

Report : CZREZDK  
Instance : JISPROD

CLERK OF THE CIRCUIT COURT  
PALM BEACH COUNTY  
Docket Print from Easyview

Date : 26-Dec-2012  
Time : 4:25:46PM

Page 1 of 3

Case ID : 2012CP004391 - SIMON L BERNSTEIN

UCN : 502012CP004391XXXXSB

Case Filed : 02-Oct-2012

Status : PE - PENDING

Case Type	Court	Location	Division	Jury
FO - FORMAL ADMINISTRATION	CP	SB	IZ	
Type	Party Name	Represented by		
JUDGE	MARTZ, JUDGE JAMES L.			
DECEDENT	BERNSTEIN, SIMON L.			
PERSONAL REPRESENT.	SPALLINA, ROBERT L.	SPALLINA, ROBERT L.		
PERSONAL REPRESENT.	TESCHER, DONALD R.	SPALLINA, ROBERT L.		

Filing Date	Docket No	Pages	Docket Description	Docket Code	Docket Text	Book No	Page No
02-Oct-2012			ADDITIONAL COMMENTS	00000			
02-Oct-2012			CPFF/FO-PP-PR-GA	500FF			
02-Oct-2012			PENDING	PE			
02-Oct-2012			RECEIPT FOR PAYMENT	RCPT	A Payment of -\$419.00 was made on receipt SBCV168422.		
02-Oct-2012	1	2	PETITION FOR ADMINISTRATION	PADM			
02-Oct-2012	2	1	DEATH CERT PROBATE DECEDENT	DCPD			
02-Oct-2012	3	9	WILL	WILL		025507	01559
02-Oct-2012	4	1	NOTICE OF TRUST	NOTR			
02-Oct-2012	5	1	NOTICE OF EMAIL DESIGNATION	NOED			
02-Oct-2012	6	1	ORDER ADMITTING WILL	OAWP			
02-Oct-2012	7	2	OATH	OATH	OF PERSONAL REPRESENTATIVE		
02-Oct-2012	8	2	OATH	OATH	OF PERSONAL REPRESENTATIVE		
02-Oct-2012	9	1	LETTERS OF ADMINISTRATION	LADM		025507	01570



Report : CZREZDK  
Instance : JISPROD

CLERK OF THE CIRCUIT COURT  
PALM BEACH COUNTY  
Docket Print from Easyview

Date : 26-Dec-2012  
Time : 4:25:46PM

Page 2 of 3

Case ID : 2012CP004391 - SIMON L BERNSTEIN

UCN : 502012CP004391XXXXSB

Case Filed : 02-Oct-2012

Status : PE - PENDING

<u>Filing Date</u>	<u>Docket No</u>	<u>Pages</u>	<u>Docket Description</u>	<u>Docket Code</u>	<u>Docket Text</u>	<u>Book No</u>	<u>Page No</u>
10-Oct-2012	10	19	WILL	WILL	"EXHIBIT" DTD--08/15/00		
06-Nov-2012	11	22	STATEMENT OF CLAIM	SCLM	F/B WILLIAM E. STANSBURY. ATTY. NOTIFIED		
09-Nov-2012	12	1	STATEMENT OF CLAIM	SCLM	WELLS FARGO BANK, N.A.		
21-Nov-2012	13	3	PROOF OF PUBLICATION	PPUB	NOTICE OF FILING OF NOTICE OF ADMIN		
21-Nov-2012	14	3	PROOF OF PUBLICATION	PPUB	NOTICE OF FILING OF NOTICE TO CREDITORS		
14-Dec-2012	15	1	PETITION TO EXTEND TIME	PEET	TO FILE INVENTORY F/B ROBERT L. SPALLINA & DONALD R. TESCHER		



Report : CZREZDK  
Instance : JISPROD

CLERK OF THE CIRCUIT COURT  
PALM BEACH COUNTY  
Docket Print from Easyview

Date : 26-Dec-2012  
Time : 4:25:46PM

Page 3 of 3

Case ID : 2012CP004391 - SIMON L BERNSTEIN

UCN : 502012CP004391XXXXSB

Case Filed : 02-Oct-2012

Status : PE - PENDING

Docket Entries : 19

Last Activity :

\*\*\* end of report czezdk \*\*\*

(czezdk) Revised : 28-Jul-2003



STATE OF FLORIDA • PALM BEACH COUNTY

I hereby certify that the  
foregoing is a true copy  
of the record in my office.

THIS 26 DAY OF Dec, 2012  
SHARON R. BOCK  
CLERK & COMPTROLLER

By [Signature]  
DEPUTY CLERK



IN THE CIRCUIT COURT FOR PALM BEACH COUNTY, FL

IN RE: ESTATE OF

PROBATE DIVISION **LZ**

SIMON BERNSTEIN, File No. 502012 CP 004391 ~~XXXXSB~~ ~~LZ XXXXSB~~

Deceased.

**PETITION FOR EXTENSION OF TIME TO FILE  
INVENTORY**

2012 DEC 14 PM 1:29  
SHARON R. BOCK, CLERK  
PALM BEACH COUNTY, FL  
SOUTH CITY BRANCH-FILED

PETITIONERS, Robert L. Spallina and Donald R. Tescher, as co-personal representatives of the Estate of Simon L. Bernstein, deceased, through undersigned counsel, files this Petition for Extension of Time to File Inventory, as grounds therefor would state as follows:

1. Petitioners were appointed co-personal representatives of the Estate of Simon L. Bernstein through Letters of Administration entered October 2, 2012.
2. In accordance with Florida law, the Inventory of the estate is due on or before December 2, 2012.
3. The estate has been delayed in receiving valuation information necessary to complete the Inventory.

WHEREFORE, Petitioner requests an extension of time of sixty (60) days to file the Inventory in this cause.

UNDER PENALTIES OF PERJURY, I declare that I have read the foregoing, and the facts alleged are true, to the best of my knowledge and belief.

SIGNED on the 13<sup>th</sup> day of December, 2012.

Respectfully Submitted  
TESCHER & SPALLINA, P.A.

By: \_\_\_\_\_

ROBERT L. SPALLINA, ESQUIRE  
Florida Bar No. 0497381  
4855 Technology Way, Suite 720  
Boca Raton, FL 33431  
561-997-7008

Primary: [rspallina@tescherspallina.com](mailto:rspallina@tescherspallina.com)





## MEMORANDUM

DATE: November 5, 2012

TO: Robert L. Spallina, Esq.

FROM: Astride Limouzin Case Manager, on behalf of -  
This office does not provide legal advice  
For procedural inquiries Tel. #561-274-1424

X JUDGE MARTIN H. COLIN	Division - IY
JUDGE JAMES L. MARTZ	Division - IZ
JUDGE ROSEMARIE SCHER	Division - IX

CASE NUMBER: 50 2011CP000653XXXXSB

Estate of Shirley Bernstein

MATTER: Documents being returned

Order of discharge

Death certificate (**CERTIFIED COPY**) not submitted. F.S. §731.103, Probate Rule 5.205 & Probate Rule 5.171

Received bill for funeral expenses required (*Must be paid in full*).

Proof of will or codicil is required; it is not self-proved. Please review F.S. §732.502; 733.201; P.R. 5.210 & P.R. 5.230.

Order admitting will/ codicil/ and or appointing personal representative is either missing or incorrect. FS§733.201, R.5.210 & 5.235

Petition and order designating a restricted depository, and acceptance is required FS §69.031 & FS §744.351(6).

Oath of Personal Representative, of Guardian or Administrator Ad Litem and designation of resident agent was not submitted or incorrect. Resident agent must sign the acceptance. (Rule 5.110, 5.120 and 5.320 committee notes).

Proof of publication not submitted. Rule 5.241.

Statement regarding creditors not submitted. Probate Rule 5.241 (d).

Inventory not submitted. Probate Rule 5.340.

All claims must be satisfied, struck, or dismissed.

Final certificate of estate tax or affidavit of non-tax is not submitted. FS §198.26 & 193.28

All Beneficiaries must join in the petition or they must receive formal notice on the petition. FS §735.203 & Probate Rule 5.530(b).

XX Receipts for assets from all of the specific beneficiaries were not notarized.

Receipt of final accounting, service of petition for discharge and/or waiver from all residuary beneficiaries or qualified trust beneficiaries are required. See. R. 5.400. Attorney fees see FS §733.6171(6), 731.302, 731.303(1)(b) and Probate Rule 5.180(b). Committee notes (one person serving in two (2) fiduciary capacities may not waive or consent to the persons acts without the approval of those who the person represents).

Proof of service of the Objection to the Claims. FS §733.705(2), Probate Rule. 5.496 & Probate Rule 5.040.

Proof of Service of the Notice to Creditors to the Agency for Health Care Administration. FS §733.2121(d) & Probate Rule 5.241 (a).

For Lost/Destroyed Wills/Codicils please comply with FS § 733.207, 733.201(2) & Probate Rule 5.510

An 8:45 a.m. motion calendar hearing (limited to 5 mins) with notice to all interested parties is required. Notice must be at least five (5) business days (Tue, Wed and Thurs). Please verify suspension dates. Files must be order via the internet at <http://15thcircuit.co.palm-beach.fl.us/web/guest/cadadmin>.

OTHER:

PLEASE RETURN A COPY OF THIS MEMORANDUM AND PROPOSE ORDERS WHEN REPLYING;  
ADDRESS TO THE CLERK AND COMPTROLLER, 200 W ATLANTIC AVENUE, DEL RAY BEACH, FL 33444

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 26 DAY OF Dec, 2012

SHARON R. BOCK  
CLERK & COMPTROLLER

By \_\_\_\_\_  
DEPUTY CLERK



IN THE CIRCUIT COURT FOR PALM BEACH COUNTY, FL  
IN RE: ESTATE OF                      File No. 502011CP000653XXXXSB  
SHIRLEY BERNSTEIN,                      Probate Division  
Deceased.                                      Division

2012 OCT 24 PM 1:31  
SHARON R. BOCK, CLERK  
PALM BEACH COUNTY, FL  
SOUTH CITY BRANCH-FILED

**WAIVER OF ACCOUNTING AND PORTIONS OF PETITION  
FOR DISCHARGE; WAIVER OF SERVICE OF PETITION FOR  
DISCHARGE; AND RECEIPT OF BENEFICIARY AND  
CONSENT TO DISCHARGE**

The undersigned, Eliot Bernstein, whose address is 2753 NW 34<sup>th</sup> Street, Boca Raton, FL 33434, and who has an interest in the above estate as beneficiary of the estate:

- (a) Expressly acknowledges that the undersigned is aware of the right to have a final accounting;
- (b) Waives the filing and service of a final or other accounting by the personal representative;
- (c) Waives the inclusion in the Petition for Discharge of the amount of compensation paid or to be paid to the personal representative, attorneys, accountants, appraisers, or other agents employed by the personal representative, and the manner of determining that compensation;
- (d) Expressly acknowledges that the undersigned has actual knowledge of the amount and manner of determining the compensation of the personal representative, attorneys, accountants, appraisers, or other agents; has agreed to the amount and manner of determining such compensation; and waives any objections to the payment of such compensation;
- (e) Waives the inclusion in the Petition for Discharge of a plan of distribution;
- (f) Waives service of the Petition for Discharge of the personal representative and all notice thereof upon the undersigned;
- (g) Acknowledges receipt of complete distribution of the share of the estate to which the undersigned was entitled; and
- (h) Consents to the entry of an order discharging the personal representative without notice, hearing or waiting period and without further accounting.

Signed on May 15, 2012.

Beneficiary

By

ELIOT BERNSTEIN



STATE OF FLORIDA • PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 26 DAY OF Dec, 20 12

SHARON R. BOCK  
CLERK & COMPTROLLER

By

DEPUTY CLERK



IN THE CIRCUIT COURT FOR PALM BEACH COUNTY, FL  
IN RE: ESTATE OF                      File No. 502011CP000653XXXXSB  
SHIRLEY BERNSTEIN,                      Probate Division  
Deceased.                                      Division

2012 OCT 24 PM 1:31  
SHARON R. BOCK  
PALM BEACH COUNTY, FL  
SOUTH CTY BRANCH-FILED

**WAIVER OF ACCOUNTING AND PORTIONS OF PETITION  
FOR DISCHARGE; WAIVER OF SERVICE OF PETITION FOR  
DISCHARGE; AND RECEIPT OF BENEFICIARY AND  
CONSENT TO DISCHARGE**

The undersigned, Simon L. Bernstein, whose address is 7020 Lions Head Lane, Boca Raton, Florida 33496, and who has an interest in the above estate as beneficiary of the estate:

- (a) Expressly acknowledges that the undersigned is aware of the right to have a final accounting;
- (b) Waives the filing and service of a final or other accounting by the personal representative;
- (c) Waives the inclusion in the Petition for Discharge of the amount of compensation paid or to be paid to the personal representative, attorneys, accountants, appraisers, or other agents employed by the personal representative, and the manner of determining that compensation;
- (d) Expressly acknowledges that the undersigned has actual knowledge of the amount and manner of determining the compensation of the personal representative, attorneys, accountants, appraisers, or other agents; has agreed to the amount and manner of determining such compensation; and waives any objections to the payment of such compensation;
- (e) Waives the inclusion in the Petition for Discharge of a plan of distribution;
- (f) Waives service of the Petition for Discharge of the personal representative and all notice thereof upon the undersigned;
- (g) Acknowledges receipt of complete distribution of the share of the estate to which the undersigned was entitled; and
- (h) Consents to the entry of an order discharging the personal representative without notice, hearing or waiting period and without further accounting.

Signed on 4/9/12, 2012.

Beneficiary

By:

SIMON L. BERNSTEIN



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the  
foregoing is a true copy  
of the record in my office.

THIS 26 DAY OF Dec, 20 12

SHARON R. BOCK  
CLERK & COMPTROLLER

By

[Signature]  
DEPUTY CLERK



IN THE CIRCUIT COURT FOR PALM BEACH COUNTY, FL  
IN RE: ESTATE OF                      File No. 502011CP000653XXXXSB  
SHIRLEY BERNSTEIN,                      Probate Division  
Deceased.                                      Division

2012 NOV 19 PM 2:29

SHARON R. BOCK, CLERK  
PALM BEACH COUNTY, FL  
SOUTH CTY BRANCH-FILED

**WAIVER OF ACCOUNTING AND PORTIONS OF PETITION  
FOR DISCHARGE; WAIVER OF SERVICE OF PETITION FOR  
DISCHARGE; AND RECEIPT OF BENEFICIARY AND  
CONSENT TO DISCHARGE**

The undersigned, Simon L. Bernstein, whose address is 7020 Lions Head Lane, Boca Raton, Florida 33496, and who has an interest in the above estate as beneficiary of the estate:

- (a) Expressly acknowledges that the undersigned is aware of the right to have a final accounting;
- (b) Waives the filing and service of a final or other accounting by the personal representative;
- (c) Waives the inclusion in the Petition for Discharge of the amount of compensation paid or to be paid to the personal representative, attorneys, accountants, appraisers, or other agents employed by the personal representative, and the manner of determining that compensation;
- (d) Expressly acknowledges that the undersigned has actual knowledge of the amount and manner of determining the compensation of the personal representative, attorneys, accountants, appraisers, or other agents; has agreed to the amount and manner of determining such compensation; and waives any objections to the payment of such compensation;
- (e) Waives the inclusion in the Petition for Discharge of a plan of distribution;
- (f) Waives service of the Petition for Discharge of the personal representative and all notice thereof upon the undersigned;
- (g) Acknowledges receipt of complete distribution of the share of the estate to which the undersigned was entitled; and
- (h) Consents to the entry of an order discharging the personal representative without notice, hearing or waiting period and without further accounting.

Signed on 4/9/12, 2012.

Beneficiary

By:

SIMON L. BERNSTEIN

April 9, 2012

By:

DEPUTY CLERK

Sworn to and subscribed to before me on April 9, 2012, by SIMON BERNSTEIN, who is personally known to me or who produced \_\_\_\_\_ as identification.

(Affix Notarial Seal)



Notary Public State of Florida



STATE OF FLORIDA - PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office.

THIS 26 DAY OF Dec, 2012

SHARON R. BOCK  
CLERK & COMPTROLLER



IN THE CIRCUIT COURT FOR PALM BEACH COUNTY, FL  
IN RE: ESTATE OF                      File No. 502011CP000653XXXXSB  
SHIRLEY BERNSTEIN,                      Probate Division  
Deceased.                                  Division

2012 NOV-19 PM 2:29

SHARON R. BOCK, CLERK  
PALM BEACH COUNTY, FL  
SOUTH CTY BRANCH-FILED

**WAIVER OF ACCOUNTING AND PORTIONS OF PETITION  
FOR DISCHARGE; WAIVER OF SERVICE OF PETITION FOR  
DISCHARGE; AND RECEIPT OF BENEFICIARY AND  
CONSENT TO DISCHARGE**

The undersigned, Eliot Bernstein, whose address is 2753 NW 34<sup>th</sup> Street, Boca Raton, FL 33434, and who has an interest in the above estate as beneficiary of the estate:

- (a) Expressly acknowledges that the undersigned is aware of the right to have a final accounting;
- (b) Waives the filing and service of a final or other accounting by the personal representative;
- (c) Waives the inclusion in the Petition for Discharge of the amount of compensation paid or to be paid to the personal representative, attorneys, accountants, appraisers, or other agents employed by the personal representative, and the manner of determining that compensation;
- (d) Expressly acknowledges that the undersigned has actual knowledge of the amount and manner of determining the compensation of the personal representative, attorneys, accountants, appraisers, or other agents; has agreed to the amount and manner of determining such compensation; and waives any objections to the payment of such compensation;
- (e) Waives the inclusion in the Petition for Discharge of a plan of distribution;
- (f) Waives service of the Petition for Discharge of the personal representative and all notice thereof upon the undersigned;
- (g) Acknowledges receipt of complete distribution of the share of the estate to which the undersigned was entitled; and
- (h) Consents to the entry of an order discharging the personal representative without notice, hearing or waiting period and without further accounting.

Signed on May 15, 2012.

Beneficiary

By: [Signature]  
ELIOT BERNSTEIN

Sworn to and subscribed before me on May 15, 2012, by ELLIOT BERNSTEIN, who is personally known to me or who produced \_\_\_\_\_ as identification.

(Affix Notarial Seal)



[Signature]  
Notary Public State of Florida



I hereby certify that the foregoing is a true copy of the record in my office.

THIS 26 DAY OF Dec, 2012

SHARON R. BOCK  
CLERK & COMPTROLLER

By: [Signature]  
DEPUTY CLERK