

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

No.: 502014CP003698XXXXNB
Probate Division IA

TED BERNSTEIN, as Trustee of the
Shirley Bernstein Trust Agreement Case
dated May 20, 2008, as amended,

Plaintiff, **EMERGENCY PETITION**

v.

ALEXANDRA BERNSTEIN; ERIC BERNSTEIN;
MICHAEL BERNSTEIN; MOLLY SIMON;
PAMELA B. SIMON, Individually and as Trustee
f/b/o Molly Simon under the Simon L. Bernstein
Trust Dtd 9/13/12; ELIOT BERNSTEIN,
individually, as Trustee f/b/o D.B., Ja. B. and Jo. B.
under the Simon L. Bernstein Trust Dtd 9/13/12, and
on behalf of his minor children D.B., Ja. B. and Jo.
B.; JILL IANTONI, Individually, as Trustee f/b/o J.I.
under the Simon L. Bernstein Trust Dtd 9/13/12, and
on behalf of her Minor child J.I.; MAX
FRIEDSTEIN; LISA FRIEDSTEIN, Individually,
as Trustee f/b/o Max Friedstein and C.F., under the
Simon L. Bernstein Trust Dtd 9/13/12, and on behalf
of her minor child, C.F.,

Defendants.

**EMERGENCY PETITION AUTHORIZING PARTIAL DISTRIBUTIONS
AND DIRECTING THE CLERK TO PAY AS AN EMERGENCY**

COMES NOW Joshua Bernstein, as Lead and primary Co-Trustee and Beneficiary on this Emergency Petition and Emergency Motion filed via OLS, who respectfully shows this Court as follows:

1. I was named Lead and primary Co-Trustee by this Honorable Court involving 3 beneficiaries by Order under DE No. 462 issued June 25, 2025 after an in person Hearing and where it was determined no other parties have standing to object.
2. I have consulted in full with the beneficiaries being my brothers Jacob and Daniel Bernstein and we are the only 3 beneficiaries to these funds held by the Court Registry.
3. I have authorized as lead Co-Trustee and my brothers consent by the signatures below to an immediate release as an Emergency of checks payable in the amount of \$20,000 and we Petition that the Court direct the Clerk to issue payment as an Emergency.
4. The Emergency nature of the request is due to recent Orders in the foreclosure Court in the last days which has reinstated a Sale of our Home without a fact finding or evidentiary hearing which we believe from our attorney in that Court is also in violation of Florida Rules of Appellate procedure 9.130(f) and a nullity.
5. Our attorney in the foreclosure case Eric Cvelbar has attempted to professionally and politely confer with Mr. Sweetapple and other counsel

adverse to us but instead we have been faced with UMC hearings with missing necessary parties like Inger Garcia and then Ex Parte actions by Mr. Sweetapple's office.

6. However, despite our attorney seeking voluntary agreement with Mr. Sweetapple on concealed Discovery in that case and other outstanding issues just yesterday, Mr. Sweetapple instead proceed to move Ex Parte to change Sale related items and while our company was just granted 30 days by the 4th DCA yesterday to file an initial brief on Appeal, there currently is no Stay and we can not trust the integrity of the Trial Court processes in the foreclosure without being prepared.
7. Time is of the essence to take all steps necessary to protect our property but also be prepared to move and place items in storage and other necessary expenses to further our needs and welfare proper under the Trust.
8. We have lived in the subject real property since 2008 and have years worth of things to go through and prepare for Storage and move ourselves and we have seen time and again over these years as innocent parties we need to be adequately funded and are better able to make decisions and expenditures being properly funded.
9. We remind your Honor or if not aware no other "Grandchild" beneficiary of our Grandfather Simon Bernstein except us have had to go through scrutiny

or the Courts in relation to the inheritance and because no other party has Standing to object no other party should have Notice of this application.

10. What we have experienced over these years is parties adverse to us taking further actions upon learning our plans and strategies which is another reason for this application via OLS and again no other party has standing to be heard.
11. As young adults and innocent parties we are immersed in proceedings with lawyers accusing each other of fraud, reports to the FBI, claims of missing and hacked emails, and a series of inter-related actions across several cases. Meanwhile we are just trying to advance our lives, careers and preserve property and have a sound Plan for all of this and know how to shop around even on retention of professionals and lawyers.
12. Our lawyer in the Foreclosure case and on Appeal has been very busy seeking negotiated resolution and there may be other legal avenues to pursue all which cost money to advance our needs and welfare.
13. We are confident the improper Bankruptcy Judgments raised in prior proceedings will be vacated eventually in our favor and we are mindful of our Credit standing and needs and obligations.

14. A substantial balance of over \$100,000.00 will be remaining in the Registry Funds trust even after this distribution and we have sound plans for our needs and welfare with this distribution.
15. We are happy to appear by an Emergency Zoom or in person if necessary before Your Honor but if so ask that it be scheduled as an Emergency.
16. Your Honor please note that consistent with prior practice in the Release of funds we are requesting that the 3 Checks be available for pick up in person by myself and all 3 beneficiaries have consented and are copied on this letter.

WHEREFORE we respectfully pray for an Order granted as an Emergency to authorize the immediate payment and distribution of 3 individual checks in the names of Joshua Bernstein, Jacob Bernstein and Daniel Bernstein in the amount of \$20,000.00 each and directing the Clerk to issue payment as an Emergency and such other and further relief as may be just and proper.

DECLARATION OF JOSHUA BERNSTEIN

Under penalties of perjury, I declare that I have read the foregoing Emergency Petition for Release and Withdrawal of certain Registry funds payable individually in amounts of \$20,000.00 each to us brothers and that the facts stated in it are true to the best of my own knowledge and further consent to such Petition being granted and for such other and further relief as may be just and proper,

Dated : September 30, 2025

Joshua Ennio Zander Bernstein

A handwritten signature in black ink, appearing to be 'JEB', written over a horizontal line.

DECLARATION OF JACOB BERNSTEIN

Under penalties of perjury, I declare that I have read the foregoing Emergency Petition for Release and Withdrawal of certain Registry funds payable individually in amounts of \$20,000.00 each to us brothers and that the facts stated in it are true to the best of my own knowledge and further consent to such Petition being granted and for such other and further relief as may be just and proper,

Dated : September 30, 2025

Jacob Noah Archie Bernstein

A handwritten signature in black ink, appearing to be 'JAB', is written over a horizontal line.

DECLARATION OF DANIEL BERNSTEIN

Under penalties of perjury, I declare that I have read the foregoing Emergency Petition for Release and Withdrawal of certain Registry funds payable individually in amounts of \$20,000.00 each to us brothers and that the facts stated in it are true to the best of my own knowledge and further consent to such Petition being granted and for such other and further relief as may be just and proper,

Dated : September 30, 2025

Daniel Bernstein

Daniel Elishja Abe Ottomo Bernstein