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January 21, 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) (the "Oppenheimer Matter")*

Dear Judge Phillips:

I represent Oppenheimer Trust Company of Delaware in the above-referenced "Oppenheimer Matter." This is one of several cases pending before you in which Eliot Bernstein's children have an interest and in which Eliot Bernstein claims to have an interest both individually and as natural guardian of his children (collectively, the "Bernstein Matters").

On January 14, 2016, you agreed to hear two motions filed in two separate Bernstein Matters at the same time, in the interest of judicial economy, because they both raise similar issues and arise out of a similar pattern of behavior by Eliot Bernstein. One of those motions, filed in the matter *Ted Bernstein, as Trustee of the Shirley Bernstein Trust Agreement dated May 20, 2008, as amended v. Alexandra Bernstein, et. al.; Case No. 502914CP003698XXXXB* (the "Shirley Trust Matter"), has already been noticed for an evidentiary hearing on Thursday, February 25, 2016 at 3:15 p.m., at your instruction. A courtesy copy of that Notice of Evidentiary Hearing is attached.

Also enclosed is a courtesy copy of the Notice of Evidentiary Hearing just filed in the Oppenheimer Matter for the same date and time. Finally, enclosed is a binder containing the Oppenheimer Motion to be heard (with embedded requests to take judicial notice of various court dockets and filings).

Thank you for agreeing to hearing Oppenheimer's motion and requests for judicial notice. If you need anything else in advance of the evidentiary hearing, please have your judicial assistant contact me.

Respectfully submitted,



Steven A. Lessne

SAL/sh

cc: Eliot and Candice Bernstein (*via email*)  
All counsel of record in both cases (*via email*)

WPB\_ACTIVE 6945920.1

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