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May 23, 2014

Via Facsimile (561-274-1418)

The Honorable Martin H. Colin
South County Courthouse
200 West Atlantic Avenue
Delray Beach, Florida 33444

Re: Estate of Simon L. Bernstein, Deceased
Case # 502012CP004391XXXXSB
Hearing on May 23rd at 9:00 a.m.

Dear Judge Colin:

Attorney Peter Feaman forwarded a proposed Order to Your Honor via facsimile after this morning's hearing, which I advised that I was not in agreement with. I therefore attach a proposed Order that I believe more accurately reflects Your Honor's ruling at this morning's hearing.

Attorney Alan Rose and Curator Ben Brown approve of the attached Order. If Your Honor finds it acceptable, Ms. Norton can e-mail or fax a conformed copy to me for dissemination to all counsel.

Respectfully submitted,



John P. Morrissey

Enclosure

cc: Alan Rose, Esquire
John Pankauski, Esquire
Peter M. Feaman, Esquire
William F. Glasko, Esquire
Benjamin P. Brown, Esquire
Eliot Bernstein

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

IN RE: ESTATE OF

PROBATE DIVISION

SIMON L. BERNSTEIN,

FILE NO.: 502012CP004391XXXXSB

Deceased.

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ORDER APPOINTING ADMINISTRATOR AD LITEM

THIS MATTER came before the Court on May 23, 2014 upon the Curator's Amended Motion for Instructions/Determination regarding Estate Entitlement to Life Insurance Proceeds and upon William Stansbury's Petition for Appointment of Administrator Ad Litem, to intervene in the U.S. District Court case styled *Simon Bernstein Irrevocable Insurance Trust DTD 6/21/95 v. Heritage Union Life Insurance*, Case No. 13-cv-03643, currently pending in the United States District Court for the Northern District Court of Illinois, and the Court having heard argument of counsel and being otherwise duly advised in the premises, it is

ORDERED and ADJUDGED as follows:

1. The Court appoints Benjamin Brown, Esquire, who is currently serving as Curator, as the Administrator Ad Litem on behalf of the Estate of Simon L. Bernstein to make a determination concerning the interests of the Estate in the Illinois Litigation involving life insurance proceeds on the decedent's life in the U.S. District Court case styled *Simon Bernstein Irrevocable Insurance Trust DTD 6/21/95 v. Heritage Union Life Insurance*, Case No. 13-cv-03643, currently pending in the United States District Court for the Northern District Court of Illinois.

2. For the reasons and subject to the conditions stated on the record during the May 23, 2014 hearing, all attorney's fees and costs incurred, including for the Curator in connection with his work as Administrator Ad Litem and any counsel retained by the Administrator Ad Litem, will be borne by William Stansbury.

3. The Court will consider any subsequent Petition for Fees and Costs by William Stansbury; however, Mr. Stansbury shall not be reimbursed for any fees or costs incurred from either the decedent's estate or trust unless there is a recovery in the Illinois Litigation on behalf of the estate which results in a net benefit (after any such fees and costs are paid) to the estate.

DONE AND ORDERED at West Palm Beach, Palm Beach County, Florida, this
_____ day of May, 2014.

The Honorable Martin H. Colin
Circuit Court Judge

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