

IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT IN AND FOR
PALM BEACH COUNTY, FLORIDA

CASE NO.: 50-2018-CA-002317-XXXX-MB

WALTER E. SAHM and
PATRICIA SAHM

Plaintiffs,

v.

BERNSTEIN FAMILY REALTY, LLC,
BRIAN O'CONNELL, AS SUCCESSOR
PERSONAL REPRESENTATIVE OF
THE ESTATE OF SIMON L. BERNSTEIN;
ALEXANDRA BERNSTEIN, ERIC BERNSTEIN,
MICHAEL BERNSTEIN, MOLLY SIMON,
PAMELA B. SIMON, JILL IANTONI,
MAX FRIEDSTEIN, LISA FRIEDSTEIN,
INDIVIDUALLY AND TRUSTEES OF
THE SIMON L. BERNSTEIN REVOCABLE
TRUST AGREEMENT DATED MAY 20, 2008,
AS AMENDED AND RESTATED;
ELIOT BERNSTEIN, AND CANDICE
BERNSTEIN, INDIVIDUALLY AND AS
NATURAL GUARDIANS OF MINOR
CHILDREN JO., JA. AND D. BERNSTEIN;
AND ALL UNKNOWN TENANTS.

Defendants.

**OMNIBUS ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFF'S
MOTION TO COMPEL DEPOSITION OF INGER GARCIA, ESQ.; GRANTING IN
PART INGER GARCIA, ESQ'S MOTION FOR PROTECTIVE ORDER; GRANTING
PLAINTIFF'S MOTION TO COMPEL DEPOSITION OF AMBER PATWELL, ESQ.;
DENYING AMBER PATWELL, ESQ'S MOTION FOR PROTECTIVE ORDER;
DENYING DEFENDANTS' MOTION TO EXTEND, AND STATUS CONFERENCE**

THIS CAUSE, having come before this Court on September 20, 2024, on Plaintiff,
CHARLES REVARD, as Guardian of the person and property of PATRICIA SAHM's, motions
to compel the depositions of Inger Garcia, Esq. and Amber Patwell, Esq., and associated motions

for protective order, Defendant's motion to extend, and on Status Conference, and the Court having considered the Motion and being otherwise fully advised in the premises, it is hereby:

ORDERED AND ADJUDGED that:

1. Plaintiff's Motion to Compel the Deposition of Amber Patwell, Esq., is **GRANTED**.

2. Plaintiff's Motion to Compel the Deposition of Inger Garcia, Esq., is **GRANTED IN PART AND DENIED IN PART**. The deposition of Ms. Garcia, shall take place within ten (10) days of the date of this Order. As to the duces tecum portion of the Notice of Deposition, the Court **GRANTS IN PART** Ms. Garcia's Motion for Protective Order:

1. The Court overrules Ms. Garcia's objection to the request in item 1;
2. Inger Garcia, Esq., shall provide all communications with Amber Patwell requested by Plaintiff in item 2 discussing Patricia Sahm and the purported settlement agreement in connection with the instant case. The rest of the objections to this paragraph are **GRANTED**.
3. Inger Garcia, Esq., shall provide all communications with third parties requested by Plaintiff in item 3 discussing the purported settlement agreement in connection with the instant case. The rest of the objections to this paragraph are **GRANTED**.

3. Defendants' Motion to Extend Deadline to the Stipulations, Exhibits, and Witness Lists and to Stay Case Pending Rulings in the Mental Health and Guardianship Case of Former Plaintiff Patricia Sahm, Sr., and the Release of Funds from the Trust Case of BFR is **DENIED**.

4. The parties shall provide Plaintiff with all proposed exhibits for the continuation of the hearing on Plaintiff's Motion to Strike Alleged Settlement Agreement no later than 24 hours

before the date of her deposition.

5. The transcript of the hearing on August 12, 2024 shall be filed by Wednesday, September 25, 2024.

6. The Court shall schedule the conclusion of the evidentiary hearing within the next 6 weeks. The dates of unavailability provided to the Court by the parties are October 4, 11, 17 and 21. This matter is on call and the Court will provide the parties with 24 hours' notice of scheduling the conclusion of the hearing.

7. **Once this matter is called up for the conclusion of the trial, the Court shall not consider the inability to depose any witness, or obtain any other discovery, as a basis to further delay these proceedings.**

DONE and ORDERED in chambers in West Palm Beach, Palm Beach County, Florida.

 
502018CA002317XXXXMB 10/04/2024
John J. Parnofiello Circuit Judge
ADMINISTRATIVE OFFICE OF THE COURT
502018CA002317XXXXMB 10/04/2024
John J. Parnofiello
Circuit Judge

Copies to:

All Parties of Record

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