



January 7, 2016

Via Federal Express

The Honorable John Phillips
Palm Beach County Circuit Court
North County Courthouse
3188 PGA Blvd., Room 1414
West Palm Beach, FL 33410

Re: ***Oppenheimer Trust Company of Delaware v. Eliot and Candice Bernstein, in their capacities as parents and natural guardians of Joshua, Jake and Daniel Bernstein, minors; Case No. 502014CP002815XXXXNB (IH)***

Dear Judge Phillips:

I represent Oppenheimer Trust Company of Delaware, the resigned trustee of three small "grandchildren trusts" settled for the benefit of minors, Joshua, Jake and Daniel Bernstein. The minors are the children of Eliot and Candice Bernstein. Although this case has been pending since June 2014, the parties have never appeared before you following the re-assignment of the case to you.

I have learned that a hearing has been scheduled on your January 14, 2016 motion calendar on a *Motion For Appointment Of Guardian Ad Litem To Represent The Interests Of Eliot Bernstein's Children*, filed in the matter of *Ted Bernstein, as Trustee of the Shirley Bernstein Trust Agreement v. Alexandra Bernstein, et. al.*; Case No. 502914CP003698XXXXB ("the Shirley Bernstein matter"). Enclosed is a copy of that Notice of Hearing for your review. In the Oppenheimer matter, we have also filed a *Motion To Appoint A Guardian Ad Litem For The Minor Beneficiaries Of The "Grandchildren Trusts."* A copy of that motion is also attached for your review.

I believe it would serve judicial economy for you to hear both motions at the same time since they concern the same subject matter. In an abundance of caution, I am setting the Oppenheimer motion for hearing on your January 14, 2016 motion calendar. The purpose of doing so (at the risk of being presumptuous) is to give you an option to hear it at that time. I would understand if you choose to reschedule it if you feel that more time is required or that the motion should be heard separately.

If you would like to address Oppenheimer's motion on a date or time other than that noticed, please let me know (as I will be traveling from Orlando To Palm Beach on the 14th just to appear at this hearing). Otherwise, I look forward to seeing you on the date and time noticed. Thank you in advance for your consideration of this matter.

Respectfully submitted,

Steven A. Lessne

SAL/sh

cc: Eliot and Candace Bernstein (*via e-mail*)