

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

IN RE: ESTATE OF:

PROBATE DIVISION

SIMON L. BERNSTEIN,

FILE NO: 502012CP4391XXXXNB IH

Deceased.

PETITION FOR ORDER AUTHORIZING PAYMENT
OF ATTORNEY'S FEES AND EXPENSES FOR THE PERSONAL REPRESENTATIVE
OF THE ESTATE OF SIMON L. BERNSTEIN
FOR DECEMBER 1, 2016 TO JANUARY 31, 2017

Petitioner, BRIAN M. O'CONNELL, as Personal Representative of the Estate of Simon L. Bernstein and the attorney for the Personal Representative (collectively "Personal Representative"), alleges:

1. The Personal Representative is an attorney engaged in the practice of law in the State of Florida and is a partner with the law firm of Ciklin Lubitz & O'Connell.
2. On July 24, 2014, he was appointed as the Successor Personal Representative of the Estate of Simon L. Bernstein.
3. The Personal Representative has rendered services and incurred expenses for the benefit of the Estate, from December 1, 2016 to January 31, 2017, as more fully described and set forth in the itemized schedule of services and expenses attached hereto as Exhibit A, for which the Personal Representative has not been paid.
4. The Personal Representative's records indicate that during the period of time above 18.1 attorney hours and 26.7 paralegal hours have been expended as set forth in the itemized summary of services and expenses attached hereto as Exhibit "A".
5. The Personal Representative believes that a reasonable fee for the services

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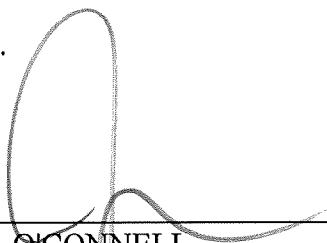
performed during that period of time is \$9,358.50 and costs of \$358.33 – totaling \$9,716.83.¹

6. The Personal Representative fees and costs described on the attached Exhibit "A" were incurred in discharging administration responsibilities, as more particularly described in Exhibit "A".

WHEREFORE, BRIAN M. O'CONNELL, as Personal Representative of the Estate of SIMON L. BERNSTEIN and the attorney for the Personal Representative, requests this Court award the Personal Representative a reasonable fee for his services and expenses incurred, and authorizing the payment of such fees and expenses from the assets of the estate.

Under penalties of perjury, I declare that I have read the foregoing, and the facts alleged are true, to the best of my knowledge and belief.

Dated this 28th day of February, 2018.



BRIAN M. O'CONNELL
Florida Bar No: 308471
ASHLEY CRISPIN ACKAL
Florida Bar No: 37495
JOIELLE A. FOGLIETTA
Florida Bar No. 94238
CIKLIN LUBITZ & O'CONNELL
515 N. Flagler Dr., 20th Floor
West Palm Beach, FL 33401
Telephone: 561-832-5900
Facsimile: 561-833-4209
primary e-mail: service@ciklinlubitz.com
secondary e-mail: probateservice@ciklinlubitz.com

¹ The paralegal rate during this time period for services provided ranged from \$150.00 - \$160.00 per hour and has been reduced to \$125.00 and \$150.00 per hour, respectively.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent by e-mail service via the Court's e-portal or U.S. Postal Service to Counsel and Parties of record listed on the attached Service List this 28th day of February, 2018.



BRIAN M. O'CONNELL
Florida Bar No: 308471
ASHLEY CRISPIN ACKAL
Florida Bar No: 37495
JOIELLE A. FOGLIETTA
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SERVICE LIST

| | | |
|--|--|---|
| Alan B. Rose, Esq. Page, Mrachek, Fitzgerald & Rose, PA. 505 S. Flagler Dr., Suite 600 West Palm Beach, FL 33401 (561) 355-6991 arose@mrachek-law.com mchandler@mrachek-law.com | John P. Morrissey, Esq. 330 Clematis St., Suite 213 West Palm Beach, FL 33401 john@jmorrisseylaw.com | Diana Lewis obo Jacob and Daniel Bernstein. ADR & Mediation Services, LLC 2765 Tecumseh Drive West Palm Beach, FL 33409 (561) 758-3017 dzlewis@aol.com |
| Peter Feaman, Esq. Peter M. Feaman, P.A. 3695 Boynton Beach Blvd., Suite 9 Boynton Beach, FL 33436 pfeaman@feamanlaw.com | Shendell & Pollock, P.L. 2700 N. Military Trail, suite 150 Boca Raton, FL 33431 241-2323 Fax: 241-2330 Gary R. Shendell, Esq. gary@shendellpollock.com estella@shendellpollock.com grs@shendellpollock.com Kenneth S. Pollock, Esq. ken@shendellpollock.com britt@shendellpollock.com grs@shendellpollock.com Matthew A. Tornincasa, Esq. matt@shendellpollock.com robyne@shendellpollock.com grs@shendellpollock.com | Max Friedstein 2142 Churchill Lane Highland Park, IL 60035 |
| Eliot Bernstein 2753 N.W. 34 th St. Boca Raton, FL 33434 iviewit@jviewit.tv | Pamela Beth Simon 950 N. Michigan Ave., Apt. 2603 Chicago, IL 60611 psimon@stpcorp.com | Lisa Friedstein and Carley Friedstein, Minor c/o Jeffrey and Lisa Friedstein Parent and Natural Guardian 2142 Churchill Lane Highland Park, IL 60035 Lisa@friedsteins.com Lisa.friedstein@gmail.com |
| Jill Iantoni and Julia Iantoni, a Minor c/o Guy and Jill Iantoni, her Parents & Natural Guardians 2101 Magnolia Lane Highland Park, IL 60035 jilliantoni@gmail.com | Brian M. O'Connell, Esq. Ashley Crispin Ackal, Esq. Ciklin Lubitz & O'Connell 515 N. Flagler Dr., 20 th FL West Palm Beach, FL 33401 service@ciklinlubitz.com probateservice@ciklinlubitz.com | Robert Spallina, Esq. rspallina@comcast.net |

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| Paul D. Turner, Esq. Christopher T. Perré Perlman, Bajandas, Yevoli & Albright, P.L. 200 South Andrews Avenue, Suite 600 Fort Lauderdale, FL 33301 Tel.: 954/566-7117 Fax: 954/566-7115 pturner@pbyalaw.com cperre@pbyalaw.com eservice@pbyalaw.com | Marc J. Soss, Esq. 11010 Hyacinth Place Lakewood Ranch, FL 34202-4158 Tel.: 941/928-0310 Fax: 813/342-7967 mjs@fl-estateplanning.com | |

EXHIBIT

“A”

Ciklin Lubitz & O'Connell
515 North Flagler Drive, 20th Floor
West Palm Beach, FL 33401
561-832-5900
Federal ID #59-2523541

Brian M. O'Connell, Esq.
c/o BMO

February 08, 2018
Bill Number 308693
File Number 11270-52860

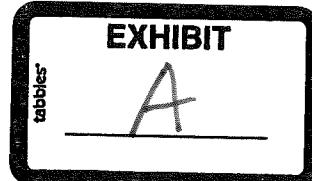
FOR PROFESSIONAL SERVICES

Re: Bernstein, Simon L. Estate

LEGAL SERVICES

Through January 31, 2017

| <u>Date</u> | <u>Atty</u> | <u>Description</u> | <u>Time</u> | |
|-------------|-------------|---|-------------|-------------|
| 12/01/16 | CAA | Receive, review and profile in system, 4th DCA's 11/29/16 Order dismissing consolidated appeal for lack of prosecution (4D16-1449, 1476 and 1478) | 0.10 | (NO charge) |
| 12/01/16 | CJT | Receipt and review of invoices from CBIZ; Save to file. | 0.20 | (NO charge) |
| 12/02/16 | BMO | Receipt and review of Motion for Extension of Time to File Initial Brief, filed 12/2/16 in 4th DCA by Eliot Bernstein. | 0.10 | |
| 12/05/16 | BMO | Receipt and review of Notice of Appeal filed 12/5/16 by Eliot Bernstein. | 0.10 | |
| 12/05/16 | BMO | Receipt and review of Application for Determination of Civil Indigent Status filed with 4th DCA 12/5/16 by Eliot. | 0.10 | |
| 12/06/16 | BMO | Receipt and review of Notice of Service of Case Order Setting Case Management Conference filed 12/6/16 by Peter Feaman. | 0.10 | |
| 12/06/16 | BMO | Receipt and review of Defendant's, Estate of Simon Bernstein, Notice for Jury Trial, filed 12/6/16 by Alan Rose. | 0.10 | |
| 12/06/16 | CAA | Review file re: deposition of W. Stansbury on 12/8/16 | 0.10 | |



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| 12/06/16 | CAA | Receive and review emails from A. Rose and E. Bernstein re: proposed Order Specially Setting Hearing and Status Conference on 2/16/17 and to be continued on 3/2/17; | 0.20 |
| 12/06/16 | JAF | Considered notice for trial in Stansbury action and prepared email to Alan Rose re: same (.2); Consideration of waiver contract (.2); Correspondence with Ted Bernstein re: TPP (.1). | 0.50 |
| 12/07/16 | BMO | Receipt and review of 12/7/16 Order Setting Jury Trial and Directing Pretrial and Mediation Procedures. | 0.10 |
| 12/07/16 | CAA | Receive, review and profile in system, Feaman's draft Order on Case Management Conference and Order Specially Setting Hearings re: E/O Simon | 0.10 <i>(NO Charge)</i> |
| 12/07/16 | CAA | Receive, review and profile in system, A. Rose's revised proposed Orders resulting from Status Conference held in the E/O Simon on 11/29/16 | 0.10 <i>(NO Charge)</i> |
| 12/07/16 | CAA | Receive, review and profile in system, E. Bernstein's Motion for Extension of Time to File Initial Brief re: 4D16-2249 (Bernstein v. Oppenheimer) | 0.20 |
| 12/07/16 | CAA | Receive, review and profile in system, E. Bernstein's Notice of Appeal re: 11/7/16 Agreed Order on Defendant's, Estate of Simon L. Bernstein's Motion to Alter or Amend Style of the Case," and Application for Determination of Civil Indigent Status, both filed in Stansbury v. Ted Bernstein, et al (502012CA13933) | 0.10 |
| 12/07/16 | CAA | Attention to file re: A. Rose's draft PR's Statement of Its Position That There Is No Conflict and His Waiver of Any Potential Conflict | 0.20 |
| 12/07/16 | JAF | Conference with Alan Rose re: outstanding matters and case management conf in Stansbury action (.3); Considered Eliot's claims in the estate (.3). | 0.60 |

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| 12/08/16 | CAA | Receive, review and profile in system, Estate of Simon's Notice for Jury Trial filed in Stansbury v. E/O Simon, et al, and Plaintiff's Notice of Service of Order Setting Case Management Conference (502012CA13933) | 0.20 | (NO Charge) |
| 12/08/16 | CAA | Receive, review and profile in system, Ted Bernstein's Omnibus Response in Opposition to Stansbury's Motion to Vacate in Part Order Permitting Retention of Mrachek and Reply in Support of (i) Mot to Appoint Ted Bernstein as Administrator Ad Litem, and (ii) Mot to Ratify and Conform Appointment of Successor Trustee (filed in E/O Simon action) | 0.20 | (NO Charge) |
| 12/08/16 | CAA | Receive, review and profile in system, Stansbury's Summary of Issues filed in E/O Simon action | 0.10 | |
| 12/08/16 | CAA | Receive, review and profile in system, Stansbury's Motion to Disqualify Alan Rose and Page Mrachek as Legal Counsel for E/O Simon Due to Inherent Conflict of Interest | 0.10 | |
| 12/08/16 | CAA | Receive, review and profile in system, E. Bernstein's Listing of Open Issues and Pending Filings | 0.10 | |
| 12/08/16 | CAA | Receive, review and profile in system, Ted Bernstein's Motion for Sanctions Against Stansbury and Feaman for Filing Motion to Vacate in Part Order Permitting Retention of Mrachek Firm and Motion to Disqualify, etc. filed in E/O Simon action | 0.20 | (NO Charge) |
| 12/08/16 | CAA | Receive, review and profile in system, E. Bernstein's Listing of Open Issues and Pending Filings (filed in 502014CP3698) | 0.10 | (NO Charge) |
| 12/08/16 | CAA | Receive, review and profile in system, Order Setting Jury Trial and Directing Pretrial and Mediation Procedures re: Stansbury and Feaman v. E/O Simon, et al (502012CA13933) | 0.40 | |
| 12/09/16 | BMO | Receipt and review of 12/9/16 correspondence from Alan Rose to Judge Scher with proposed orders in Estate of Simon Bernstein, Estate of Shirley Bernstein, and Shirley Trust Construction. | 0.20 | |

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| 12/09/16 | BMO | Receipt and review of 12/7/16 Order on Case Management Conference. | 0.10 |
| 12/09/16 | CAA | Receive email instructions from J. Foglietta re: organize list of tangible personal property requested by various people; attention to file re: same; prepare list; prepare and send email J. Foglietta re: same; review file re: 9/1/16 check in the amount of \$12,457 payable to BMO, as PR sent to us by A. Rose via letter on 9/6/16 representing sold personal property | 3.20 |
| 12/09/16 | JAF | Additional instructions to CA re tangible personal property sale. | 0.20 |
| 12/12/16 | CAA | Receive, review and profile in system, 12/7/16 Order on Case Management Conference re: Stansbury v. E/O Simon | 0.10 |
| 12/12/16 | CAA | Receive, review and profile in system, J. Farina's 12/9/16 letter to Judge Scher enclosing proposed Orders as a result of the 11/22/16 Case Management Conference (E/O Simon, E/O Shirley, and Shirley Trust Construction (Ted Bernstein, etc., et al v. Alexandra Bernstein) | 0.10 (No Charge) |
| 12/12/16 | CJT | Review prebills for preparing Petitions and proposed Orders for Attorney's Fees and Costs; E-mail to accounting department; Draft Petition for Attorney's Fees and Expenses (8-13-16 - 11-30-16) and proposed Order. | 1.00 (.3 No Charge) |
| 12/12/16 | CJT | Review final bills from accounting; Revise Petitions and proposed Orders for fees and expenses. | 0.50 (.1 No Charge) |
| 12/13/16 | BMO | Receipt and review of JAF 12/13/16 4:31 pm email memo. | 0.10 |
| 12/13/16 | BMO | Receipt and review of 12/13/16 7:24 pm email from John Farina. | 0.10 |
| 12/13/16 | BMO | Receipt and review of JAF 12/13/16 4:54 pm email to Ted Bernstein. | 0.10 |
| 12/13/16 | BMO | Receipt and review of Appellee's (Oppenheimer Trust) Response to Motion for Extension of Time to File Initial Brief filed 12/13/16 in 4th DCA by Gunster. | 0.10 |

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| 12/13/16 | BMO | Receipt and review of executed Mediation Settlement Agreement with Tescher & Spallina, P.A. | 0.10 |
| 12/13/16 | BMO | Receipt and review of 12/13/16 Order on Case Management Conference and Order Specially Setting Hearings on 2/16/17 and 3/2/17. | 0.10 |
| 12/13/16 | CAA | Receive, review and profile in system, A. Rose's 12/9/16 letter to Judge Scher re: proposed Order on Case Management Conference and Order Specially Setting Hearings in the Ted Bernstein v. Alexandra Bernstein, et al action and E/O Shirley Bernstein action | 0.20 |
| 12/13/16 | CAA | Receive, review and profile in system, Mediation Settlement Agreement with Tescher & Spallina, P.A. (Ted Bernstein v. Alexandra Bernstein, et al - 502014CP3698); prepare and send email to B. O'Connell re: same | 0.20 |
| 12/13/16 | CAA | Receive, review and profile in system, Oppenheimer's Response to E. Bernstein's Motion for Extension of Time to File Initial Brief re: Appeal 4D16-2249 | 0.10 |
| 12/13/16 | CAA | Receive, review and profile in system, Appellee, Oppenheimer's Motion to Dismiss Appeal (re: 4D16-2249) | 0.10 |
| 12/13/16 | CAA | Receive, review and profile in system, Order on Case Management Conference and Order Specially Setting Hearings filed in E/O Simon action; | 0.20 |
| 12/13/16 | CAA | Receive, review and profile in system, J. Foglietta's email to Ted Bernstein re: list of tangible personal property listed in Hall Appraisal requested by beneficiaries | 0.10 |
| 12/13/16 | CAA | Receive, review and profile in system, latest draft (received by A. Rose) of PR's Statement of Its Position That There is no Conflict and His Waiver of Any Potential Conflict re: E/O Simon action | 0.10 |

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| 12/13/16 | JAF | Revisions to fee petition for July and August 2016 (.6); Reviewed chart on TPP distribution (.3); Considered statement of no conflict re Rose representation (.2). | 1.10 |
| 12/13/16 | CJT | Receipt and review of updated billing statements; Revise Petitions and proposed Orders. | 0.40 (.2 No Charge) |
| 12/14/16 | BMO | Conference with JAF re: [REDACTED] | 0.30 |
| 12/14/16 | CAA | Receive instructions from J. Foglietta re: Mediation Settlement Agreement; scan and profile same; prepare and send email to A. Rose re: same signed by B. O'Connell and requesting him to email Conflict Waiver in Word format | 0.20 (.1 no charge) |
| 12/14/16 | CAA | Receive and review 12/14/17 email from Ted Bernstein re: selection of personal property; prepare and send email to J. Foglietta re: same; prepare and send email to Ted Bernstein asking if Eric has selected personal property | 0.20 |
| 12/14/16 | JAF | Conference with BMO re: [REDACTED] (.3); Memo re: same (.2). | 0.50 |
| 12/15/16 | BMO | Receipt and review of Motion for Re-Hearing, Certification and to Vacate Order Dismissing the Appeal Herein and Accept Late Filing of Initial Brief, filed 12/15/16 in 4th DCA by Eliot Bernstein. | 0.20 |
| 12/15/16 | BMO | Receipt and review of Initial Brief on the Merits filed 12/15/16 in 4th DCA by Eliot Bernstein. | 0.30 |
| 12/15/16 | BMO | Receipt and review of Amended Initial Brief on the Merits filed 12/15/16 by Eliot Bernstein. | 0.20 |
| 12/15/16 | CAA | Receive, review and profile in system, E. Bernstein's Initial Brief filed 12/15/16 in consolidated appeals 4D16-1449, 1476 and 1478 (E. Bernstein v. Ted Bernstein and Oppenheimer) | 0.10 |

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| 12/15/16 | CAA | Receive, review and profile in system, E. Bernstein's 12/15/16 Motion for Rehearing, Certification and to Vacate Order Dismissing Appeal Herein and Accept Late Filing of Initial Brief filed in consolidated appeals 4D16-1449, 1476 and 1478 | 0.10 |
| 12/15/16 | CAA | Receive, review and profile in system, E. Bernstein's 12/15/16 Amended Initial Brief filed in consolidated appeals 4D16-1449, 1476 and 1478 | 0.10 |
| 12/15/16 | CAA | Receive, review and profile in system, Appellee, Oppenheimer's 12/13/16 Response to Appellant's Motion for Extension of Time to File Initial Brief filed in 4D16-2249 | 0.10 |
| 12/15/16 | CAA | Receive, review and profile in system, E. Bernstein's Appendix to Initial Brief filed in 4D16-1449 (Bernstein v. Oppenheimer, et al) | 0.10 |
| 12/15/16 | CAA | Receive, review and profile in system, E. Bernstein's 12/15/16 Motion for Rehearing, Certification and to Vacate Order Dismissing the Appeal Herein and Accept Late Filing of Initial Brief (filed in consolidated Appeals 4D16-1449, 1476 & 1478) | 0.10 |
| 12/15/16 | CAA | Receive, review and profile in system, E. Bernstein's 12/15/16 Initial Brief, Amended Initial Brief, Appendix, and Motion for Rehearing, Certification and to Vacate Order Dismissing Appeal and Accept Late Filing of Initial Brief - all filed in 4D16-1476 | 0.40 |
| 12/15/16 | CAA | Receive, review and profile in system, E. Bernstein's Initial Brief, Amended Initial Brief and Appendix, and Motion for Rehearing, Certification and to Vacate Order Dismissing Appeal and Accept Late Filing of Initial Brief - all filed in 4D16-1478 | 0.30 |
| 12/15/16 | ANG | Conference with JAF re: [REDACTED] [REDACTED] | 0.20 |
| 12/15/16 | JAF | Conference with ANC re [REDACTED] [REDACTED] (.2); Attention to same (.1); Conference with RBC re [REDACTED] (.2). | 0.50 (.2 NO charge) |

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| 12/16/16 | CAA | Review Annual Accounting for period 9/1/14 through 10/31/16; e-file same; review Probate Rules; draft Formal Notice re: Annual Accounting; discussions with J. Foglietta re: [REDACTED]; [REDACTED]; arrange for mailing of hard copy of Accounting to Max Friedstein, | 1.70 | (.2 NO Charge) |
| 12/16/16 | JAF | Memo to and instructions to ZR re [REDACTED] (.2); Instructions to CA re [REDACTED] (.2). | 0.40 | |
| 12/19/16 | CAA | Receive and review email from J. Foglietta re: [REDACTED] [REDACTED]; attention to file re: same; multiple telephone conferences with Greg Fischer at White Lion re: arrangements to pull selected property from vaults and date to pick up; multiple discussions with J. Foglietta re: same; prepare and send email to Ted Bernstein re: 12/28/16 best date for pick-up of property from White Lion; | 1.30 | |
| 12/19/16 | CAA | Review file re: Ted Bernstein's 12/19/16 email to J. Foglietta re: 12/21/16 to meet at White Lion; prepare and send response email to T. Bernstein advising 12/21 does not work for White Lion and proposing 12/28/16; extended telephone conference with Greg Fischer at White Lion re: fees for their labor to pull out selected property; prepare and send email to J. Foglietta re: same; second tel conf with G. Fisher re: estimate on how long it will take to remove TPP | 0.70 | |
| 12/19/16 | JAF | Addressed issues re: TPP sale and pickup; instructions to CA re same; correspondence with Ted Bernstein re same. | 0.80 | |
| 12/19/16 | CJT | Receipt and review of White Lion Moving & Storage invoice; Save to file. | 0.10 | (NO Charge) |
| 12/19/16 | ZR | Review Eliot's Initial Brief and Amended Initial Brief Consolidated Case No. 4D16-1449, 1476, 1478. | 0.50 | |

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| 12/20/16 | CAA | Prepare and send detailed email to Ted Bernstein re: quote from White Lion to pull vaults and pull out property selected by Ted Bernstein and other beneficiaries | 0.90 |
| 12/20/16 | CAA | Receive email instructions from J. Foglietta re: [REDACTED]; discussions with R. Crum re: [REDACTED] [REDACTED];" draft Notice of Filing Corrective Accounting | 0.90 |
| 12/20/16 | ANG | Conference with JAF re: [REDACTED] [REDACTED] | 0.10 |
| 12/20/16 | JAF | Revisions to waiver of conflict (.7); Instruction memo to CA re [REDACTED] [REDACTED] (.3); Conference with ANC re same (.1); Addressed issues and multiple instructions to CA re [REDACTED] (.4). | 1.50 <i>(.1 NO Charge)</i> |
| 12/20/16 | ZR | Review Eliot Statement of Jurisdiction to Determine if response/action necessary. | 0.20 |
| 12/21/16 | CAA | Meet and discuss with J. Foglietta re: [REDACTED] [REDACTED] [REDACTED] | 0.30 <i>(NO Charge)</i> |
| 12/21/16 | CAA | Draft revisions to Notice of Filing Corrective Accounting per J. Foglietta's instructions; prepare Corrective Accounting for Certified Mail delivery to certain interested parties | 2.30 |
| 12/21/16 | JAF | Additional instructions to CA re [REDACTED] [REDACTED] | 0.30 |
| 12/28/16 | BMO | Receipt and review of CAA 12/28/16 12:53 pm email memo re: [REDACTED] [REDACTED] | 0.10 |
| 12/28/16 | BMO | Receipt and review of JAF 12/28/16 12:11 pm email memo re: [REDACTED] | 0.10 |
| 12/28/16 | BMO | Receipt and review of CAA 12/28/16 9:40 am email memo re: [REDACTED] | 0.10 |
| 12/28/16 | BMO | Receipt and review of CAA 12/28/16 11:40 am email re: [REDACTED] | 0.10 |

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| 12/28/16 | BMO | Receipt and review of 12/28/16 11:04 am email from Alan Rose re: 57.105 Motion. | 0.10 |
| 12/28/16 | BMO | Receipt and review of Appellee's, Ted Bernstein, as Trustee, Response to Appellant's Untimely Motion for Rehearing, Certification and to Vacate Order Dismissing Appeal to to Accept Late-Filed Initial Brief, filed 12/28/16 in 4th DCA by Alan Rose. | 0.10 |
| 12/28/16 | BMO | Receipt and review of Amended Motion for Sanctions Pursuant to Florida Statute 57.105 against William Stansbury and Peter Feaman, Esq. for Filing Motion to Vacate in Part Order Permitting Retenntion of Mracheck Firm and Motion to Disqualify, etc., served but not filed, 12/28/16 by Alan Rose in accordance with safe harbor provisions of Section 57.105(4) of the FL Statutes. | 0.30 |
| 12/28/16 | BMO | Receipt and review of 12/28/16 4th DCA Order directing Appellant (Eliot) to show cause, etc. | 0.10 |
| 12/28/16 | CAA | Email communications with J. Foglietta re: [REDACTED]; attention to file re: same; e-file Accounting; prepare and arrange for copies via Certified Mail to all parties listed on Service List | 1.00 <i>(.4 NO charge)</i> |
| 12/28/16 | CAA | Receive, review and profile in system, 4th DCA's 12/28/16 Order to Show Cause for lack of timely prosecution filed in 4D16-3314 | 0.20 |
| 12/28/16 | CAA | Receive, review and profile in system, Ted Bernstein's Amended Motion for Sanctions (against William Stansbury) | 0.30 <i>(NO charge)</i> |
| 12/29/16 | BMO | Receipt and review of 12/29/16 Order Specially Setting Hearing for 2/21/17 on Motion for Summary Judgment. | 0.10 |
| 12/29/16 | CAA | Attention to Order on Case Management Conference (scheduling for 2/16/17 and continuing on 3/2/17); | 0.30 |

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| 12/29/16 | CAA | Receive, review and profile in system, Appellee, Ted Bernstein's 12/28/16 Response to Appellant's Untimely Motion for Rehearing, Certification and to Vacate Order Dismissing Appeal to Accept Late-Filed Initial Brief re: consolidated appeals 4D16-1449, 1476 & 1478 | 0.10 |
| 12/29/16 | CAA | Receive, review and profile in system, Order Specially Setting Hearing on 2/21/17 on Motion for Summary Judgment re: Stansbury and Feaman v. Est. of Simon, et al, (2012CA013933); review Court's docket sheet re: Motion for Summary Judgment; prepare and send email to Marie Chandler at Alan Rose's office re: the Estate's Motion for Partial Summary Judgment | 0.40 <i>(.1 NO Charge)</i> |
| 12/29/16 | CJT | Arrange payment for monthly storage. | 0.20 <i>(NO Charge)</i> |
| 01/05/17 | CJT | Process payment to White Lion Moving & Storage; Receipt and review of JP Morgan Account Statement; Save to file. | 0.20 <i>(.1 NO Charge)</i> |
| 01/09/17 | BMO | Receipt and review of Amended Appellant's Response to Show Cause ORder of 12/28/16 and Request for Extension of Time filed 1/9/17 with 4th DCA. | 0.10 |
| 01/10/17 | CAA | Receive, review and profile in system, Appellant, E. Bernstein's Response (and Amended) to Show Cause Order of 12/28/16 and Request for Extension of Time to file and serve Initial Brief re: 4D16-3314 (E. Bernstein v. Ted Bernstein, etc., et al) | 0.10 |
| 01/10/17 | CJT | Receipt and review of JP Morgan Account Statements | 0.20 |
| 01/11/17 | BMO | Receipt and review of Appellee's, Ted Bernstein, as Trustee, Response to Appellant's Amended Response to Show Cause Order of 12/28/16 and Request for Extension of Time, filed 1/11/17 in 4th DCA by Alan Rose. | 0.10 |
| 01/11/17 | BMO | Receipt and review of 1/11/17 4th DCA Order granting Appellee's 12/13/16 Motion to Dismiss and Dismissing Appeal 4D16-2249, and Denying Appellant's 12/2/16 Motion for Extension of Time as Moot. | 0.10 |

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| 01/12/17 | BMO | Receipt and review of Subpoena Duces Tecum Without Deposition for 2/10/17 to Alan Rose, and Subpoena Duces Tecum Without Deposition to Records Custodian, Mracheck firm, from Peter Feaman. | 0.10 |
| 01/12/17 | BMO | Receipt and review of Notice of Production from Non-Party to Alan Rose and Records Custodian of Mracheck firm, filed 1/12/17 by Peter Feaman. | 0.10 |
| 01/12/17 | CAA | Attention to file re: P. Feaman's Notice of Production from Non-Party re: Alan Rose, Esq. and Records Custodian of Mracheck Fitzgerald Rose, et al filed in Estate action | 0.20 |
| 01/12/17 | CAA | Receive, review and profile in system, 4th DCA's 1/11/17 Order granting Appellee, Oppenheimer's 12/13/16 Motion to Dismiss, and denying Appellant's 12/2/16 Motion for Extension of Time, as moot re: 4D16-2249 | 0.20 |
| 01/12/17 | CAA | Review file re: deadline for interested parties to object to Accounting | 0.20 |
| 01/12/17 | CAA | Receive, review and profile in system, Appellee, Ted Bernstein's Response to Appellant's Amended Response to Order to Show Cause Order of 12/28/16 re: 4D16-3314 | 0.10 |
| 01/12/17 | CAA | Receive, review and profile in system, emails between A. Rose and P. Feaman re: Amended Motion for Sanctions under Section 57.105 against Stansbury | 0.10 (NO Charge) |
| 01/13/17 | BMO | Receipt and review of 1/13/17 1:29 pm email from Eileen Rosenquist, Stamos firm, with [REDACTED] | 0.10 |
| 01/13/17 | JAF | Memo re: NPNP to Alan Rose and firm from Feaman (.1); Attention to motions to approve settlement with T & S (.1); Conference with Ted Bernstein and Alan Rose re purchase of TPP (.2); Consideration of estate liquidation company (.1). | 0.50 |
| 01/14/17 | BMO | Instructions to JAF. | 0.10 |

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| 01/16/17 | CAA | Review and calendar deadlines per Order Setting Jury Trial re: Stansbury and Feaman v. E/O Simon, et al | 0.60 |
| 01/16/17 | JAF | Memo re: tax certificates on home with mortgage (.1); Attention to case management conference (.1). | 0.20 |
| 01/16/17 | CJT | Receipt and review of White Lion monthly storage invoice; Save to file; Calendaring; On-line search for property tax information. | 0.40 (.2 NO charge) |
| 01/17/17 | BMO | Receipt and review of Notice of Hearing - Objection to Accounting, date to be decided, filed 1/17/17 by Eliot Bernstein. | 0.10 |
| 01/17/17 | BMO | Receipt and review of Eliot Bernstein's Objections to Accounting by PR Brian O'Connell, for the Estate of Simon Bernstein for the period of 9/1/14 through 10/31/16, filed 1/17/17 by Eliot Bernstein. | 0.20 |
| 01/18/17 | CAA | Receive, review and profile in system, E. Bernstein's Objections to Accounting by PR Brian O'Connell for Estate of Simon for period 9/1/14 through 10/31/16, and Notice of Hearing (date "TBD") | 0.30 |
| 01/18/17 | JAF | Consideration of motion to strike notice of hearing on Eliot objections to accounting (.2); Prep for case management conf (.2). | 0.40 |
| 01/19/17 | JAF | Memo re: [REDACTED] (.2); Conference with BMO re same (.2). | 0.40 |
| 01/19/17 | CJT | Telephone call with property appraiser regarding delinquent taxes on Elliot home; E-mail to JAF. | 0.30 |
| 01/20/17 | BMO | Receipt and review of 1/17/17 CBIZ invoice for Simon Bernstein Account 243070. | 0.10 |
| 01/20/17 | BMO | Receipt and review of 1/17/17 CBIZ invoice for Bernstein Family Investments LLLP account 243057. | 0.10 |
| 01/20/17 | BMO | Receipt and review of 1/20/17 4th DCA Order discharging Court's 12/28/16 Order to Show Cause. | 0.10 |

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| 01/20/17 | CAA | Receive, review and profile in system, 4th DCA's 1/20/17 Order granting Appellant, E. Bernstein's 1/9/17 Motion for Extension of Time to File Initial Brief re: 4D16-3314 | 0.20 |
| 01/20/17 | JAF | Memo re: [REDACTED] | 0.20 |
| 01/23/17 | BMO | Receipt and review of Appellee's response to Appellant's Motion for Rehearing and Clarification Under Rule 9.330, filed 1/23/17 with 4th DCA by Alan Rose. | 0.10 |
| 01/23/17 | BMO | Receipt and review of Notice of Production from Non-Party to Records Custodian of All Regency Title Co., filed 1/23/17 by Peter Feaman. | 0.10 |
| 01/23/17 | BMO | Telephone call to Jim Stamos re: [REDACTED] [REDACTED] | 0.30 |
| 01/23/17 | TCD | Memorandum of instruction from Joelle A. Foglietta, Esq.; response; receive and review appraisal of tangible personal property; memorandum to Michael Nicholas; telephone call from same. | 0.80 |
| 01/23/17 | CAA | Receive and review email from J. Foglietta re: [REDACTED] [REDACTED]; discuss same with paralegal T. Dodson; review file re: appraisal; prepare and send email to T. Dodson re: same | 0.20 <i>(.1 NO charge)</i> |
| 01/23/17 | CAA | Receive, review and profile in system, 4th DCA's 1/20/17 Order granting E. Bernstein 45-day extension to file Initial Brief re: 4D16-3314 | 0.10 |
| 01/23/17 | JAF | Instructions to CA re [REDACTED]; memo re: same (.4); memo re: [REDACTED] (.2); Attention to [REDACTED] to 1.351 Regency (.1). | 0.70 |
| 01/24/17 | BMO | Receipt and review of CAA 1/24/17 4:20 pm email to Alan Rose re: filings in appeal 4D16-4120. | 0.10 |
| 01/24/17 | BMO | Receipt and review of email from Alan Rose re: Case 4D16-4120. | 0.10 |
| 01/24/17 | BMO | Receipt and review of CAA 1/24/17 4:24 pm email to Alan Rose re: 4D16-4120. | 0.10 |

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| 01/24/17 | TCD | Telephone call from Michael Nicholas; memorandum to Charlene Anderson and Joielle Foglietta, Esq. | 0.40 |
| 01/24/17 | CAA | Receive, review and profile in system, W. Stansbury's Notice of Production from Non-Party re: Records Custodian, All Regency Title Company d/b/a US Title of Florida filed in estate action | 0.20 |
| 01/24/17 | CAA | Receive, review and profile in system, Appellee, Estate's Response to Appellant's (E. Bernstein) Motion for Rehearing and Clarification Under Rule 9.330 re: 4D16-4120 filed on 1/23/17; discussions with paralegal H. Graboyes and attorney J. Foglietta re: same; prepare and send email to A. Rose requesting forwarding of all filings in 4D16-4120 appeal; receive and review response email attaching all filings; profile same in system | 0.50 (.2 NO Charge) |
| 01/24/17 | JAF | Memo re: [REDACTED] (.1); Instructions to CA re sale of personal property in bulk (.1). | 0.20 |
| 01/24/17 | CJT | Receipt and review of Invoices from CBIZ; Save to file. | 0.10 (NO Charge) |
| 01/25/17 | JAF | Memo re: [REDACTED] | 0.20 |
| 01/26/17 | BMO | Receipt and review of JAF 1/26/17 12:14 pm email to Alan Rose. | 0.10 |
| 01/26/17 | BMO | Receipt and review of 1/26/17 12:25 pm email from Alan Rose. | 0.10 |
| 01/26/17 | BMO | Receipt and review of JAF 1/26/17 1:55 pm email to Alan Rose. | 0.10 |
| 01/26/17 | BMO | Receipt and review of Appellant's Motion for Rehearing and Clarification Under Rule 9.330 and Reinstating the Appeal, filed 1/2/16 in 4th DCA by Eliot Bernstein (4D16-2249). | 0.10 |

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| 01/26/17 | CAA | Receive, review and profile in system, locate and contact auctioneers to purchase the tangible personal property in bulk; telephone conference with Stan Crook with Auction America, Inc. re: same; prepare and send email to Stan Crook attaching Hall Appraisal; prepare and send email to J. Foglietta re: status; prepare chart re: same | 2.60 |
| 01/26/17 | CAA | Review file (Estate of Simon) re: emails between J. Foglietta and A. Rose re: service of Estate's Accounting on Ted Bernstein, as Trustee of the Simon Trust and [REDACTED] [REDACTED] | 0.10 |
| 01/26/17 | CAA | Review file re: deadline to respond to E. Bernstein's Objections to Accounting | 0.20 |
| 01/26/17 | JAF | Correspondence with Alan Rose re estate accounting (.1); Instructions to CA re sale of TPP (.1). | 0.20 |
| 01/27/17 | BMO | Receipt and review of Trustee's Objection to Notice of Production from Non-Party (Stansbury's Subpoena Duces Tecum Without Deposition to RC All Regency Title Co.) filed 1/27/17 by Feaman. | 0.10 |
| 01/27/17 | BMO | Receipt and review of Trustee's Objection to Notice of Production from Non-Party (Stansbury's Subpoena Duces Tecum to Alan Rose and RC Mracheck Fitzgerald), filed 1/27/17 by Feaman. | 0.20 |
| 01/27/17 | BMO | Receipt and review of JAF 1/27/17 email to Alan Rose re: [REDACTED] | 0.10 |
| 01/27/17 | CAA | Receive, review and profile in system, Appellant's Motion for Rehearing and Clarification Under Rule 9.330 and Reinstating Appeal re: 4D16-2249 | 0.10 |
| 01/27/17 | JAF | Consideration of [REDACTED] to Rose. | 0.20 |
| 01/27/17 | CJT | Arrange payment for monthly storage at White Lion Moving and Storage. | 0.20 |
| 01/30/17 | BMO | Receipt and review of 1/30/17 6:58 pm email from Eliot Bernstein. | 0.10 |
| 01/30/17 | BMO | Receipt and review of 1/30/17 7:13 pm email from Adam Simon. | 0.10 |

(.2 NO charge)

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| 01/30/17 | CAA | Receive and review email quote from Stan Crooks with Auction America re: auctioning off tangible personal property of Estate; telephone conference with Stan Crooks re: same; update List of quotes re: same | 0.50 |
| 01/30/17 | CAA | Receive, review and profile in system, returned mail to Eliot Bernstein re: Corrective Accounting for period 9/1/14 thru 10/31/16; review file re: same | 0.20 |
| 01/31/17 | BMO | Receipt and review of 1/31/17 12:54 pm email from Theodore Kuyper re: status update with attached Memorandum Opinion and Order. | 0.30 |
| 01/31/17 | BMO | Receipt and review of Amended Motion to Set Hearing on Trustee's Objections to Notice of Production from Non-Party, filed 1/31/17 by Feaman. | 0.10 |
| 01/31/17 | BMO | Receipt and review of Motion to Set Hearing on Trustee's Objections to Notice of Production from Non-Party, filed 1/31/17 by Feaman. | 0.20 |
| 01/31/17 | BMO | Receipt and review of Notice of Hearing, date to be decided, on Objection to Corrective Accounting, filed 1/31/17 by Eliot. | 0.10 |
| 01/31/17 | BMO | Receipt and review of 1/31/17 9:11 am email from Alan Rose re: Motion Calendar hearing. | 0.10 |
| 01/31/17 | CAA | Telephone conference with (received from) Steve Estep with Palm City Auction re: auctioning of property | 0.20 |
| 01/31/17 | CAA | Receive, review and profile in system, Stansbury's Motion to Set Hearing on Trustee's Objections to Notice of Production from Non-Party re: 1.351 Subpoenas on Alan Rose and Mrachek, Fitzgerald, et al | 0.10 |
| 01/31/17 | CAA | Receive, review and profile in system, Ted Bernstein's Objections to Stansbury's 1/27/17 Notices of Production from Non-Party re: Alan Rose, Esq., Mrachek, Fitzgerald, et al, and All Regency Title Company | 0.20 |

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| 01/31/17 | CAA | Receive, review and profile in system, E. Bernstein's Objection to PR's Corrective Accounting, and Notice of Hearing on same ("Date TBD") filed 1/31/17 | 0.20 |
| 01/31/17 | CAA | Review returned certified mail to E. Bernstein re: corrective accounting re: "unable to forward;" review file re: same; discuss same with J. Foglietta | 0.30 |
| 01/31/17 | JAF | Memo re: [REDACTED] | 0.30 |
| 01/31/17 | CJT | Process payment to White Lion Moving & Storage. | 0.20 (NO charge) |

TOTAL LEGAL SERVICES: ~~\$10,088.50~~
~~9,358.50~~

LEGAL SERVICES SUMMARY

| | | | |
|----------------------|----------------|----------|----------------------|
| ASHLEY CRISPIN ACKAL | 0.30 Hrs | \$295/Hr | \$88.50 |
| BRIAN M O'CONNELL | 3.60 Hrs | \$425/Hr | \$1,530.00 |
| BRIAN M O'CONNELL | 3.90 Hrs | \$475/Hr | \$1,852.50 |
| CHARLENE A ANDERSON | 16.2 19.00 Hrs | \$125/Hr | \$2,375.00 2,025.00 |
| CHARLENE A ANDERSON | 7.2 7.70 Hrs | \$150/Hr | \$1,155.00 1,080.00 |
| CYNTHIA J THOMAS | 2.1 4.00 Hrs | \$125/Hr | \$500.00 262.50 |
| JOY A FOGLIETTA | 6.1 6.40 Hrs | \$225/Hr | \$1,440.00 1,372.50 |
| JOY A FOGLIETTA | 3.50 Hrs | \$250/Hr | \$875.00 |
| TRUDY C DODSON | 1.20 Hrs | \$125/Hr | \$150.00 |
| ZACHARY M ROTHMAN | 0.70 Hrs | \$175/Hr | \$122.50 |
| | 44.8 50.30 Hrs | | \$10,088.50 9,358.50 |

COSTS ADVANCED

Through January 31, 2017

Postage

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| 01/31/17 | Postage | 63.75 |
| | Total Postage | 63.75 |

Copy/Printing Expense

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| 01/31/17 | Copy/Printing Expense | 285.90 |
| | Total Copy/Printing Expense | 285.90 |

Long Distance Telephone

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| 01/31/17 | Long Distance Telephone | 8.68 |
| | Total Long Distance Telephone | 8.68 |

TOTAL COSTS ADVANCED: \$358.33

TOTAL THIS BILL \$10,446.83

9,716.83