

July 24, 2014

Ted S. Bernstein, Trustee  
Shirley Bernstein Trust Agreement  
880 Berkeley Street  
Boca Raton, FL 33487

Sent by Certified Mail, Return Receipt Requested, and Electronic Mail

RE: Welfare Distribution from Shirley's Trust

Dear Ted,

My children and I are in need of a distribution from Mom's trust in the amount of \$\_\_\_\_\_ to bring current a past due account at St. Andrews School from last year and to pay for the 2014-2015 school year. I need to receive this distribution no later than August \_\_\_\_\_, 2014 or my children risk disenrollment at the school. (The letter from St. Andrews School to that affect is enclosed).

Under the terms of the Trust, Article II, Section F, the Trustee "shall pay to the beneficiary and the beneficiary's children, such amounts of the principal of such beneficiary's trust as is proper for the Welfare of such individuals." Under Article III, Sections (E)(4) and (E)(6), the definition of a Welfare distribution includes payments for such person's "Needs," which is further defined as payments for a person's "support, health (including lifetime residential or nursing home care), maintenance and education." The trust's distribution directive to the Trustee, at least for Needs such as education funding, is mandatory not discretionary.

Please let me know how funding can be facilitated relatively quickly as the due date is rapidly approaching. Thank you in advance for your anticipated prompt cooperation.

This request for an education distribution from the Trust arises from our urgent need to pay for tuition and shall not be considered, and is not, a waiver of my right or the rights of my children to contest the validity of the Trust or your fitness to continue to serve as Trustee.

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Eliot Bernstein