

IN THE CIRCUIT COURT IN AND FOR THE 15<sup>TH</sup> JUDICIAL CIRCUIT IN AND FOR  
PALM BEACH COUNTY, FLORIDA

IN RE: ESTATE OF:

PROBATE DIVISION

SIMON L. BERNSTEIN,

FILE NO: 502012CP4391XXXXNB/IH

Deceased.

/

**RESPONSE AND OBJECTION TO PETITION FOR FEES AND COSTS OF  
ATTORNEY FOR SUCCESSOR PERSONAL REPRESENTATIVE**

COMES NOW, Brian M. O'Connell, Esq., as Successor Personal Representative of the Estate of Simon L. Bernstein ("Successor Personal Representative," and "Estate," respectively), by and through undersigned counsel, and hereby files this Response and Objection to Petition for Fees and Costs of Attorney for Successor Personal Representative, filed herein by Brett C. Barner, Esq., on behalf of the law firm of Ciklin Lubitz, ("Petitioner"), and in support thereof, states as follows:

1. On May 1, 2019, Brett C. Barner, Esq., on behalf of the law firm of Ciklin Lubitz, served formal notice of the Petition for Fees and Costs of Attorney for Successor Personal Representative (the "Petition").

2. The Petition seeks \$133,043.66 in attorney's fees and costs for the period of February 1, 2017 through May 8, 2018, as set forth in the attached billing records (the "Billing Records"), in connection with Petitioner's former representation of the Successor Personal Representative in the above – captioned proceeding.

3. As stated in the Petition, some of the attorneys currently at O'Connell & Crispin Ackal, PLLC, formerly worked at Ciklin Lubitz, and same worked on the instant case during that time. Typically, at Ciklin Lubitz, before filing a petition for fees and costs, the undersigned would review the time billed and make appropriate reductions as needed. If the undersigned were still at

Ciklin Lubitz, same would have only petitioned for after reviewing the time billed and reducing it, as further stated in the objections on the attached Billing Records. *See* key to objections and line-by-line objections on the attached Billing Record, marked Composite Exhibit "A."

4. Accordingly, the Successor Personal Representative objects to the fees and costs sought by Petitioner, as stated more particularly in the attached, in whole or in part, as Ciklin Lubitz inappropriately filed this petition without consulting with the Successor Personal Representative, so that the appropriate reductions could be made. *See* legend to objections and line-by-line objections on the attached Billing Record, marked Composite Exhibit "A."

5. The Successor Personal Representative further objects to the fees sought by Petitioner, as stated more particularly in the attached, in whole or in part, as such amounts are administrative in nature, duplicative, unreasonable and/or unnecessary, including, unreasonable task(s) performed, unreasonable amount of time for task(s) described, paraprofessional or administrative staff should have performed task(s), unreasonable rate, non-descriptive entry, unable to determine whether objection exists, time included in personal representative fee, and/or are included in "block – billed" entries, unable to determine amount spent on each task(s). *See* Composite Exhibit "A."

6. For the reasons stated herein, and as further objected to line-by-line on the attached Billing Record, the Successor Personal Representative objects to the fees and costs sought by Petitioner, and respectfully requests this Court deny the fees and costs sought and/or reduce the fees and costs awarded to Petitioner for the reasons stated herein.

WHEREFORE, Brian M. O'Connell, Esq., as Successor Personal Representative of the Estate of Simon L. Bernstein, by and through its undersigned counsel, responds and objects to the Petition for Fees and Costs of Attorney for Successor Personal Representative filed by Brett C.

Barnet, Esq., on behalf of the law firm of Ciklin Lubitz, for the reasons set forth herein, and requests this Court to deny and/or reduce the fees and costs sought by Petitioner in the above – proceeding, and for attorneys' fees and costs and any other relief deemed just or proper by this Court.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct of the foregoing was sent by e-service, e-mail service or U.S. Postal Service on the 22<sup>nd</sup> day of May, 2019 to the parties on the attached Service List.

/s/ Joelle A. Foglietta  
BRIAN M. O'CONNELL  
Florida Bar No: 308471  
ASHLEY CRISPIN ACKAL  
Florida Bar No: 037495  
JOIELLE A. FOGLIETTA  
Florida Bar No: 094238  
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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 <a href="mailto:arose@mrachek-law.com">arose@mrachek-law.com</a> <a href="mailto:mchandler@mrachek-law.com">mchandler@mrachek-law.com</a>	John P. Morrissey, Esq. 330 Clematis St., Suite 213 West Palm Beach, FL 33401 <a href="mailto:john@jmorrisseylaw.com">john@jmorrisseylaw.com</a>	Diana Lewis obo Jacob and Daniel Bernstein. ADR & Mediation Services, LLC 2765 Tecumseh Drive West Palm Beach, FL 33409 (561) 758-3017 <a href="mailto:dzlewis@aol.com">dzlewis@aol.com</a>
Joshua Bernstein 2753 N.W. 34 <sup>th</sup> St. Boca Raton, FL 33434	Lisa Friedstein and Carley Friedstein, Minor c/o Jeffrey and Lisa Friedstein Parent and Natural Guardian 2142 Churchill Lane Highland Park, IL 60035 <a href="mailto:Lisa@friedsteins.com">Lisa@friedsteins.com</a> <a href="mailto:Lisa.friedstein@gmail.com">Lisa.friedstein@gmail.com</a>	Max Friedstein 2142 Churchill Lane Highland Park, IL 60035
Eliot Bernstein 2753 N.W. 34 <sup>th</sup> St. Boca Raton, FL 33434 <a href="mailto:iviewit@iviewit.tv">iviewit@iviewit.tv</a>	Pamela Beth Simon 950 N. Michigan Ave., Apt. 2603 Chicago, IL 60611 <a href="mailto:psimon@stpcorp.com">psimon@stpcorp.com</a>	
Marc J. Soss, Esq. 11010 Hyacinth Place Lakewood Ranch, FL 34202-4158 Tel.: 941/928-0310 Fax: 813/342-7967		

In Re: Estate of Simon L. Bernstein  
Case No. 502012CP4391XXXXNB/IH

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mjs@fl-  
estateplanning.com

## COMPOSITE EXHIBIT A

### Legend:

- A      Administrative, Non-Compensable
- UT     Unreasonable amount of time for task(s) described
- U      Unreasonable task(s) performed
- PP     Paraprofessional or Administrative staff should have performed task(s)
- D      Duplicative
- UN     Unnecessary
- R      Unreasonable rate
- BB     Block billing, unable to determine amount spent on each task(s)
- ND     Non-descriptive entry, unable to determine whether objection exists
- PR     Time included in personal representative fee

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

Brian M. O'Connell, Esq.  
O'Connell & Crispin Ackal, PLLC  
420 Royal Palm Way, Suite 300  
Palm Beach , FL 33480

May 17, 2018  
Bill Number 310154  
File Number 11270-52860

## **FOR PROFESSIONAL SERVICES**

Re: Bernstein, Simon L. Estate

### **LEGAL SERVICES**

Through May 10, 2018

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>
02/01/17	BMO	Receipt and review of Notice of Hearing for 2/7/17 filed 2/1/17 by Feaman.	0.10
02/01/17	JAF	Review re: hearing on objections to 1.351.	0.10
02/01/17	CJT	Receipt and review of letter and invoice from Stamos & Trucco; Save to file; E-mail to JAF.	0.20- A PP
02/02/17	BMO	Receipt and review of Amended Motion for Sanctions Pursuant to FL Statute 57.105 against William Stansbury and Peter Feaman, etc., filed 2/2/17 by Alan Rose.	0.30
02/02/17	CAA	Complete Memo to B. O'Connell, A. Crispin and J. Foglietta re: [REDACTED] [REDACTED]	0.70
02/02/17	CAA	Receive, review, profile in system and consider action to be taken re: Stansbury's Notice of Hearing on his Amended Motion to Set Hearing on Trustee's Objection to Notice of Production from Non-Party re: A. Rose and Mrachek, Fitzgerald (set for 2/7/17)	0.10- A PP/D

02/02/17	CAA	Receive, review, profile in system and consider action to be taken re: Stansbury's 1/31/17 Amended Motion to Set Hearing on Trustee's Objections to Notice of Production from Non-Party re: Alan Rose and Mrachek, Fitzgerald, et al	0.20	Alpp /D
02/02/17	CAA	Receive, review, profile in system and consider action to be taken re: 1/30/17 Memorandum Opinion and Order denying Estate's Motion for Summary Judgment re: Illinois federal action (Judge Blakey)	0.10	Alpp /D
02/03/17	JAF	Prep for case management conf.	0.20	
02/06/17	BMO	Receipt and review of Appellant's Notice of Appeal to Invoke Discretionary Jurisdiction of the Florida Supreme Court filed 2/6/17 with 4th DCA.	0.10	
02/06/17	CAA	Prepare hearing folder on W. Stansbury's Amended Motion to Set Hearing on Trustee's Objections to Notice of Production from Non-Party re: A. Rose and Mrachek Fitzgerald; draft proposed Order	0.40	
02/06/17	JAF	Instructions to CJT re fee [REDACTED]	0.10	
02/06/17	JAF	Instructions to CA re [REDACTED]	0.20	
02/06/17	CCC	Prepared for hearing on Trustee's Amended Objection	0.30	
02/07/17	BMO	Receipt and review of 1/5/17 Order Denying Appellant's 12/15/16 Motion for Rehearing.	0.10	
02/07/17	JAF	Prepared for hearing on 1.351 objections (.1); preparation for case management conf re motion to disqualify rose (.2).	0.30	
02/07/17	CJT	Receipt and review of JP Morgan Account Statement; Save to file; Receipt and review of JP Morgan 2016 Form 1099-R for Account No. M55828004; E-mail to RBC.	0.30	Alpp
02/07/17	CCC	Attended Hearing on Stansbury's hearing on Trustee's Amd Obj to NPNP	0.50	
02/08/17	CAA	Receive, review, profile in system and consider action to be taken re: email from E. Bernstein re: Court Call for hearing on 2/7/17	0.10	Alpp /D

02/08/17	CAA	Receive, review, profile in system and consider action to be taken re: E. Bernstein's (Appellant) Notice of Appeal to Invoke Discretionary Jurisdiction of the Florida Supreme Court re: consolidated appeals 4D16-1449, 1476 and 1478	0.10- A PP D
02/08/17	CAA	Receive, review, profile in system and consider action to be taken re: Ted Bernstein's 2/2/17 Amended Motion for Sanctions Against Stansbury and Feaman, etc.	0.10- A PP D
02/08/17	CAA	Receive, review, profile in system and consider action to be taken re: W. Stansbury's 2/7/17 Notice of Filing Chicago Litigation Deposition Transcript of Ted Bernstein taken on 5/6/15	0.10- A PP D
02/08/17	JAF	Preparation of memo re: [REDACTED]	0.90
02/08/17	CCC	Researched [REDACTED]; Memo to JAF re: [REDACTED]	1.00
02/09/17	BMO	Receipt and review of 2/9/17 4th DCA Order that appellant's 1/26/17 Motion for Rehearing, Clarification and Reinstate is denied (4D16-2249).	0.10
02/09/17	BMO	Receipt and review of 2/9/17 11:12 am email from Alan Rose.	0.10
02/09/17	BMO	Receipt and review of 2/9/17 3:44 pm email from Peter Feaman.	0.10
02/09/17	BMO	Receipt and review of 2/9/17 3:48 pm email from Alan Rose.	0.10
02/09/17	BMO	Receipt and review of CAA 2/9/17 4:13 pm email memo.	0.10
02/09/17	BMO	Receipt and review of 2/9/17 1:16 pm email from Theo Kuyper re: documents from N.D. Ill. Case.	0.10
02/09/17	BMO	Receipt and review of CAA email to Theo Kuyper re: documents from N.D. Ill. Case.	0.10

02/09/17 CAA Prepare hearing folder for Case Management Conference set on 2/16/17 per Order; receive email from J. Foglietta re: [REDACTED]

8.50 A/PP/UT/u  
2.50 BB

[REDACTED] review file; prepare and send response email; telephone conference with Judge Scher's judicial assistant re: hearing notebook; draft proposed Orders; prepare letter to Judge Scher re: same; arrange for delivery to judge and counsel

02/09/17 JAF Preparation of additional materials to go to Judge for case management conference; attention to Illinois litigation information in prep for hearing (1.1); multiple instructions to CA re same (.4); Revisions to 3 proposed orders on jewelry, Illinois litigation, and CBIZ fees (.3); Conference with BMO re [REDACTED] (.1).

1.90 D  
1.80

02/09/17 CJT Telephone call with Lucille Curley regarding estate administration matters; E-mail to JAF.

1.30 A/PP/UT  
.5

02/09/17 SDF Review, scan and copy documents from notebook to be used for upcoming mediation

1.50 A/PP

02/10/17 BMO Receipt and review of 2/7/17 Order on the Amended Motion to Set Hearing on Trustee's Objections to Notice of Production of Non-Party (Alan Rose, Esq. & Mrachek, Fitzgerald, Rose, Konopka, Thomas & Weiss.

0.10

02/10/17 BMO Receipt and review of CAA 2/10/17 9:15 am email re: [REDACTED]

0.10

02/10/17 BMO Receipt and review of CAA 2/10/17 10:04 am email to Spallina.

0.10 PR

02/10/17 CAA Telephone conference with (received from) Harriet, judicial assistant to Judge Scher re: hearing package for 2/16/17 Case Management Conference; multiple email communications with Rock Legal re: same; prepare and send email to B. O'Connell and J. Foglietta re: same; telephone conference with (received from) Rock Legal re: status; multiple texts with Harriet re: same

0.60 A/PP

02/10/17	CAA	Prepare and send email to R. Spallina re: his physical address to Federal Express hearing notebook given to Judge for 2/16/17 Case Management Conference	0.10 <i>A/PP</i>
02/10/17	CAA	Receive, review profile in system and consider action to be taken re: invoice from Rock Legal re: courier of hearing notebook to Judge Scher on 2/10/17	0.10 <i>A/PP</i>
02/10/17	JAF	Preparation for hearing on Stansbury motion for accounting of jewelry.	0.20
02/11/17	BMO	Receipt and review of 2/11/17 12:29 pm email - [REDACTED]	0.10
02/13/17	BMO	Receipt and review of 2/13/17 3:17 pm email from Eileen Rosenquist (Stamos Trucco) with invoice for legal services through 1/31/17.	0.10 <i>PR</i>
02/13/17	CAA	Receive, review, profile in system and consider action to be taken re: multiple Federal Express delivery confirmations to counsel and beneficiaries re: hearing notebook provided to judge on 2/9/17 re: 2/16/17 Case Management Conference	0.30 <i>A/PP</i>
02/13/17	CAA	Receive, review, profile in system and consider action to be taken re: 4th DCA's 2/9/17 Order denying Appellant's 1/26/17 Motion for Rehearing, Clarification and Reinstatement re: 4D16-2249	0.10 <i>A/PP/D</i>
02/13/17	CAA	Receive, review, profile in system and consider action to be taken re: Order on the Amended Motion to Set Hearing on Trustee's Objections to Notice of Production from Non-Party re: A. Rose and Mrachek, Fitzgerald (deferring)	0.10 <i>A/PP/D</i>
02/13/17	JAF	Considered points in memo of law on [REDACTED]	0.20
02/14/17	BMO	Receipt and review of 2/14/17 8:31 pm email from James Stamos.	0.10

02/14/17	BMO	Receipt and review of 2/14/17 correspondence from Peter Feaman to Judge Marx with attached Order Specially Setting Hearing and Motion for Partial Summary Judgment on All Claims for Fraudulent Transfer, etc.	0.30	PR
02/14/17	BMO	Receipt and review of JAF 2/14/17 1:39 pm email to Ted Bernstein and Alan Rose.	0.10	PR
02/14/17	BMO	Receipt and review of CAA 2/14/17 2:17 email memo.	0.10	PR
02/14/17	BMO	Receipt and review of JAF 2/14/17 2:33 pm email memo.	0.10	PR
02/14/17	BMO	Receipt and review of CAA 2/14/17 2:50 pm email to Denise Vasquez re: Illinois federal action.	0.10	PR
02/14/17	BMO	Receipt and review of JAF 2/14/17 2:54 pm email memo.	0.10	PR
02/14/17	BMO	Receipt and review of 2/14/17 2:58 pm email from Denise Vasquez.	0.10	PR
02/14/17	BMO	Receipt and review of JAF 2/14/17 3:00 pm email to Denise Vasquez.	0.10	PR
02/14/17	BMO	Receipt and review of CAA 2/14/17 3:06 pm email to Denise Vasquez.	0.10	PR
02/14/17	BMO	Receipt and review of 2/14/17 5:22 pm email from Alan Rose.	0.10	PR
02/14/17	BMO	Receipt and review of JAF 2/14/17 12:23 pm email memo.	0.10	PR
02/14/17	BMO	Receipt and review of 2/14/17 12:34 pm email from Eliot Bernstein.	0.10	PR
02/14/17	BMO	Receipt and review of JAF 2/14/17 1:24 pm email memo.	0.10	PR
02/14/17	BMO	Receipt and review of 2/14/17 6:26 pm email from Kevin Hall.	0.10	PR
02/14/17	BMO	Receipt and review of 2/14/17 8:31 pm email from James Stamos.	0.10	PR
02/14/17	BMO	Receipt and review of 2/14/17 9:32 am email from Ted Bernstein.	0.10	PR
02/14/17	BMO	Receipt and review of 2/14/17 1:13 pm email from Kevin Hall on behalf of Eliot and Candice Bernstein.	0.10	PR

02/14/17	CAA	Prepare hearing folder for Case Management Conference set for 2/16/17 and to be continued on 3/2/17; telephone conference with Denise Vasquez, J. Stamos' assistant re: information needed on fees, budget, merits of case re: Illinois federal action; prepare and send email to Denise re: same	6.50 1.50
02/14/17	CAA	Receive, review profile in system and consider action to be taken re: E. Bernstein's 2/14/17 at 12:34 pm email to A. Rose, R. Spallina, B. O'Connell, P. Feaman and D. Tescher re: he is a devisee of the Estate of Simon and has standing	0.10 A/PP
02/14/17	CAA	Receive, review profile in system and consider action to be taken re: E. Bernstein's Objection to Corrective Accounting filed on 1/31/17; review file re: date when served; prepare and send email to B. O'Connell and J. Foglietta re: [REDACTED]	0.40 A/PP
02/14/17	ANG	Conference with JAF re: [REDACTED]	0.20
02/14/17	JAF	Conference with ANC re [REDACTED]	0.20 D
02/14/17	JAF	Consideration of motion to strike Eliot objections to accounting as untimely (.2); Preparation for hearing on Stansbury motion re Illinois litigation payment and BMO motion to enter into fee agreement (1.6); Correspondence with Illinois counsel re case status and attention to same (.4).	2.20
02/14/17	SDF	Review, scan/copy documents from notebook to be used for reference in upcoming trial	0.30 A/PP
02/15/17	BMO	Receipt and review of Request for Priority Hearing Setting on Motion to Ratify and Confirm Appointment of Ted Bernstein as Successor Trustee and request for Court Intervention, filed 2/14/17 by Alan Rose.	0.20 PR
02/15/17	BMO	Receipt and review of 2/14/17 Supreme Court of Florida Order Dismissing Case SC17-229.	0.10

02/15/17	BMO	Receipt and review of Plaintiff's Response to Defendant's, Estate of Simon Bernstein, Motion for Partial Summary Judgment on All Claims for Fraudulent Transfer, Constructive Trust, Equitable Lien, and Other Relief Against the Estate Relating to Bernstein Family Realty, LLC and for Dismissal with Prejudice of All Claims Against Bernstein Family Realty, LLC, filed 2/14/17 by Peter Feaman.	0.10
02/15/17	BMO	Receipt and review of 2/15/17 10:28 am email from Denise Vasquez (Stamos Strucco) re: Illinois federal action.	0.10 <i>PR</i>
02/15/17	BMO	Receipt and review of CAA 2/15/17 10:42 am email to Attorney Stamos re: Illinois federal action.	0.10 <i>PR</i>
02/15/17	BMO	Receipt and review of CAA 2/15/17 11:30 am email from Denise Vasquez.	0.10 <i>PR</i>
02/15/17	BMO	Receipt and review of 2/15/17 10:13 pm email from Alan Rose with chart of pending cases.	0.10
02/15/17	BMO	Receipt and review of 2/15/17 10:48 am email from Denise Vasquez (Stamos Trucco firm).	0.10 <i>PR</i>
02/15/17	CAA	Continue preparation of hearing notebook for 2/16/17 and to be continued on 3/2/17 Case Management Conference; receive and review email from J. Stamos re: information needed relating to Illinois federal action for hearing; discuss same with J. Foglietta; prepare and send response email to J. Stamos; telephone conference with P. Feaman's office re: whether or not court reporter ordered for 2/16/17 hearing;	4.20 <i>U/UT/D/BB A/PP</i>
02/15/17	JAF	Correspondence with Illinois counsel re proposed budget in litigation (.2); Instructions of CA re same (.1); continued preparation for hearing on non-payment of Illinois litigation by Stansbury (.4).	0.70

02/16/17	BMO	Strategy conference with JAF re: [REDACTED] [REDACTED] [REDACTED]	0.90
02/16/17	BMO	Receipt and review of 2/16/17 10:56 pm email from Alan Rose.	0.10
02/16/17	BMO	Receipt and review of 2/16/17 Motion to Have Videotaped Recordings of All Proceedings Due to Proven and Admitted Fraud on the Court by Court Appointed Officers and Fiduciaries and More, on the Court's Own Motion and Expense, filed 2/16/17 by Eliot.	0.20
02/16/17	BMO	Receipt and review of Supplement 1- Submission of List of Pleadings and Motions Relevant to Hearings Scheduled by 12/13/16 Judge Scher Case Management Order Submitted by Eliot Bernstein, as a Beneficiary of the Estate of Simon L. Bernstein and an Interested Person with Standing, filed 2/16/16 by Eliot.	0.10
02/16/17	BMO	Receipt and review of Submission of List of Pleadings and Motions Relevant to Hearings Scheduled by 12/13/16 Judge Scher Case Management Order Submitted by Eliot Bernstein, as a Beneficiary of the Estate of Simon Bernstein, and an Interested Person with Standing, filed 2/16/17 by Eliot.	0.20
02/16/17	BMO	Receipt and review of William Stansbury's Exhibit List for Evidentiary Hearing on 2/16/17 on Motion to Disqualify and Related Filings, filed 2/16/17 by Peter Feaman.	0.10
02/16/17	BMO	Receipt and review of Submission of Witness List for Hearings Scheduled by 12/13/16 Judge Scher Case Management Order Submitted by Eliot Bernstein, as a Beneficiary of the Estate of Simon Bernstein and an Interested Person with Standing, filed 2/16/17 by Eliot.	0.10
02/16/17	BMO	Receipt and review of Notice of Filing Palm Beach County Sheriff Reports Relating to Simon and Shirley Bernstein Estate and Trust Cases, filed 2/16/17 by Eliot.	0.10

02/16/17	BMO	Receipt and review of Notice of Filing 9/1/16 Transcript of Hearing Before Judge John Phillips in the Simon Bernstein Estate Case, Shirley Bernstein Estate Case, Shirley Bernstein Trust Case, Simon Bernstein Trust Case, filed 2/16/17 by Eliot.	0.10
02/16/17	BMO	Receipt and review of Notice of Filing 9/13/13 Transcript of Hearing Before Judge Colin in the Estates and Trusts of Simon and Shirley Bernstein, filed 2/16/17 by Eliot.	0.10
02/16/17	BMO	Receipt and review of Notice of Filing 12/15/15 Transcript of Hearing Before Judge John Phillips in the Simon Bernstein estate Case, shirley Bernstein Estate Case, Shirley Bernstein Trust Case, Simon Bernstein Trust Case, filed 2/16/17 by Eliot.	0.10
02/16/17	BMO	Receipt and review of Notice of Filing 9/15/15 Transcript of Hearing Before Judge John Phillips in the Simon Bernstein Estate Case, Shirley Bernstein Estate Case, Shirley Bernstein Trust Case, Simon Bernstein Trust Case, filed 2/16/17 by Eliot.	0.10
02/16/17	BMO	Prepare for and attend Hearing re: retention of Rose firm.	2.80
02/16/17	BMO	Conference with ANC re: [REDACTED] [REDACTED]	0.30 <i>PR</i>
02/16/17	BMO	Conference with JAF re: [REDACTED] [REDACTED]	0.40 <i>PR</i>
02/16/17	CAA	Prepare and send email to P. Feaman requesting Stansbury's Exhibit Nos. 7 and 8 listed on his 2/16/17 Exhibit List for 2/16/17 Case Management Conference; receive and review email from T. Roth with P. Feaman's office attaching same; profile same into system; update hearing folder	0.20 <i>A/PP</i>
02/16/17	CAA	Receive and review email from J. Foglietta re: [REDACTED] [REDACTED]; review PBSO reports	0.20 <i>D</i>

02/16/17	CAA	Receive, review profile in system and consider action to be taken re: E. Bernstein's 2/16/17 Witness List for 2/16/17 and 3/2/17 Case Management Conferences; update hearing notebooks	<del>0.30</del> A/PP/D
02/16/17	CAA	Receive, review profile in system and consider action to be taken re: Stansbury's Exhibit List for 2/16/17 Case Management Conference; update hearing folder; search Westlaw and print case law cited by Stansbury (Case Law Authority filed on 2/9/17); update hearing folder	<del>1.80</del> 1.30 A/PP/D
02/16/17	CAA	Update hearing folder for 2/16/17 Case Management Conference; review file re: E. Bernstein's 2/16/17 Notice of Filing 9/1/16 Hearing Transcript	0.40
02/16/17	CAA	Receive, review, profile in system and consider action to be taken re: E. Bernstein's 2/16/17 Notice of Filing Palm Beach County Sheriff's Reports Relating to Simon and Shirley Bernstein Estate and Trust Cases	<del>0.40</del> W/PP/D
02/16/17	CAA	Receive, review, profile in system and consider action to be taken re: A. Rose's Chart of Pending Cases for use at 2/16/17 Case Management Conference	<del>0.10</del> A/PP/D
02/16/17	CAA	Receive, review, profile in system and consider action to be taken re: E. Bernstein's 2/16/17 Notice of Filing 12/15/15 hearing transcript re: trial held in Ted Bernstein v. Tescher, E. Bernstein, et al - 502014CP0003698 action; update hearing notebook with same; attention to E. Bernstein's 2/16/17	0.20 A/PP/D
02/16/17	CAA	Receive, review, profile in system and consider action to be taken re: P. Feaman's "Anheuser-Busch v. Staples diagram to be used at hearing on February 26, 2017 at 2:30 pm;" update hearing notebook for 2/16/17 case management and for continued hearing on 3/2/17	0.20 A/PP/D

02/16/17	CAA	Receive, review, profile in system and consider action to be taken re: E. Bernstein's Notice of Filing 9/13/13 Hearing Transcript re: E/O Shirley Bernstein - E. Bernstein v. Tescher & Spalina, et al (502011CP653) action re: E. Bernstein's Emergency Motions re: funds being stopped funding his children for school, insurance and other necessary care; update hearing notebook re 2/16/17 Case Management Conference	0.50- A/PPLD .2
02/16/17	ANG	Prepare with BMO for Case Management Conference.	0.80
02/16/17	JAF	Instructions to CA re [REDACTED]	0.10
02/16/17	JAF	Review and analysis of Eliot notice of filing transcripts from Sept and Dec and Rose chart for hearing and Feaman chart; instructions to CA re same (.6); Additional preparation for hearing on case management conference re [REDACTED] (1.9); considered Eliot witness list and statements against PR and exhibits of Eliot (.8); Attention to Stansbury witness list and exhibit list (.4).	3.70
02/16/17	JAF	Strategy conference with BMO re [REDACTED] [REDACTED] (.9); analyzed issues raised by Eliot in motion to vacate order on case management (.3).	1.20- D .3
02/17/17	BMO	Receipt and review of 2/17/17 12:27 pm email from James Stamos.	0.10
02/17/17	BMO	Receipt and review of CAA 2/17/17 10:34 a.m. email memo.	0.10- PR
02/17/17	BMO	Receipt and review of 2/17/17 12:14 pm email from Alan Rose re: Contempt.	0.10
02/17/17	BMO	Receipt and review of 2/17/17 12:27 pm email from James Stamos.	0.10
02/17/17	BMO	Receipt and review of 2/17/17 3:18 pm email from Alan Rose re: authorization to make settlement proposal.	0.10

02/17/17	BMO	Receipt and review of 2/17/17 3:36 pm email from Alan Rose re: Bernstein Family Realty, LLC.	0.10
02/17/17	BMO	Receipt and review of 2/17/17 Agreed Order Continuing Hearing on Summary Judgment.	0.10
02/17/17	BMO	Receipt and review of 2/17/17 Agreed Order Continuing Hearing.	<del>0.10</del> D
02/17/17	CAA	Receive and review email instructions from J. Foglietta re: [REDACTED] [REDACTED]; print all E. Bernstein filings of 2/16/17 for J. Foglietta's review; create notebook containing E. Bernstein's Submission (and Supplement) of List of Pleadings and Motions Relevant to Hearings Scheduled by 12/13/16 Judge Scher Case Management Order, etc. (approx. 1,800 pages); profile filings in system	3.30 A/PP
02/17/17	CAA	Receive and review email from Marie Chandler with A. Rose's office re: Agreed Order Continuing 2/21/17 hearing on Estate's Motion for Partial Summary Judgment re: Stansbury v. Estate (2012CA013933) action; review file re: same; profile Agreed Order	<del>0.20</del> A/PP/D
02/18/17	BMO	Prepare 2/18/17 7:01 am email to James Stamos.	0.10
02/21/17	BMO	Receipt and review of 2/21/17 1:42 pm email from Alan Rose re: authorization to make settlement proposal.	0.10
02/21/17	BMO	Telephone call to Jim Stamos re: last hearing.	0.30
02/21/17	BMO	Receipt and review of 2/16/17 CBIZ statements.	<del>0.10</del> PR
02/21/17	BMO	Receipt and review of 2/21/17 6:42 pm email from Alan Rose re: Illinois legal fees.	<del>0.10</del> PR
02/21/17	CAA	Complete preparation of notebook containing E. Bernstein's voluminous Exhibit List for 2/16/17 Case Management Conference (to be continued on 3/2/17) for J. Foglietta's review	<del>1.20</del> A/PP/D
02/21/17	CAA	Draft Motion to Strike E. Bernstein's Objections to Estate's Corrective Accounting as untimely; <u>discussions with J. Foglietta re: same; e-file same</u>	<del>1.50</del> A/PP/D 1.0

02/21/17	CAA	Receive, review, profile in system and consider action to be taken re: A. Rose's 2/16/17 email to P. Feaman re: Stansbury's contempt of court order re: payment of Illinois fees	0.10	A/PP
02/21/17	JAF	Instructions to CA re [REDACTED] (.2); Multiple revisions to same and consideration of various bases for striking (.9); Consideration of settlement of Illinois litigation (.3).	1.40	
02/22/17	BMO	Receipt and review of 2/22/17 1:00 pm email from Denise Vasquez with attached 2/22/17 correspondence from Stamos & Trucco re: trial setting.	0.10	PR
02/22/17	JAF	Instructions to CA re [REDACTED]	0.20	
02/23/17	BMO	Conference with JAF and Jim Stamos re: settlement.	0.30	PR
02/23/17	BMO	Conference with JAF and Peter Feaman re: settlement (.3); post-meeting conference with JAF re: same (.4).	0.70	PR
02/23/17	BMO	Receipt and review of 2/23/17 9:15 am email from James Stamos.	0.10	PR
02/23/17	BMO	Receipt and review of CAA 2/23/17 11:16 am email to James Stamos.	0.10	PR
02/23/17	BMO	Receipt and review of 2/23/17 email from Susan Johnson with attached correspondence of same date from Peter Feaman to Kenneth S. Pollack.	0.10	PR
02/23/17	BMO	Telephone call with Jim Stamos re: litigation.	0.30	
02/23/17	BMO	Receipt and review of Eliot Bernstein, as a Beneficiary of the Estate of Simon Bernstein with Standing and an Interested Person Under Law, Supplemental Exhibit for Hearings Under Case Management Order of Judge Scher dated 12/13/16 and Motion to Vacate Case Management5 Order and Oppose all Fiduciary Motions, filed 2/23/17 by Eliot Bernstein.	0.10	

02/23/17 CAA Receive instructions from J. Foglietta re: ~~0.50~~ A/PP/D  
[REDACTED]  
telephone conference with Judge Scher's judicial assistant re: whether or not our Pet for Auth to Retain Illinois Counsel should be heard at same time as Stansbury's Pet to Disqualify Rose, which is to be continued at 3/2/17 hearing or should it be separately set; send email to J. Stamos re: his availability to attend via Court Call the 3/2/17 hearing;

02/23/17 CAA Receive, review, profile in system and consider action to be taken re: E. Bernstein's 2/16/17 Motion to Have Videotaped Recordings of All Proceedings Due to Proven and Admitted Fraud on the Court by Court Appointed Officers and Fiduciaries and More, on the Court's Own Motion and Expense; update notebook re: E. Bernstein's 2/16/17 filings for Case Management Conference to be continued on 3/2/17 ~~0.20~~ A/PP/D

02/23/17 CAA Receive, review, profile in system and consider action to be taken re: P. Feaman's 2/14/17 letter to Judge Marx re: Stansbury v. Bernstein, et al action (2012CA13933) re: 2/21/17 hearing ~~0.10~~ A/PP/D

02/23/17 CAA Receive, review, profile in system and consider action to be taken re: 2/14/17 Supreme Court Order dismissing action for lack of jurisdiction (E. Bernstein v. Oppenheimer - SC17-229) re: E. Bernstein's Notice of Appeal to Invoke Discretionary Jurisdiction of Florida Supreme Court re: 4th DCA's 1/5/17 Order denying Appellant's rehearing, certification and Motion for Written Opinion and Dismissing Appeal and Order of 11/29/16 Dismissing Appeal upon claimed lack of prosecution (re: 4D16-1449) ~~0.30~~ A/PP/D

02/23/17	CAA	Receive, review, profile in system and consider action to be taken re: Plaintiff's (Stansbury) 2/14/17 Response to E/O Simon's Motion for Partial Summary Judgment on All Claims for Fraudulent Transfer, Constructive Trust, Equitable Lien, etc. re: Stansbury v. E/O simon and Bernstein Family Realty (502012CA13933)	0.10 <i>PP/D</i>
02/23/17	CAA	Receive, review, profile in system and consider action to be taken re: Stansbury's 2/14/17 Request for Priority Hearing Setting on Motion to Ratify and Confirm Appointment of Ted Bernstein as Successor Trustee and Request for Court Intervention	0.10 <i>PP/D</i>
02/23/17	JAF	Correspondence with Jim Stamos re petition for authorization to retain Illinois counsel (.1); Conference with BMO and Jim Stamos re [REDACTED] (.3); Instructions to CA re [REDACTED] (.2); Preparation for hearing on pet auth (.2).	0.80 <i>.5 D</i>
02/23/17	JAF	Memo re: [REDACTED] (.4); Conference with BMO and Peter Feaman re settlement (.3); Post-meeting conference with BMO re same (.4).	1.10 <i>.8 D</i>
02/24/17	BMO	Strategy meeting with JAF re: [REDACTED]	0.60 <i>PR</i>
02/24/17	BMO	Receipt and review of Case Law Authority filed 2/23/17 by Feaman.	0.10
02/24/17	CAA	Continue preparing for 3/2/17 continued Case Management Conference; discussions with S. Lobdell re: 2/26/17 hearing folder on first part of conference; receive multiple email instructions from J. Foglietta re: hearing folder	1.70 <i>UT/A/PP/D</i>
02/24/17	JAF	Reviewed order on vacating counsel (.2); Strategy meeting with BMO re [REDACTED] (.6); preparation for same (.5).	1.30

02/27/17	BMO	Receipt and review of CAA 2/27/17 9:23 am email memo re: [REDACTED]	0.10
02/27/17	BMO	Receipt and review of 2/27/17 1:20 pm email from Eliot Bernstein.	0.10
02/27/17	BMO	Receipt and review of 2/27/17 4:59 pm email from Alan Rose.	0.10
02/27/17	CAA	Prepare and send email to B. O'Connell re: [REDACTED]; continue preparation of hearing folder re: same; discussions with B. O'Connell re: same; attention to J. Stamos' 2/22/17 status letter re: Illinois matter; add same to 3/2/17 hearing folder	1.70 <i>U/UT/A/PP/D</i>
02/28/17	BMO	Receipt and review of Urgent Motion to Reschedule 3/2/17 Continuation Hearing and Extension of Time, filed 2/28/17 by Eliot Bernstein.	0.10
02/28/17	CAA	Continue preparation of hearing folder for continued Case Management Conference set for 3/2/17; multiple discussions with B. O'Connell re: [REDACTED];	3.30 <i>U/UT/A/PP/D</i>
02/28/17	JAF	Instructions to CA re [REDACTED]	0.30
03/01/17	BMO	Conference with JAF re: [REDACTED]	0.20 <i>PR</i>
03/01/17	BMO	Receipt and review of Trustee's Response to Eliot Bernstein's Urgent Motion to Reschedule 3/2/17 Continuation of Hearing, filed 3/1/17 by Alan Rose.	0.10
03/01/17	BMO	Receipt and review of Consent to and Joinder in Motion to Reschedule the 3/2/17 Hearing, filed 3/1/17 by Peter Feaman.	0.10
03/01/17	BMO	Receipt and review of Notice of Hearing for 3/1/17, filed 3/1/17 by Eliot Bernstein.	0.10
03/01/17	BMO	Receipt and review of Corrected Notice of Hearing for 3/2/17, filed 3/1/17 by Eliot Bernstein.	0.10

03/01/17	BMO	Receipt and review of 3/1/17 Order Denying Eliot Bernstein's Urgent Motion to Reschedule 3/2/17 Continuation Hearing and Extension of Time.	0.10
03/01/17	BMO	Receipt and review of CAA 3/1/17 8:05 pm email memo re: [REDACTED]	0.10 PR
03/01/17	BMO	Receipt and review of 3/1/17 4:41 pm email from John M. Cappeller, Jr. re: taxes due on 2753 NW 34th Street, Boca Raton, FL.	0.10
03/01/17	BMO	Receipt and review of 3/1/17 3:43 pm email from Eliot Bernstein with corrected Notice of Hearing for 3/2/17.	0.10
03/01/17	BMO	Receipt and review of 3/1/17 3:34 pm email from Eliot Bernstein with attached Notice of Hearing for 3/1/17.	0.10
03/01/17	BMO	Receipt and review of 3/1/17 2:36 pm email from Trish Roth, Feaman firm, to Judge Scher with attached Consent and Joinder in Motion to Reschedule the 3/2/17 Hearing.	0.10
03/01/17	BMO	Receipt and review of 3/1/17 email from Alan Rose to Court with attached Trustee's Response to Eliot Bernstein's Urgent Motion to Reschedule 3/2/17 Continuation of Hearing.	0.20
03/01/17	BMO	Prepare 3/1/17 11:22 pm email memo to JAF.	0.10
03/01/17	BMO	Receipt and review of CAA 3/1/17 1:29 pm email to Judge Scher re: Hearing re: Eliot Bernstein's Urgent Motion to Reschedule to 3/2/17.	0.10 PR
03/01/17	BMO	Receipt and review of 3/1/17 1:56 pm email from Alan Rose.	0.10

03/01/17	CAA	Complete hearing folder for 3/2/17 Case Management Conference on multiple matters; receive instructions re: Judge Scher's judicial assistant's 3/1/17 email re: rescheduling 3/2/17 hearing to 3/16/17 per E. Bernstein's Urgent Motion to Reschedule; prepare and send response email to Judge Scher's judicial assistant re: unavailable due to mediation on 3/16/17; Review file re E. Bernstein's 3/1/17 multiple and voluminous exhibits	9.50	A PPI D U UT
03/01/17	JAF	Preparation for case management conference continuance re disqualification Rose and Eliot exhibit filings (1.2); <u>Conference with BMO re same (.2)</u> ; Analyzed Eliot request for continuation of same (.2); considered consent and joinder by Stansbury (.1); Instructions to CA re [REDACTED] (.1); Conference with Alan Rose re continuance of case management conf (.7).	2.50	D 2.3
03/02/17	BMO	Strategy conference with JAF re: [REDACTED]	0.90	
03/02/17	BMO	Prepare for and attend Hearing re: Rose Firm.	3.90	
03/02/17	BMO	Receipt and review of JAF 3/2/17 12:45 pm email memo [REDACTED]	0.10	PR
03/02/17	BMO	Receipt and review of JAF 3/2/17 12:38 pm email memo re: [REDACTED]	0.10	PR
03/02/17	BMO	Receipt and review of JAF 3/2/17 12:15 pm email memo re: [REDACTED]	0.10	PR
03/02/17	BMO	Receipt and review of JAF 3/2/17 10:44 am email memo.	0.10	PR
03/02/17	BMO	Receipt and review of JAF 3/2/17 10:41 am email memo.	0.10	PR
03/02/17	BMO	Receipt and review of email from Eliot Bernstein to Judge Scher with attached Consent and Corrected Notice of Hearing.	0.10	

03/02/17	CAA	Receive email instructions (2/16/17) from J. Foglietta re: [REDACTED] [REDACTED]	0.10	D/A/PP
03/02/17	CAA	Receive email instructions from J. Foglietta re: [REDACTED] [REDACTED]; review file re: same	0.60	D/A/PP
03/02/17	CAA	Receive, review profile in system and consider action to be taken re: E. Bernstein's Supplement 4 Exhibit List for 3/2/17 hearing; update hearing folders	0.30	D/W/PP
03/02/17	JAF	Additional preparation for hearing on Alan Rose disqualification (.5); <u>Strategy conference with BMO re [REDACTED]</u> (.9); Analyzed result of Elliot notice of appeal Illinois MSJ (.1).	1.50	D .6
03/03/17	BMO	Receipt and review of 3/3/17 Order Setting 3/16/17 Hearing from 2:00 to 4:00 and Establishing Procedure.	0.10	
03/03/17	JAF	Reviewed Sahm foreclosure issues.	0.40	
03/06/17	BMO	Receipt and review of 3/6/17 Supreme Court of Florida ruling dismissing Case SC17-361.	0.10	
03/06/17	BMO	Receipt and review of 3/6/17 10:32 am email from Trish Roth, Feaman firm.	0.10	PR
03/06/17	BMO	Receipt and review of 3/6/17 10:42 am email from Alan Rose.	0.10	
03/06/17	CAA	Receive, review profile in system and consider action to be taken re: P. Feaman's 2/23/17 letter to Judge Scher re: 3/2/17 continued Case Management Conference	0.20	A/PP/D
03/06/17	CAA	Receive, review, profile in system and consider action to be taken re: 2/17/17 Agreed Order Continuing Hearing re: Stansbury v. E/O Simon, et al (2012CA13933) re: Estate's Motion for Partial Summary Judgment is canceled on 2/21/17	0.10	A/PP/D
03/06/17	CAA	Receive, review, profile in system and consider action to be taken re: [REDACTED] [REDACTED]	0.10	A/PP/D