

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

CASE NO. 4D16-3314

ELIOT IVAN BERNSTEIN

L.T. CASE NOS. 2014CP003698 XXXX NB

Appellant,

v.

TED S. BERNSTEIN, AS TRUSTEE, et al.

Appellee.

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**APPELLEE'S RESPONSE TO APPELLANT'S MOTION
TO ACCEPT LATE FILING (LESS THAN ONE DAY LATE)**

Appellee, Ted S. Bernstein, as successor Trustee of the Shirley Bernstein Trust ("Shirley Bernstein Trust"), responds to the *Appellant's Motion to Accept Late Filing (Less than One Day Late)*, and states:

1. Appellant moved the Court to accept a late-filed Initial Brief, after numerous prior extensions were granted.

2. Appellee takes no position on that motion, but asks the Court to rule so, if the Motion is granted, Appellee will have a scheduled deadline to serve an Answer Brief. Based upon Rule 9.300(b), all deadlines are currently tolled.

WHEREFORE, Appellee requests this Court rule on the Motion to Accept Late Filed Brief.

CERTIFICATE OF SERVICE

I CERTIFY that a copy of the foregoing has been served by email on all parties listed on the attached service list, this 22nd day of May, 2017.

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