

LAW OFFICES

CIKLIN LUBITZ MARTENS & O'CONNELL

A PARTNERSHIP INCLUDING PROFESSIONAL ASSOCIATIONS

BRUCE G. ALEXANDER, P.A.
JERALD S. BEER, P.A.
JOHN D. BOYKIN, P.A.
WHITNEY CARROLL
RICHARD R. CHAVES, P.A.
PATRICIA M. CHRISTIANSEN, P.A.
ALAN J. CIKLIN, P.A.
ROBERT L. CRANE, P.A.
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ASHLEY N. CRISPIN
JOIELLE A. FOGLIETTA
JEFFREY M. GARBER, P.A.
MICHAEL J. GORE

JASON S. HASELKORN, P.A.
CHRISTINE M. HOKE, P.A.
W. JAY HUNSTON, III, P.A.
BRIAN B. JOSLYN, P.A.
GREGORY S. KINO, P.A.
MELISSA D. LAZARCHICK
BRIAN M. O'CONNELL, P.A.
PHIL D. O'CONNELL, P.A.
CHARLES L. PICKETT, P.A.
MATTHEW N. THIBAUT, P.A.
DEAN VEGOSEN, P.L.
GARY WALK, P.A.

PHILLIP D. O'CONNELL, SR. (1907-1987)

OF COUNSEL
MICHAEL J. KENNEDY, P.A.
CHARLES A. LUBITZ, P.A.
MICHAEL J. MONCHICK, P.A.
KEVIN D. WILKINSON, P.A.

515 NORTH FLAGLER DRIVE, 20TH FLOOR
WEST PALM BEACH, FLORIDA 33401-4343
TELEPHONE: (561) 832-5900
FACSIMILE: (561) 833-4209

February 23, 2015

Alan B. Rose, Esq.
Page, Mrachek, Fitzgerald & Rose, PA.
505 S. Flagler Dr., Suite 600
West Palm Beach, FL
arose@mrachek-law.com
mchandler@mrachek-law.com

Peter Feaman, Esq.
Peter M. Feaman, P.A.
3695 Boynton Beach Blvd., Suite 9
Boynton Beach, FL 33436
pfeaman@feamanlaw.com

John P. Morrissey, Esq.
330 Clematis St., Suite 213
West Palm Beach, FL 33401
john@jmorrisseylaw.com

Max Friedstein
2142 Churchill Lane
Highland Park, IL 60035

Eliot Bernstein and
Joshua, Jacob and Daniel Bernstein, Minors
c/o Eliot and Candice Bernstein,
2753 N.W. 34th St.
Boca Raton, FL 33434
iviewit@iviewit.tv

Jill Iantoni and
Julia Iantoni, a Minor
c/o Guy and Jill Iantoni,
2101 Magnolia Lane
Highland Park, IL 60035
jilliantoni@gmail.com

Lisa Friedstein and
Carley Friedstein, Minor
c/o Jeffrey and Lisa Friedstein
Parent and Natural Guardian
2142 Churchill Lane
Highland Park, IL 60035

Pamela Beth Simon
950 N. Michigan Ave., Apt. 2603
Chicago, IL 60611
psimon@stpcorp.com

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Lisa@friedsteins.com

Lisa.friedstein@gmail.com

Re: Estate of Simon Bernstein ("Estate")

Dear All:

I am writing with regard to the finalization of the settlement with William Stansbury.


As you know, I have provided all of you with the financial information requested by Judge Colin. Based upon the current assets of the Estate, I will be funding the settlement with Mr. Stansbury by payment of \$340,000.00 from the IRA account. As Mr. Stansbury's creditor's claim was for compensation, it is tax advantageous for the Estate to make this payment to him from the IRA. The Estate will not incur the taxes that would otherwise result from a withdrawal of funds from the IRA. Mr. Stansbury will ultimately be receiving a Form 1099 from the Estate, and the Estate will deduct this payment from the income generated by the IRA withdrawal.

I intend to make this payment on February 27, 2015, and will be submitting an order to the Court approving the settlement on February 26, 2015. Should anyone have any objections to the above, please notify me immediately.

I also wanted to report to you on the status of the purchase of the first mortgage on 2753 N.W. 34th Street, Boca Raton, Florida 33434. Joy Foglietta, Esq. has spoken with Alan Rose, Esq. and has requested that the Simon L. Bernstein Trust transfer \$128,038.80 to the Estate in order for the purchase to be concluded. Mr. Rose informed Ms. Foglietta that there may have been an agreement by Walter Sahn to not charge the default interest and that he would look for that information. Absent such information, I plan to submit an order to the Court on March 3, 2015 giving Court approval to the purchase ay \$128,038.80. If there are any objections to my so proceeding, please notify me.

The above procedure is tax advantageous to the Estate, as use of IRA funds to purchase the mortgage generates an unnecessary amount of taxation. In addition, the funds of the Estate are running low once the Stansbury settlement is paid.

Sincerely,



Brian M. O'Connell, Personal Representative

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