

TED S. BERNSTEIN, Trustee of the Shirley
Bernstein Trust Agreement dated 5/20/2008

TED S. BERNSTEIN, Trustee of the Simon
L. Bernstein Amended and Restated Trust
Agreement dated 7/25/2012

July 20, 2017

Jacob Bernstein
Joshua Bernstein
2753 NW 34th Street
Boca Raton, FL 33434

Re: Recent "Cease and Desist" Letters you sent to Guardian, Diana Lewis

Dear Jacob and Joshua:

I am writing to you now because you have sent very serious papers to the court-appointed guardian ad litem protecting your interests in court cases related to the estates of your grandparents, Bub and Zaid (Shirley and Simon Bernstein). I have serious concerns for you because those letters appear to continue your father's crusade against the court system, and do not appear to be written independently by the two of you.

I am writing as the Successor Trustee of certain Trusts created by your grandparents, which direct the creation of a trust for each of you (and Danny). I also am writing as your uncle, because I am concerned for your welfare and your financial future. Although circumstances dictated by your father have prevented us from having any interaction in the recent past, and have isolated you from your aunts, uncles and cousins related to Simon and Shirley, that is solely your father's choice. We are your family and we are trying to help you as much as the circumstances permit, and your father and mother have allowed.

Just so you know, I accepted this responsibility so I could watch out for your interests regardless of how your mother and father might feel about it. I am sorry if this has been or is now stressful for you. I have done everything I could to avoid that. As it relates to this role, I have tried very hard to minimize the financial damage your father has done to you, and as part of a settlement have convinced all of the other beneficiaries and interested persons not to seek a reduction in your share of the trusts (something the law refers to as a surcharge) because the harmful actions were being pursued solely by your father, and you were playing no role in them.

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To recap for your benefit, in Zaida's Last Will and Trust, he appointed all of Bubbe's and his assets equally to ten of his grandchildren, including the two of you and Danny (they chose not to leave anything to my son, Matthew). For whatever reason, Zaida decided to leave only a portion of the life insurance policy and furniture/jewelry to his children, equally. For the past five years, your father has been fighting and challenging everything being done to administer your grandparent's Estates and Trusts, and preventing my efforts to put money into the Trust created for your benefit. In fact, your father refused an interim distribution of \$80,000 for each of your trusts. Those monies could have been available for your benefit more than three years ago.

It is important to know that the law firm hired by Bub and Zaid to do their estate planning did act improperly on two occasions. Alan Rose and I held them responsible by insisting upon their immediate resignations as fiduciaries, and by pursuing a claim against them which now has been favorably settled.

At first, your father claimed that he should have been a beneficiary. He went to court and claimed that all the documents were fraudulent. After a trial held in December 2015, the judge ruled that Zaida's 2012 Will and Trust were not fraudulent. That ruling officially disinherited your father from the bulk of their wealth. Your father appealed that order all the way to the Florida Supreme Court, and he lost. The cost has been very significant to defend these law suits brought by your dad. As a result, there is significantly less now for all the grandchildren.

Today, the Florida courts ruled against your father's position about that very same trial. The court stated that he is known to be abusing the court system with frivolous and unnecessary filings. I have attached the ruling and I would encourage you to read what it says in order for you to form an educated opinion. I am concerned that you may be coerced into taking legal actions which are against your best interests. I also am enclosing copies of the motions filed by me and by Oppenheimer seeking the appointment of the Guardian. These motions, particularly Oppenheimer's, contain detailed information about some of your father's history in litigation matters.

Shortly after the trial in December 2015, both Oppenheimer and I asked the court to appoint a guardian to represent only your litigation interests, given the fact that you were minors, and out of concern that your father was inadequately representing or protecting you. All of your aunt's were in favor of this too as we were all concerned for your well-being. The judge agreed and determined that your father's actions were "adverse" and "destructive" to your best interests, and he actually appointed a guardian solely to represent you and watch out for your interests. This is very unfortunate, but we all felt it was necessary. As things have turned out, I stand by that decision and feel the court appointed guardian has served you well. She is someone you can trust if you would be more comfortable speaking directly with her.

Importantly, even though you are now over 18 years old and as such, you are adults in the eyes of the American legal system, Zaid wanted your inheritance held in a trust to protect you. Just as Jewish law considered you to be an adult at 13, and American law does at 18, Zaid only allowed you to serve as a co-trustee at age 25. I continue to have great concern for you and your ability to handle decisions in this lawsuit alone, which is why we sought the guardian in the first place.

It is now time for the court to appoint someone to serve as the trustee of your trusts, created by your grandparents' documents, to oversee the funds set aside for your benefit. We don't know yet how much it will be but if all of the current settlements are approved, there could be in excess of \$100,000 in trust for each of you and your brother. It is critical that we find someone willing to serve as the trustee of your trusts. Unfortunately, this has become virtually impossible because your father is aggressively litigating all of this in court and publishing false and defamatory information on the internet about everyone trying to help you. The professionals are afraid to serve in fear of having their reputations destroyed by the blogs written by your dad and Crystal Cox.

I am very concerned about your reputations. As young men entering the world of universities, athletics and eventually the work force, it has never been more important to have a flawless reputation. If there is any question about the character of a person, it can be more difficult to secure a position. The admissions officers at colleges or the person in charge of hiring at a company where you may want to work will "google" you or look you up on the Internet. They hope to find positive things or nothing at all. I am afraid that in your cases as well as your cousins, there is already a great deal of negative information associated with your names and your family name.

If you wish to have any input in selecting the trustee for your trusts, I ask you to immediately contact me and provide that input. In this regard, it could be a trusted relative or close family friend, but must be somebody who is independent and not under the influence of your father. Additionally, a letter written by each of you has recently been sent to all the parties and to the court appointed guardian ad litem complaining that you are now over the age of 18. As your uncle, I believe it is in your best interest to have this guardian, Diana Lewis, representing your interests. She only has one job and it is to protect your interests. She is controlled by no one. She would be happy to meet with you boys and I would urge you to listen to what she has to say. I would be happy to join you if that would be more comfortable.

If you wish to discuss any of this with me, your other relatives or Ms. Lewis, the guardian ad litem, please let us know and we will arrange it for you in a safe place. We would like to meet with you very soon to discuss what has been happening and to seek your input now that you have sent these letters. Of course, if you do not wish to have any involvement in this litigation, nobody can force you to do so. But since you have apparently written and sent a letter, now would be the time to let us know what you are thinking. We would be pleased to meet with you, alone or both of you at the same time, but not with your father present.

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At any time, you can communicate with me by email, tbernstein@lifeinsuranceconcepts.com, or call me on my cell phone, 561-213-2322. But, we advise you that the court has prohibited your father from being involved or participating in the case or even communicating with the guardian, so we ask that you communicate only your own thoughts and not his, as difficult as that may be.

Please reach out to me at your earliest convenience.

Uncle Ted

cc: Diana Lewis, Guardian
Alan B. Rose, Esq., Trustee's counsel
Brian O'Connell, Personal Representative
Pam Simon
Jill Iantoni
Lisa Friedstein
Candice Bernstein
Eliot Bernstein