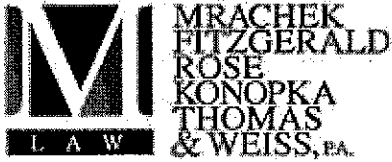
Best wishes.

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Sent: Tuesday, May 27, 2014 2:00 PM
To: Alan Rose; Marie Chandler; Peter M. Feaman; 'bill@palmettobaylaw.com'; John Pankauski; 'iviewit@iviewit.tv'
Cc: Ben Brown
Subject: Bernstein - draft orders on Motion for Instructions (accounting and 2012 will)

Please see the attached proposed orders for review and comment. We will submit to Judge Colin by Friday at noon (he is on vacation) if we do not have objections/comments/edits.

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IN THE FIFTEENTH JUDICIAL CIRCUIT COURT
IN AND FOR PALM BEACH COUNTY, FLORIDA
CASE NO: 502012CP004391XXXXSB

IN RE: THE ESTATE OF SIMON L. BERNSTEIN

-----/

PROCEEDINGS BEFORE
HONORABLE MARTIN COLIN

DATE: MAY 23, 2014

TIME: 9:00 a.m. to 10:00 a.m.

1 represents --

2 MR. ROSE: -- it would be enforceable as a
3 judgment if he doesn't pay -- the estate would
4 have a claim against Mr. Stansbury if he, for
5 example, didn't pay some invoices and we got
6 stuck paying the bill for a Chicago lawyer.

7 THE COURT: You want me to rule on that
8 now? Your answer is no. You're real premature
9 on that. Draft an order along the lines I
10 mention.

11 What else for today?

12 MR. BROWN: Your Honor, I had two motions
13 for instructions.

14 THE COURT: One had to do with this issue,
15 right?

16 MR. BROWN: That one I basically just took
17 a backseat to because of the administrator ad
18 litem motion.

19 The other, Eliot Bernstein sends me a lot
20 of emails with a lot of requests. I'm not
21 saying it's a bad thing. But he asks me
22 questions I don't necessarily know I can
23 answer. For instance, he got the accounting by
24 Tetra and Spallina and then sent me an email
25 that I've attached to the motion. I don't know

1 if you have the motion for instructions.

2 THE COURT: I do.

3 MR. BROWN: That had 44 different
4 questions, not including subparts, and asked
5 that I hire a forensic accountant, an analyst
6 and acquire account statements from a number of
7 third-party institutions.

8 THE COURT: Is that the motion? I don't
9 have the attachments. It says motion for
10 instructions -- that's the life insurance one.
11 Hold on.

12 MR. BROWN: It's not necessarily
13 important. Eliot is very thorough. But,
14 again, the estate has limited assets. My view
15 of what the curator should do with respect to
16 the accounting is not take the lead on
17 objecting to what Tetra and Spallina did,
18 investigating the underpinnings of the
19 accounting, that's up to -- we have a lot of
20 beneficiaries here who are very, very
21 passionate and interested in what's going on
22 with the estate.

23 THE COURT: Stop. You don't have to go
24 further. That position, that's the law. You
25 don't do that. If there's an accounting,

1 there's a rule on objections, the parties
2 object. They don't use you -- you don't work
3 for them.

4 MR. BROWN: Okay.

5 THE COURT: You work for the court.

6 MR. BROWN: I'll try and craft an order
7 that deals with that motion in that regard.

8 Also, there also was a motion, Eliot has
9 concerns about the 2012 will and its validity.
10 I think your ruling would be the same on that.
11 I don't have a role in trying to contest that
12 will --

13 THE COURT: Exactly. You're not an
14 advocate. You don't investigate things that
15 the parties may be interested in. They can do
16 what they think they need to do based on the
17 rules of procedure and statutes.

18 MR. BROWN: That's it.

19 MR. ROSE: If I may address the privilege
20 issue?

21 THE COURT: Okay. The privilege issue,
22 okay.

23 MR. ROSE: May I approach?

24 THE COURT: Yes.

25 MR. ROSE: I can file a copy of this.