

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

CASE NO.: 502012CA013933XXXXMB
DIVISION: AA

WILLIAM E. STANSBURY,

Plaintiff,

v.

ESTATE OF SIMON L. BERNSTEIN, and
BERNSTEIN FAMILY REALTY, LLC,

Defendants.

MOTION TO WITHDRAW AS COUNSEL FOR BERNSTEIN FAMILY REALTY, LLC

Steven A. Lessne, Esq. and the law firm of Gunster, Yoakley & Stewart, P.A. move to withdraw as counsel for Defendant, Bernstein Family Realty, LLC (“BFR”), pursuant to Florida Rule of Judicial Administration 2.505(f)(1), and state:

1. Steven A. Lessne, Esq. and the law firm of Gunster, Yoakley & Stewart, P.A. (collectively, “Gunster”) are counsel of record in this action for BFR, having been retained on BFR’s behalf by Oppenheimer Trust Company of Delaware (“Oppenheimer”), as then-Manager of BFR.

2. At the time of Gunster’s appearance, Oppenheimer was the Manager of BFR and the trustee of three trusts (the “Trusts”) which collectively owned 100% of BFR.

3. Pursuant to a Final Judgment entered on June 7, 2016 by the Honorable John L. Phillips in the matter of *Oppenheimer Trust Company of Delaware v. Eliot and Candice Bernstein, in their capacity as parents and natural guardians of Joshua, Jake and Daniel Bernstein, Palm Beach Circuit Court Case No. 502014CP002815XXXXNB (IH)*, the Trusts were

terminated and Oppenheimer was ordered to distribute BFR to Eliot and Candice Bernstein, as parents and natural guardians of Joshua, Jake and Daniel Bernstein (collectively, the “Bernsteins”). A copy of the Final Judgment is attached hereto as Exhibit “A.”

4. On June 27, 2016, Oppenheimer transferred all right, title and interest in and to BFR to the Bernsteins. *See* Exhibit “B.”

5. On July 12, 2016, Oppenheimer resigned as Manager of BFR. *See* Composite Exhibit “C.”

6. Upon information and belief, there is currently no Manager acting on behalf of BFR.

7. Gunster’s attorney/client relationship in this matter was with Oppenheimer, as then-Manager of BFR, but Oppenheimer no longer has any relationship with BFR or any authority to act on BFR’s behalf.

8. Gunster does not have, and never had, an attorney/client relationship with the current owner of BFR (the Bernsteins) and, therefore, seeks to withdraw as counsel for BFR.

9. BFR’s address and email address for service of pleadings and correspondence is c/o Eliot and Candice Bernstein, as parents and natural guardians of Joshua, Jake and Daniel Bernstein, 2753 N.W. 34th Street, Boca Raton, FL 33434-3459; iviewit@iviewit.tv, iviewit@gmail.com and tourcandy@gmail.com. The Bernsteins’ telephone numbers are 561-245-8588 (office) and 561-866-7628 (cell).

