7-7-15

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

IN RE: GUARDIANSHIP OF

ROBERT PAUL WEIN
_____/

PROBATE DIVISION "IB"

CASE NO. 502014GA000472XXXXMB

PETITION FOR ORDER AUTHORIZING AND RATIFYING PAYMENT OF COMPENSATION AND EXPENSES OF GUARDIAN
(September 16, 2014 through July 3, 2015)

Petitioner, Elizabeth Savitt, alleges:

1. Petitioner is the duly appointed and acting limited guardian of the person and property of Robert Paul Wein (the Ward).

2. The total amounts of all prior fees paid or costs awarded to petitioner in this proceeding are:

   Fees: $0.00
   Costs: $0.00

3. Petitioner has rendered services and incurred expenses as guardian of the person and property of the Ward from **September 16, 2014** through **July 3, 2015**, as more fully described and set forth in the itemized schedule of services and expenses attached hereto as Exhibit "A," for which petitioner has been partially paid.

4. Petitioner's records indicate that during the period of time above mentioned, Petitioner has performed services as guardian of the person and property of the Ward in the total amount of **196.95 (.60** hours at No Charge) as reflected in the attached time sheets. Further, Petitioner incurred expenses in the amount of **$237.60**.

5. Petitioner is a professional guardian, and based upon the criteria established by § 744.108(2), Florida Statutes, Petitioner believes that a reasonable hourly rate of compensation for the services performed is $85.00 per hour. Therefore, a reasonable compensation for the services performed and expenses incurred by Petitioner during that period of time is $17,085.35. Petitioner has already received a retainer from the assets of the Ward in the amount of $8,000.00.

*** FILED: PALM BEACH COUNTY, FL SHARON R BOCK, CLERK. 7/9/2015 8:44:48 AM ***

WHEREFORE, Petitioner requests that an order be entered awarding petitioner reasonable compensation for the services rendered and expenses incurred for the benefit of the Ward in the total amount of $17,085.35, ratifying the retainer paid from the assets of the Ward in the amount of $8,000.00 and authorizing and directing that compensation and expenses be paid to the guardian from the assets of the Ward in the total amount of $9,085.35.

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.

Signed on July 7, 2015.

Elizabeth Savitt, Petitioner

Ellen S. Morris, Esq.
Attorney for the Petitioner
Florida Bar Number: 850306
ELDER LAW ASSOCIATES PA
7284 W. Palmetto Park Road, Suite 101
Boca Raton, FL 33433
Telephone: (561) 750-3850
Fax: (561) 750-4069
Primary Email: emorris@elderlawassociates.com
Secondary Email: lrubin@elderlawassociates.com
Secondary Email: clawrence@elderlawassociates.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was served via the e-Portal on this 9th day of July, 2015 to Mr. Daniel Wein, 9717 N. New River Canal Road, #410, Plantation, Florida 33324 (Dwein5680@aol.com and Stacywein@aol.com) and Bruce S. Rosenwater, Esq., Bruce S. Rosenwater & Associates, P.A., 1601 Forum Place, Suite 610, West Palm Beach, FL 33401 (info@rosenwater.com and bsr@rosenwater.com).

Ellen S. Morris, Esq.
Florida Bar No. 850306

Savitt Guardians

Elizabeth "Betsy" Savitt
501 N Country Club Dr.
Atlantis, FL 33462
Phone: 561-573-1292 | Fax: 561-439-6765

Account Statement

Prepared for Robert Wein
Re: Guardianship

Previous Invoice Amount	$0.00
Last Payment Received	$0.00
Previous Balance	$(8,000.00)
Current Charges	$17,085.35
Total Due	$9,085.35

Matter: Guardianship

Robert Wein

EXHIBIT "A"

Savitt Guardians

Elizabeth "Betsy" Savitt
501 N Country Club Dr.
Atlantis, FL 33462
Phone: 561-573-1292 | Fax: 561-439-6765

Robert Wein

Invoice Date: July 03, 2015
Invoice Number: 10083
Invoice Amount: $17,085.35

Guardian's Fees

9/16/2014	T.C. E. Morris re: new case.	E.S.	.20	$19.00
9/17/2014	T.C. Mitchell Kitroser re: brief background of case.	E.S.	.25	$23.75
9/18/2014	Review documents from court appointed council. Set up file.	E.S.	1.20	$102.00
9/19/2014	T.C. with Mitchell Kitroser, attorney for ward with extensive case history. File notes.	E.S.	1.00	$85.00
9/19/2014	Scan and sign guardianship documents to E. Morris	E.S.	.10	$8.50
9/21/2014	Preparation of memorandum to file.	E.S.	1.00	$85.00
9/21/2014	T.C. to set up appointment to see Robert at home. Speak with wife Vita and aide Dorothy.	E.S.	.20	$17.00
9/21/2014	T.C. Daniel Wein, scheduling appointment for pick up of documents. Background information.	E.S.	.40	$34.00
9/22/2014	Initial visit with Robert, Vita and Delores at the home. Collected documentation for the yearly plan. Robert has two checkbooks he is writing checks on and said he has a new accountant.	E.S.	1.50	$127.50
9/23/2014	Initial visit with Daniel Wein. Went over the 2 files of documents, background, names and contact numbers of people on loans etc.	E.S.	4.00	$340.00
9/23/2014	T.C. to accountant to file taxes. E-mail letters. Set up case history, review.	E.S.	1.50	$127.50
9/24/2014	Review documents. Forward additional documents to E. Morris.	E.S.	1.50	$127.50
9/24/2014	T.C. Delores re: finances.	E.S.	.30	$25.50
9/24/2014	Contacting accounts for guardianship.	E.S.	1.50	$142.50
9/25/2014	T.C. E. Morris re: update on case and meeting with ward.	E.S.	.30	$25.50
9/25/2014	Continue transfer of information to accounts, introduction to account managers.	E.S.	1.00	$85.00

9/26/2014	Travel to Bank of America re: setting up guardianship account, they do not include debit card without rep-payee documentation. T.C. Delores re: cashing last 2 checks and funds sent to Emilio.	E.S.	.60	$51.00
9/26/2014	T.C. Emilio, Delores, Daniel, (6) re: checks sent to Emilio for 10,000. 5,000 and 5,000. Recovery of $10,000. Robert noted as void.	E.S.	1.00	$85.00
9/26/2014	E-mails to attorney on condo, forward contract to E. Morris.	E.S.	.40	$34.00
9/27/2014	E-mail's Daniel re: Copa Cabana interest payments, Emilio checks.	E.S.	.10	$8.50
9/27/2014	Meet with Robert at condo, spoke to Delores outside during private meeting.	E.S.	1.20	$102.00
9/28/2014	Continued file work.	E.S.	1.50	$142.50
9/29/2014	T.C. Relator of condo, Sarah Wasserman. She has many documents need to be completed. Buyer has applied for mortgage. Request a time frame for completion and court approval.	E.S.	.45	$42.75
9/29/2014	Travel to Bank of America for meeting on account opening.	E.S.	.80	$68.00
9/29/2014	Receive and review comps from relator, all over 300,000. E-mail to E. Morris.	E.S.	.15	$12.75
9/30/2014	T.C. Att. Kitroser re: checks to Vita and petition for fees for her. Update on conditions.	E.S.	.40	$34.00
9/30/2014	T.C. E. Morris re: case update, sale of condo, pleadings, accountings.	E.S.	.50	$42.50
10/3/2014	T.C. Copa Cabana, they have my fax, they took message and said neither of the book keepers are available.	E.S.	.30	$25.50
10/4/2014	T.C. Delores, explaining that she works 8 days a week because the days are 24 hours. I did not start and end the payment on the right days. Wants me to come there on Monday.	E.S.	.30	$25.50
10/6/2014	Met with Bob, Delores and Vita. Delores wanted to be paid an extra 2 days in addition to the 800 per week. Refused to discuss the rental check that was returned. Refused to discuss any other bills. Gave me a bag of receipts and wanted to be paid immediately. Got very angry and started yelling. Left and told her I would mail the check.	E.S.	1.50	$127.50
10/7/2014	T.C. Jody, Delores called her and complained about Bob and Vita, told her she was quitting. Gave me additional background and suggested they move to assisted living. Discussed having an additional aide.	E.S.	.50	$42.50
10/7/2014	E-mail from Dan concerning placement in assisted living. Research on placement.	E.S.	.40	$34.00
10/7/2014	T.C. Daniel Wein re: placement of Bob, with or without Vita. Discussed finances, costs, Vita's status.	E.S.	.80	$68.00
10/7/2014	Making arrangements with Doctors and assisted living facility for placement, evaluation, moving.	E.S.	2.50	$212.50

	T.C. Delores and Robert for input.			
10/7/2014	T.C. Copa, Eloise the accountant, stated that the owners are out of town one more week. They will contact us upon return.	E.S.	.30	$25.50
10/7/2014	Receive 2013 taxes from Accountant in New York, review, sign and send back. Pay the invoice.	E.S.	.50	$42.50
10/7/2014	T.C. Aide for early tomorrow and Delores to coordinate her schedule. Delores said she will no longer take care of Vita and Bob and wants an aide there for 12 hours.	E.S.	.50	$42.50
10/8/2014	Organized and tallied up expenses from Delores, paid FPL.	E.S.	.40	$34.00
10/8/2014	T.C. Daniel, Lynn Bayard from Colony Club Re: getting the move organized. Reviewed lists of items to move.	E.S.	1.10	$93.50
10/8/2014	T.C. Aide to coordinate tasks and pick up times. T.C. for Driver to assisted living and to coordinate move.	E.S.	.50	$42.50
10/8/2014	T.C. for 1823 paperwork from Dr.'s office and prescriptions.	E.S.	.15	$12.75
10/8/2014	T.C. Delores and Aide for directions, list of things to do and coordinating the visit from Colony Club staff for evaluation.	E.S.	.50	$42.50
10/8/2014	T.C. Jody with update.	E.S.	.20	$17.00
10/8/2014	E-mail, T.C. from Broker in New York re: signing. Print forms, calculate New York taxes, get documentation notarized. Scan to broker.	E.S.	.80	$76.00
10/8/2014	T.C. Aide for packing and labeling clothes for move. Confirm meeting for Vita and Robert with Lynn at Colony Club. Give payment to Aide. Delores not speaking.	E.S.	1.40	$133.00
10/9/2014	T.C. Lonnie, director of Colony Club re: Dr. has not responded to the 1823 form they sent. It will not be possible to move them in until Monday now. He will contact another Dr. for Monday.	E.S.	.30	$25.50
10/9/2014	T.C. the Dr. office has stated he needs to see Robert again and can schedule him for next week. Told them that date was unacceptable as he took over practice from a Dr. who has seen him many times.	E.S.	.30	$25.50
10/9/2014	T.C. Lonnie, Vita and Robert are both there, getting paperwork together, they took a tour and are having lunch and enjoying themselves.	E.S.	.10	$8.50
10/11/2014	T.C. Daniel, re: moving, items belonging to Robert, payments made to Delores.	E.S.	.20	$17.00
10/11/2014	Meet with Delores, Robert Wein and M. Kitroser at the Wein apartment. Reconciled with Delores re: monies owed and apartment rented. Discussed moving and financials with R. Wein. Discuss with Robert and Vita the payment of her attorney fees. Robert does not want to pay.	E.S.	2.60	$247.00
10/11/2014	T.C. to organize pick up and move for Monday. T.C.	E.S.	.40	$34.00

	The Colony to confirm time.			
10/13/2014	Meet at the Wein apartment and make sure they are loaded up for the move. Get phone and all paperwork from Delores. Meet them at the Colony, go through the admission process.	E.S.	5.00	$425.00
10/13/2014	Meet with driver re: items to be purchased. Give him credit card for purchase of small refrigerator and new flat screen, and additional things for Robert in his room..	E.S.	.50	$42.50
10/14/2014	T.C. Daniel re: finances, and Jodi with update on the move and suggestions for help.	E.S.	.40	$34.00
10/14/2014	E-mail to E. Morris re; update on Vita and the hearing for Wednesday. Schedule driver.	E.S.	.30	$25.50
10/14/2014	T.C. Copa, T.C. Daniel re: call from Anthony Gulliano at Copa. He will fax over the demand note. Send Relator copy of signed documents on condo sale.	E.S.	.50	$42.50
10/14/2014	T.C. Stacy and Dan Wein, re: e-mails from attorney's.	E.S.	.40	$34.00
10/15/2014	T.C. Colony to coordinate pick up and vehicles to use. T.C. Driver to coordinate help with arrival.	E.S.	.20	$17.00
10/15/2014	Meet the driver and Weins for transporting into the court house. Attend hearing on incapacity. Conference with family and attorneys. Obtain signed letters and orders. Help transfer the Weins to the care of Daniel Wein for transport back to the Colony. Robert asks for cash in his account at the Colony.	E.S.	3.00	$255.00
10/15/2014	Travel to Bank of America to report funds held at Chase from Emillio Flores checks. They contacted fraud department then settled on accounting. Need to have Chase generate communication for release to Bank Of America since Bob signed the checks. Obtained copies of all checks in question.	E.S.	1.50	$127.50
10/15/2014	Prepare files to take to court for incapacity hearing.	E.S.	.20	$17.00
10/15/2014	E-mail to E. Morris re: costs and expenses of Vita.	E.S.	.10	$8.50
10/16/2014	E-mail from E. Morris re: forms and accountings. E-mail to Dan re: Colony issues.	E.S.	.20	$17.00
10/17/2014	E-mails to E-Morris re; accounts, trust, filings. T.C. Delores re: payment of last days work.	E.S.	.30	$28.50
10/17/2014	Paid exam committee. T.C. Colony director re: moving to larger room.	E.S.	.40	$38.00
10/19/2014	T.C. Delores, she is out of money and did not take any from Bob. Wants to make negative comments about Daniel. Said he should not be at the Colony talking to Bob.	E.S.	.20	$17.00
10/20/2014	T.C. Delores, final check to her. Paid Harold Forspan, Tax.	E.S.	.20	$17.00
10/20/2014	T.C. To Chase re: Emilio Flores money.	E.S.	.20	$17.00
10/20/2014	Work on verified inventory, sending new letters out to companies.	E.S.	1.50	$127.50

10/20/2014	T.C. Dan Wein for verification of accounts.	E.S.	.20	$17.00
10/21/2014	T.C. Jode re: going over her list of items the Wein's need in new place.	E.S.	.40	$34.00
10/21/2014	Meet with Daniel, Robert and Vita in new room of assisted living. Called nurse in for Robert's catheter problem Discussed with Lonnie the director the inadequacies of the room and his HMO. Discuss health care.	E.S.	3.80	$323.00
10/21/2014	E-mail from Attorney on condo. Re-do seller affidavit, notarize and send back.	E.S.	.40	$34.00
10/22/2014	T.C. Vita re: arguing going on with Dan about money issues with Robert.	E.S.	.10	$8.50
10/22/2014	T.C. Comcast. Set up Comcast order on line for assisted living. Booked for Friday. Set up auto pay.	E.S.	.50	$42.50
10/22/2014	T.C. FPL for land line, can not set up by phone or on line. Insist on going to store location.	E.S.	.30	$25.50
10/23/2014	Review Bank of America accounts. Review e-mail from Jodi and bills from Jodi.	E.S.	.40	$34.00
10/24/2014	Accounting work, billing, T.C. Lonnie at Colony club. Setting up Comcast.	E.S.	2.40	$204.00
10/25/2014	Travel to AT&T with letters and Roberts ID, to set up landline. T.C. Colony to schedule.	E.S.	.80	$68.00
10/27/2014	T.C. AT&T, Colony re; phone set up. Pay new Colony bill.	E.S.	.20	$17.00
10/28/2014	T.C. Dan Wein with questions on income and to contact Copa again. T.C. Copa, John Alvarez, for accounts receivable.	E.S.	.50	$42.50
10/28/2014	Meet with Driver for receipts, payment and list of additional supplies. T.C. Vita.	E.S.	.30	$25.50
10/28/2014	T.C. Angel Corniel at Chase re: Emilio Lopez account.	E.S.	.10	$8.50
10/28/2014	Complete Verified Inventory, copy and scan to E. Morris.	E.S.	2.50	$212.50
10/29/2014	Meeting at social security to apply for rep payee. Filing all documents.	E.S.	1.50	$127.50
10/30/2014	T.C. Joseph Gunner, requesting original signature on Letter stating guardianship.	E.S.	.20	$17.00
10/30/2014	T.C. Dan re: Larry and Vita's home equity loan. Bob possibly co-signed. Travel to Wells Fargo to confirm Bob is not co-signed on any loan.	E.S.	.90	$85.50
10/31/2014	T.C. Dan re: insurance changes, problem with urologist appointment. Getting new primary Dr. Contact info for Larry re: loan at Wells Fargo.	E.S.	.30	$25.50
11/1/2014	T.C. Vita, Dan took Bob to West Side Hospital to check his catheter.	E.S.	.10	No Charge
11/1/2014	T.C. Dan, Robert had pulled his catheter out. Taken to Emergency room instead of the urgent care center.	E.S.	.10	$8.50
11/2/2014	Work on Inventory questions from Lisa at E. Morris office.	E.S.	.40	$34.00
11/3/2014	T.C. Jodi re: concerns about Vita, Larry and Robert	E.S.	.30	$25.50

	since her visit yesterday.			
11/5/2014	Revise final inventory and plan.	E.S.	.30	$28.50
11/6/2014	T.C. Dan, confirmation of Care Plus HMO, specialist are 5.00 co-pay, and no hospital co-pay. Scan documents to Care Plus.	E.S.	.30	$25.50
11/6/2014	T.C. Copa, wants me to call back Monday. Left message to send check for $8,000. on interest owed.	E.S.	.20	$17.00
11/6/2014	T.C. Angel Corniel at Chase. He needs to contact the department that closed E. Flores account.	E.S.	.20	$17.00
11/6/2014	Took auto deposit form to Wells Fargo for signature guarantee.	E.S.	.40	$34.00
11/7/2014	Receive and pay Attorney Fees. Deposit checks to Bank of America.	E.S.	.20	$17.00
11/7/2014	T.C. Fla. Blue Cross HMO re: Bob's coverage.	E.S.	.20	$17.00
11/8/2014	File mail, receive checks from Copa Cabana, e-mail from Chase bank re: Emilio Flores account. Research credit card.	E.S.	.40	$38.00
11/13/2014	Travel to Bank of America, claim filled re: Angel Cornelius at Chase. Contact made between banks. May take up to 90 days.	E.S.	1.00	$85.00
11/15/2014	T.C. ATT to cancel internet they added on to billing. Got entire bill credited and cancelled.	E.S.	.40	$38.00
11/15/2014	T.C. Vita, Bob needs electric shaver and other items. Coordinate pick up on Sunday for dinner with Jodi.	E.S.	.20	$17.00
11/15/2014	AT&T call back to set up new account wireless and cancel old account. Sending new phone and modem.	E.S.	.90	$85.50
11/15/2014	Print and review new statement from TG Arbitrage.	E.S.	.20	$17.00
11/16/2014	T.C. Vita re: list of things she needs. Clothes are not coming back from laundry. T.C. Dennis to purchase the electric razor, groceries and boxers.	E.S.	.40	$34.00
11/16/2014	Update on new phone number to everyone.	E.S.	.10	$8.50
11/17/2014	Recieve and review box of mail from Delores. Fill out forward address cards for both. File statements.	E.S.	1.00	$85.00
11/17/2014	T.C. Vita re: new phone service.	E.S.	.10	$8.50
11/17/2014	E-mail's to Sara about closing of the condo in New York.	E.S.	.20	$17.00
11/17/2014	T.C. to Riverside Memorial chapel, re: payment of Pre-Need Plan.	E.S.	.30	$25.50
11/17/2014	E-mail to Ellen re: payoff petition.	E.S.	.10	$8.50
11/17/2014	T.C. Morgan Stanley Matt Hughes re: funding. Discuss account. Fax letter of instruction.	E.S.	.50	$42.50
11/18/2014	Meeting at B.O.A. to deliver e-mail from Chase and set up recovery case.	E.S.	.50	$42.50
11/18/2014	T.C. Vita re: her cell phone problem.	E.S.	.10	$8.50
11/18/2014	T.C. Midboro for billing and change of address. E-mail request. T.C. Morgan Stanley	E.S.	.40	$34.00
11/20/2014	T.C. to Dennis for transportation to dinner and shopping.	E.S.	.10	$8.50
11/21/2014	T.C. Dan re: questions about new HMO, E-mails from Jodi re: Vita's insurance. Vita wants dentist and ophthalmologist. Questions about new HMO starts	E.S.	.50	$42.50

	in Jan. Bob needs oncologist for checking lymphoma. Bob's dentures need to be refitted. New insurance card coming.			
11/21/2014	E-mails to Jodi re: Vita's insurance.	E.S.	.20	$17.00
11/21/2014	E-mail to Jodi re: Bob's HMO name for Vita. T.C. Bob's Urologist.	E.S.	.40	$34.00
11/23/2014	Meet with Dennis to reconcile receipts.	E.S.	.20	$17.00
11/26/2014	T.C. ATT to find out what happened to the delivery.	E.S.	.30	$25.50
11/26/2014	T.C. Jodi re; operation and phone problems. T.C. Vita, she has new phone. T.C. Dan re: pending operation. Paid bills. Check online B.O.A.	E.S.	.80	$68.00
11/26/2014	Signed forms for ATT, delivery set up for 3 days.	E.S.	.20	$17.00
11/27/2014	Deposit checks from Paraveda and refund from deposit on apartment with Delores.	E.S.	.20	$17.00
12/2/2014	E-mails with Dan and Jodi re: Vita's condo that Bob helped pay for that Larry has been living in or 15 years, and possible eviction.	E.S.	.40	$34.00
12/2/2014	Communication with Bank of America and Chase re: the funds from Emilio Flores.	E.S.	.30	$25.50
12/4/2014	T.C. Dr. office re: surgery on the 10th, co-pay, authorization. Contact information.	E.S.	.20	$17.00
12/4/2014	T.C. Vita, phone came in but she is not able to plug in. T.C. ATT for help and request a new number.	E.S.	.50	$42.50
12/8/2014	T.C. Jodi, Vita, need primary, dermatologist and oncologist appointments. T.C. Dan re: Bob's upcoming appointments. T.C. Oncologist.	E.S.	.30	$25.50
12/10/2014	T.C. Dan, re: condo for Vita. There is an equity loan. Larry paid 3,500. Dan provided letter to Vita to pay off loan to close for 146,500.	E.S.	.20	$17.00
12/16/2014	E-mail from Robert Schoefeld re: finalizing sale of condo. T.C. Accountant.	E.S.	.50	$42.50
12/16/2014	T.C. Ellen Morris and Harold Forspan, accountant re: tax forms for closing.	E.S.	.40	$34.00
12/17/2014	T.C. Bank of America Fraud Dept re: case with Emilio Flores.	E.S.	.40	$34.00
12/18/2014	Forward communication from funeral home, pay bills.	E.S.	.20	$17.00
12/19/2014	Additional Social Security check came in, deposit. Reconcile accounts. Pay attorney bills. T.C. Dan re; funding.	E.S.	.40	$34.00
12/19/2014	Send attorney the note from CPA with exemption.	E.S.	.10	$8.50
12/22/2014	T.C. Dan, update on funeral home expenses paid for Bob's friend.	E.S.	.20	$17.00
12/22/2014	Travel to Colony, meet with Vita and Bob. Post surgery going well. Discussed Larry's getting eviction notice. Vita evasive. Bob states it is not right for his son to be evicted. Vita later states someone paid the heloc payment and he is not being evicted.	E.S.	1.50	$127.50
12/22/2014	T.C. Bank of America, download forms to return to fraud dept. T.C. Copa for collections.	E.S.	.50	$42.50

12/23/2014	T.C. Copa, Eloise, re: payment coming every month before the first.	E.S.	.20	$17.00
12/23/2014	T.C. John Hancock re: getting funds from annuities. T.C. Dan for contacts.	E.S.	.25	$21.25
12/23/2014	T.C. Morgan Stanley re: John Hancock annuities.	E.S.	.30	$25.50
12/23/2014	Travel to B.O.A for signatures on forms for fraud and condo sale.	E.S.	.60	$51.00
12/26/2014	T.C. ATT re: billing, overcharge by $40.00.	E.S.	.20	$17.00
12/28/2014	Bill pay and filing mail.	E.S.	.40	$34.00
12/28/2014	Review documents from Dan. E-mail E. Morris re: going forward on Trust issues.	E.S.	.50	$42.50
12/29/2014	T.C. B. Of America, they are using my S.S. number on account, request information on fraud. Mail and fax fraud claim.	E.S.	.40	$34.00
12/29/2014	T.C. Matt Hughes from Morgan Stanley, he is having difficulty with Larry Wein. Reviewed stock and advice to sell a poor mutual fund. Sent Hohn Hancock annuity statements to have them umbrellaed under Morgan Stanley.	E.S.	.40	$34.00
12/29/2014	Faxed request to John Hancock for disbursement. T.C. John Hancock for instructions.	E.S.	.20	$17.00
12/30/2014	T.C. CPA and attorney for closing. E-mail CPA closing documents.	E.S.	.30	$25.50
12/31/2014	Deposit check from Copa. Billing and filing mail. T.C. John Hancock re: annuity. T.C. Morgan Stanley re: transferring annuity.	E.S.	.90	$76.50
1/1/2015	E-mail to E. Morris with back up documents about trust.	E.S.	.20	$17.00
1/2/2015	E-mail to Sara re_ smoke alarm document.	E.S.	.15	$12.75
1/4/2015	Set up driver for Wednesday dinner with family. Check on cheaper method of travel. T.C. the colony, they only suggested a company with wheelchair lifts.	E.S.	.20	$17.00
1/6/2015	E-mail to Relator the maintenance fee bill to settle at closing.	E.S.	.20	$17.00
1/9/2015	T.C. Jodi Rich, reporting that Vita fell out of bed. The twin mattresses are too soft and they are both sliding off bed to the floor. Suggest we purchase a new King set. She will purchase at Costco along with new bedding.	E.S.	.40	$34.00
1/9/2015	Billing and filing mail. T.C. Jodi re: Vita needs more cash in account at colony for dry cleaning and hair/nails. Sent check to Colony.	E.S.	.60	$57.00
1/11/2015	T.C. Dan Wein re: appointments for Robert, petty cash. E-mail realtor re: locating keys, funds from sale of condo and closing documents.	E.S.	.60	$51.00
1/13/2015	T.C. E. Morris office re: Paraveda documentation, package from condo closing, amending the inventory. Forward documents.	E.S.	.40	$34.00
1/13/2015	Review of guardianship law concerning revocation of a revocable or irrevocable trust.	E.S.	.40	$34.00

1/15/2015	T.C. Mike Bondello , Joseph Gunner re: account.	E.S.	.30	$25.50
1/17/2015	T.C. Jodi, Vita is in hospital. T.C. Colony for extra care of Robert. T.C. Robert to pass on update of Vita.	E.S.	.50	$42.50
1/18/2015	T.C. Nurse at the Colony, Bob is coping well, no pain, asked about Vita and misses her. Catheter is doing well, clean, no problem.	E.S.	.20	$17.00
1/21/2015	T.C. Detective from DCF case filed by Jodi Wein. Detective reviewed history, asked for an official statement.	E.S.	.40	$34.00
1/21/2015	T.C. Dan re: questions about DCF complaint, who filed it? Vita's update, Bob's phone and health issues.	E.S.	.30	$25.50
1/21/2015	Billing and filling.	E.S.	.50	$42.50
1/27/2015	E-mail from Dan re: appointments. Billing and filling mail. Deposit checks Paraveda and Copa.	E.S.	.50	$42.50
1/28/2015	T.C. Robert Wein, made a statement re: wants to stand corrected about Dan, wants to revoke anything negative he ever said. He wants to include him in his estate for all the care he has given to him over the years.	E.S.	.15	$12.75
2/3/2015	T.C. Colony staff for requests for Robert. Letter from J. Rich re: new billing on Vita. Pay bills, filing.	E.S.	.50	$42.50
2/4/2015	T. C. Dan Wein re: Larry being evicted from condo. T.C. Robert re: worried about Larry. Review documents.	E.S.	.30	$25.50
2/5/2015	T.C. Dan, Bob especially mad about the deceased designation for Dan. Larry very upset, needs attorney. Vita non cooperative. Colony T.C. re: Vita needs additional care. She will be bumped up to a new higher rate.	E.S.	.30	$25.50
2/6/2015	Conference with E. Morris re: issues with Vita, Larry, trust.	E.S.	.30	$25.50
2/6/2015	Billing for furniture, newspaper. Filing tax forms. T.C. Colony re: items for Bob needing to be purchased.	E.S.	.70	$59.50
2/8/2015	T.C. Dan re: meeting with Ellen. Confirm he will transport Robert. Petty cash issue at Colony.	E.S.	.20	$17.00
2/9/2015	T.C. Jonathan Seigel re: payoff of $75,000 for loan to business. Ham radio communication. E-mail contact information and he will come back with a plan at end of Feb.	E.S.	.20	$17.00
2/9/2015	Reserch closing documents on condo. E-mail to R. Schonefield for final closing documents. Scan and forward documents on condo to E. Morris office for inventory.	E.S.	.40	$34.00
2/9/2015	Meeting with E. Morris, Robert Wein. Preparation, meeting and getting statements from Gunner from Dan Wein, sending to wrong address.	E.S.	2.50	$212.50
2/10/2015	T.C. Riverside for payoff final amount.	E.S.	.20	$17.00
2/10/2015	E-Mail communication with E. Morris re: eviction.	E.S.	.50	$42.50

	Complete notes from meeting.			
2/10/2015	Letter to E. Morris re: marriage, meeting with attorney for Jodi Rich.	E.S.	.25	$21.25
2/11/2015	T.C. E. Morris re: meeting with Jodi Rich over eviction. Research on annulment of marriage. Discussions over case history and billing. E-mail to Dan Wein for more documentation.	E.S.	1.20	$102.00
2/12/2015	Follow up e-mails to E. Morris re: annulment and meetings with Rosenwater.	E.S.	.20	$17.00
2/12/2015	Text from Jodi Rich re: new owners and food quality going down. Suggest they need a fancier facility.	E.S.	.10	No Charge
2/19/2015	Review petitions from E. Morris office. E-mail communications re: petitions and payments to attorneys.	E.S.	.50	$42.50
2/23/2015	Billing and filling for accounts. T.C. Morgan Stanley re: setting up checking/deposits.	E.S.	.50	$42.50
2/23/2015	Review petitions, sign/scan. Text from Jodi re: ordering food to be delivered.	E.S.	.25	$21.25
2/23/2015	T.C. Colony re: vinegar supply, sent Lonnie check to re-supply cash account. Bill pay, file, billing.	E.S.	.40	$34.00
2/24/2015	E-mail from Stacy re: condo hearing against Larry on 2/26. T.C. Craig Hoogstra Att. Mail out check to cover cost of representation per Bob's request.	E.S.	.50	$42.50
2/25/2015	Paraveda and Copa checks in. Record and deposit. Colony billing. Tax information filed.	E.S.	.30	$25.50
2/26/2015	Review billing from Jordan Klingsburg. T.C. to office to settle account.	E.S.	.40	$34.00
2/28/2015	T.C. J. Klingsburg office. Review history of case, position of law firm, creation of trust documents.	E.S.	.50	$42.50
3/3/2015	Notes to file re: Dr. Melo - Oncologist biopsy, Lymphoma. Dr. S. Frankel - Dermatologist re: MOs surgery.	E.S.	.25	$21.25
3/3/2015	E-mail to BZG insurance to cancel Bob's homeowners. Scan and forward documentation.	E.S.	.30	$25.50
3/4/2015	E-mail Dan re: medical issues.	E.S.	.20	$17.00
3/6/2015	Visit with Robert at Colony, meet with staff.	E.S.	1.40	$119.00
3/7/2015	Accounting, billing.	E.S.	.50	$42.50
3/17/2015	T.C. The Colony, Bob's catheter is twisted. He will go to emergency room. T.C. Dan, it is fixed and he is back. Update on procedures.	E.S.	.30	$25.50
3/19/2015	T.C. Mat Hughs re: taxes. Review account, designate place for funds from sale of condo.	E.S.	.50	$42.50
3/19/2015	Review files, gather tax documents, review, print, scan to accountant. T.C.'s for missing documents to banks, firms.	E.S.	3.00	$255.00
3/20/2015	T.C. Harold Forspan accountant. Gave list of additional documents needed. Research file.	E.S.	.50	$42.50
3/20/2015	E-mail to E. Morris re: taxes and annulment.	E.S.	.20	$17.00
3/20/2015	Copy and account for check writing from Bank of America account in Aug/Sept. and Guardianship	E.S.	1.50	$127.50

	account for H. Forspan accountant. Scan and e-mail to him.			
3/23/2015	Review e-mail response from petitions.	E.S.	.40	$34.00
3/24/2015	Billing and filling.	E.S.	.40	$34.00
3/25/2015	Research and e-mail more information to accountant.	E.S.	.20	$17.00
3/27/2015	T.C. Dan, report that Robert had his MOs surgery and they went down to the bone. Discussion with Dr. if he can sustain some radiation. Further discussion re: eviction of his son Larry by his wife Vita. Larry at homeless shelter. Vita will not discuss it with Robert.	E.S.	.40	$34.00
3/27/2015	E-mail Jodi Rich, cash funds at the Colony are low. T.C. Colony re; spending habits.	E.S.	.30	$25.50
3/27/2015	T.C. Dan re: Conversation with Vita, Robert. Help for Larry. T.C. Colony re: funds in account, accounting. Lonnie Steckler re: Larry calling and threatening to fly down to talk to Vita. Reported him to police in Sunrise.	E.S.	.50	$42.50
3/27/2015	T.C. Lisa at a Elder Law. E-mail re: issues with Larry from the Colony.	E.S.	.25	$21.25
3/29/2015	Review mail, bills, statements. E-mail to E. Morris re: Vita's billing.	E.S.	.40	$34.00
3/30/2015	E-mail from Jodi, Dan, Stacy re: Passover dinner. Monthly billing and accounting.	E.S.	.90	$76.50
3/30/2015	Deposit checks to Bank of America, set up meeting with manager for past checks and chase problem.	E.S.	.40	$34.00
3/31/2015	Meet with banker at Bank of America to get copy of check Robert wrote for funeral expense for refund. Re-opened new investigation for monies held at Chase from Emilio Flores.	E.S.	.50	$42.50
4/2/2015	E-mail to E. Morris re: message from Jodi Wein re: Vita.	E.S.	.20	$17.00
4/3/2015	Notes to file from stockbroker. E-mail to Morgan Stanley. Review file. Speak with Robert re: helping Larry.	E.S.	1.40	$133.00
4/4/2015	Received 180.00 transportation bill for Vita from Jodi Rich.	E.S.	.10	No Charge
4/6/2015	Review e-mails from family members. Prepare for conf. with E. Morris.	E.S.	.80	$68.00
4/6/2015	Telephone conf. with Ellen Morris. E-mail from E. Morris re: Vita Wein.	E.S.	.70	$59.50
4/6/2015	E-mail from Stacy Wein re: update on Larry. Reiterate to her Bob's request to help Larry.	E.S.	.10	$8.50
4/6/2015	Review package from Joseph Gunner/Michael Mondiello. E-mail return request for corrected paperwork.	E.S.	.30	$25.50
4/6/2015	Review E-mail from E. Morris, review financial accounts.	E.S.	.20	$17.00
4/6/2015	Mail proceeds from condo to Morgan Stanley.	E.S.	.10	$8.50
4/7/2015	T.C. Mike from Gunnar, moving to Cantella Co. Fax	E.S.	.25	$21.25

	guardianship paperwork. Issue concerning titling account in trust. No trustee available.			
4/8/2015	Accounting, T.C. Gunnar, T.C. Dan re: statements.	E.S.	1.50	$127.50
4/8/2015	E-mail to E. Morris re: petitions. Sent budget, income and expenses.	E.S.	.40	$34.00
4/8/2015	E-mail E. Morris re: petition for trustee.	E.S.	.15	$12.75
4/8/2015	Receive additional bills from Robert Wein, T.C. Consumer Cellular, fax guardianship papers, get account closed and fees waived.	E.S.	.30	$25.50
4/9/2015	Review and respond to E-mail from E. Morris re; petitions.	E.S.	.50	$42.50
4/9/2015	T.C. Dan re: requests from Robert re: paying for transportation from Jodi Rich.	E.S.	.10	$8.50
4/9/2015	T.C. Harold Forespan re: tax. Send requested documents. E-mail from Lonnie re: letter to describe level of care for write off.	E.S.	.20	$17.00
4/9/2015	Receive and print Gunner statement. T.C. Mondiello. Send closing statements to Harold.	E.S.	.20	$17.00
4/10/2015	T.C. Dan re: MOs surgery, updates.	E.S.	.25	$21.25
4/10/2015	Send check from BOA to David Shor, attorney for estate. Request reimbursement paid to Alvarez for funeral of Sebring.	E.S.	.25	$21.25
4/10/2015	T.C. TIG re accounts. E-mail accounts to broker for advice.	E.S.	.20	$17.00
4/10/2015	T.C. Morgan Stanley re: transfer of accounts.	E.S.	.10	$8.50
4/13/2015	T.C.'s from accountant re: taxes. Review and respond.	E.S.	.30	$25.50
4/13/2015	Review e-mails from Dan, Ellen, re: petitions.	E.S.	.30	$25.50
4/13/2015	Receive and review statements, review file.	E.S.	.30	$25.50
4/14/2015	Respond e-mails to Dan, Ellen re: petitions.	E.S.	.20	$17.00
4/14/2015	E-mail correspondence to Morgan Stanley re: transfer of account. Sent documentation.	E.S.	.20	$17.00
4/19/2015	E-mail Dan re: my upcoming visit to Bob.	E.S.	.20	No Charge
4/20/2015	T.C. and receive Transfer forms from Morgan Stanley. Scan back application.	E.S.	.30	$25.50
4/20/2015	E-mails from Jodi Rich and Dan Wein re: health care.	E.S.	.20	$17.00
4/21/2015	T.C. Dan re: Larry's condition. Payment made but still no access to storage. Robert's weight loss issues.	E.S.	.25	$21.25
4/21/2015	T.C. to Jodi Rich re: Larry. T.C. Dan re: nurses suggestions for eating and getting aide for dinner.	E.S.	.30	$25.50
4/21/2015	Visit with Bob at the Colony.	E.S.	1.20	$102.00
4/22/2015	T.C. Matt Hughes re: account consolidation, portfolio, documents to transfer accounts, stocks, bonds, price of Reits unknown.	E.S.	.80	$68.00
4/22/2015	Attend meeting with E. Morris re: petitions.	E.S.	1.00	$85.00
4/22/2015	Review file on TIG and Gunnar. Consolidate statements.	E.S.	.50	$42.50
4/23/2015	T.C. Morgan Stanley, T.C. J. Gunnar re: assets. Travel to bank for Medallion signature. Scan statements to Morgan Stanley. Review files.	E.S.	1.30	$110.50

4/23/2015	T.C. Paraveda re: investment. Sending next interest check and meeting next week for review of account.	E.S.	.30	$25.50
5/4/2015	Research request for purchase of bonds.	E.S.	.15	$12.75
5/4/2015	E-mail to David Shor for the $9,282.50 reimbursement.	E.S.	.15	$12.75
5/7/2015	Visit with Robert Wein, meet with aide, Dan, Vita. Bob has gained 3 LBS since she started sitting with him for dinners. Communication with Jodi Rich re: billing.	E.S.	2.00	$170.00
5/8/2015	Communication with Morgan Stanley re: title of account. Sent new trust agreement. Review of E-mail from E. Morris re: annulment of marriage.	E.S.	.80	$68.00
5/8/2015	E-mail to Jodi Rich re; payment. Billing and filling.	E.S.	.40	$34.00
5/9/2015	T.C. Paraveda, re: investment of 2 years ending. Sending interest check. Cashing out original investment. Will only send check.	E.S.	.20	$17.00
5/9/2015	Notes to file from Morgan Stanley investments.	E.S.	.10	$8.50
5/11/2015	Fax to Henrietta at Riverside re: collection of Ed Silberring dept. E-mail to Attorney David Shor. T.C. to Riverside.	E.S.	.30	$25.50
5/11/2015	Review of communication from B. Rosenwater and E. Morris re: annulment.	E.S.	.20	$17.00
5/11/2015	T.C. Riverside, they found checks and sent to Attorney.	E.S.	.10	$8.50
5/12/2015	T.C. Lonnie at Colony. Suggest getting dentures and putting Bob in his own room with additional aide, because his bed is further away from the bathroom. He states Vita is complaining about everything.	E.S.	.40	$34.00
5/13/2015	T.C. Dan re: marriage/divorce/separation documentation. Taxes, investments, respond to E-Morris e-mails for information for hearing.	E.S.	.50	$42.50
5/13/2015	Update accounting.	E.S.	1.00	$85.00
5/13/2015	T.C. E. Morris re: Original marriage/divorce certificate, more issues concerning deposition.	E.S.	.20	$17.00
5/13/2015	T.C.'s to New York state agencies to track down documents and get instructions. Obtain updated guardianship orders to submit to New York.	E.S.	.70	$59.50
5/14/2015	Review e-mails from E-Morris re: marriage.	E.S.	.40	$34.00
5/15/2015	Paying for aide, reconcile billing.	E.S.	.20	$17.00
5/18/2015	T.C. Ellen Morris re: deposition. Research files for requests.	E.S.	.50	$42.50
5/18/2015	T.C. Matt Hughes @ Morgan Stanley. Update on accounts, trusts. Questions about Larry and how to best handle requests about accounts by telephone. Discuss Paraveda funds.	E.S.	.50	$42.50
5/18/2015	Review E-mails from E. Morris. T.C. Clerk for records. Prepare for deposition.	E.S.	.50	$42.50
5/19/2015	Prepare documents for deposition. Review billing.	E.S.	1.40	$119.00
5/19/2015	Attend deposition, meeting with E. Morris. File documents, research communications.	E.S.	6.00	$510.00
5/19/2015	Research clerk of court in Kings County. Prepare	E.S.	3.00	$255.00

	letters to court. Obtain notary. Get updated orders. Travel to Delray courthouse for certified copies of documents.			
5/19/2015	Travel to West Palm Beach courthouse for copies of documents.	E.S.	.70	$59.50
5/19/2015	Travel to bank for money orders.	E.S.	.30	$25.50
5/19/2015	T.C. Aide.	E.S.	.20	$17.00
5/19/2015	Aides description of progress in gaining weight.	E.S.	.10	$8.50
5/20/2015	T.C. from Robert Wein. Notes to file.	E.S.	.15	$12.75
5/20/2015	Notes re: Roberts telephone conversation.	E.S.	.20	$17.00
5/21/2015	E-mail to Ellen Morris. Scan documents.	E.S.	.30	$25.50
5/22/2015	T.C. Robert and Vita Wein.	E.S.	.10	$8.50
5/22/2015	Review petition from E. Morris office, sign and scan.	E.S.	.20	$17.00
5/25/2015	T.C. Robert Wein from the room phone.	E.S.	.10	$8.50
5/25/2015	Visit with Robert Wein. T.C. to aide.	E.S.	2.50	$212.50
5/25/2015	E-mail to E. Morris.	E.S.	.20	$17.00
5/25/2015	Conversations with Bob and Vita	E.S.	.20	$17.00
5/26/2015	Create task list. T.C. Dan re: update on Larry.	E.S.	.30	$25.50
6/1/2015	Billing and filling.	E.S.	.40	$34.00
6/3/2015	Review file and print e-mails for deposition.	E.S.	1.50	$127.50
6/3/2015	T.C. E. Morris office.	E.S.	.20	$17.00
6/3/2015	Scan checks to E. Morris office.	E.S.	.15	$12.75
6/4/2015	Print and redact e-mails for deposition.	E.S.	4.00	$340.00
6/8/2015	Prepare file for meeting with E. Morris.	E.S.	1.00	$85.00
6/8/2015	Travel to court house for Marriage License Application certified.	E.S.	1.50	$127.50
6/8/2015	Meeting with Ellen Morris	E.S.	1.50	$142.50
6/9/2015	Review and printing additional documents.	E.S.	1.50	$127.50
6/9/2015	Prepare for and attend deposition. Meeting with Dan Wein re: additional documents and recordings of conversations with Robert Wein.	E.S.	2.20	$187.00
6/9/2015	Pay bills at Colony, Vita's additional billing for laundry and personal. File statements. Billing.	E.S.	1.50	$127.50
6/9/2015	Review notes for deposition.	E.S.	1.50	$127.50
6/10/2015	Prepare for Deposition. Attend deposition.	E.S.	3.00	$255.00
6/10/2015	Print additional e-mails for Attorney Rosenwater, scan to E. Morris office.	E.S.	.50	$42.50
6/10/2015	Prepare billing, review notes, scan to E. Morris.	E.S.	1.50	$127.50
6/10/2015	T.C. Dr. Gotlinger, Urologist. Fax and send request for records.	E.S.	.30	$25.50
6/10/2015	T.C. TIG investments. Scan and fax guardianship orders again. Request forms for transfer of funds.	E.S.	.40	$34.00
6/10/2015	Scan documents to E. Morris office. Send additional request for records to Queens county clerk. Get bank check.	E.S.	.90	$76.50
6/10/2015	T.C. Vita to remind Robert of Urologist appointment. Robert was sleeping.	E.S.	.10	No Charge
6/11/2015	Searching for Delores Bryant.	E.S.	.30	$25.50
6/12/2015	Meet Robert at Dr. appointment. Drive Robert back to Colony. Meet with staff re: Food, Cash account,	E.S.	2.40	$204.00

	clothing, telephoning from Larry Wein. Request help.			
6/12/2015	Review admissions and interrogatories to Vita Wein and file.	E.S.	.40	$34.00
6/16/2015	Research for Divorce records online, by phone, and mail.	E.S.	1.00	$85.00
6/18/2015	E-mails to Ellen Morris re: trust and petitions.	E.S.	.20	$17.00
6/18/2015	Paying bills and filling.	E.S.	.20	$17.00
6/18/2015	T.C. Dan, Dr. Polkoff appointment moved from the 26 to the 25. Asked him to attend in my place re: conflict.	E.S.	.10	$8.50
6/19/2015	Review and re-file documents from meeting with Ellen Morris.	E.S.	.40	$34.00
6/19/2015	Review billing records redacted by E. Morris.	E.S.	.30	$25.50
6/23/2015	Pay bills, reimbursement to Jodi Rich. Filling.	E.S.	.50	$42.50
6/24/2015	T.C. Robert from the Colony re: his investments.	E.S.	.20	$17.00
6/25/2015	T.C. Dan re: appointment with primary Dr. Polakoff. Supplying additional food and additional aide. Notes to file.	E.S.	.40	$34.00
6/25/2015	T.C. Matt Hughes re: investment of Paraveda funds and T.C. from Larry Wein. Notes to file.	E.S.	.30	$25.50
6/25/2015	T.C. with Matt Hughes.	E.S.	.10	$8.50
6/25/2015	Bob's Primary Dr. appointment.	E.S.	.10	$8.50
6/26/2015	T.C. Caring associates. Discuss Robert's progress and add 2 hours to Doris' schedule. T.C. Dan, dropped off the additional protein items.	E.S.	.25	$21.25
7/2/2015	Pay bills, review billing and filing statements.	E.S.	.30	$25.50
7/3/2015	E-mail to E. Morris. Copy billing and forward to office.	E.S.	.30	$25.50
7/3/2015	T.C. Dan re: medical and trust references.	E.S.	.20	$17.00
SUBTOTAL:			196.95	$16,847.75

Costs

10/15/2014	Clerk of court fees for certified documents.	$31.00
10/29/2014	Copy 52 @ .20	$10.40
11/15/2014	ATT charge	$9.95
12/31/2014	Copies 28 X .20	$5.60
1/6/2015	Fed Ex charges for condo documents.	$72.00
1/12/2015	Postage	$4.90
1/27/2015	Postage	$9.80
3/30/2015	Postage	$9.20
5/19/2015	Copies 45 @ .20	$9.00
5/21/2015	Copies, money orders for document request in New York. Clerk fees.	$27.75
6/9/2015	Copies 240 x .20	$48.00
SUBTOTAL:		$237.60

TOTAL: $17,085.35
PREVIOUS BALANCE (CREDIT): $8,000.00
CURRENT BALANCE DUE AND OWING: $9,085.35

Filing # 29405751 E-Filed 07/08/2015 03:08:31 PM

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

Case No. 502014GA000472 | Probate Division IB

IN RE: THE GUARDIANSHIP OF

ROBERT PAUL WEIN,

The Ward.
_____/

MOTION FOR SANCTIONS AND REMOVAL OF GUARDIAN

Comes now, Vita Wein, by and through the undersigned counsel and as an interested person in these proceedings under Fla. Prob. R. 5.060, hereby moves this Court pursuant to Fla. Prob. R. 5.660 and Sections 744.474 and 744.108, Florida Statutes, to sanction the Petitioner, Elizabeth Savitt (Petitioner), together with her attorney in this action, and to remove the Petitioner as guardian for the Ward, and states as grounds:

1. Fla. Prob. R. 5.660 authorizes an interested person in a guardianship proceeding to petition the Court for removal of a guardian.

2. Section 744.474, Florida Statutes (2014), sets forth the reasons for removal of a guardian. It is essential to the proper conduct and management of a guardianship that the guardian be independent and impartial. The fiduciary relationship that exists between the guardian and the ward may not be used for the private gain of the guardian, other than the payment of fees and expenses reimbursable to the guardian as provided by law. Section 744.474 permits the removal of a guardian for failing to discharge duties, abusing guardianship powers, and developing of a conflict of interest between the ward and the guardian, among other reasons.

3. Certainly the Petitioner, as guardian of the Ward, has a fiduciary duty to the Ward to not take any action that results in private gain of the Petitioner or any of her agents, including her attorney. See Reed v. Long, 111 So. 3d 237 (Fla. 4th DCA 2013).

*** FILED: PALM BEACH COUNTY, FL SHARON R BOCK, CLERK. 7/8/2015 3:08:31 PM ***

4. On June 10, 2015, the Petitioner testified in her deposition that she has paid herself $8,000.00 in guardianship fees and her attorney $8,861.65 in attorney's fees, from the Ward's guardianship account, all without prior court approval. At the time of her testimony, the Petitioner was unable to produce any billing records to substantiate the disbursements made from the guardianship account which contains substantial assets belonging to the Ward.

5. Section 744.108(1), Florida Statutes (2014), entitles guardians and attorneys to a reasonable fee for services rendered and reimbursement for costs incurred on behalf of the ward; however, the entitlement to fees and costs is not without limitation. Pursuant to Section 744.108(2), the Court is required to consider a number of factors before awarding fees and costs to a guardian or attorney for the ward. In addition, the guardian or attorney is required to provide an itemized description of the services performed for the fees sought to be recovered. Section 744.108(5), Florida Statutes (2014).

6. Here, the Petitioner and her attorney took disbursements from the Ward's guardianship account without first petitioning the Court to make a determination of the reasonableness of the disbursements in light of the factors to be considered pursuant to Section 744.108(2). Furthermore, the Petitioner has failed to itemize the services performed for the fees already disbursed. When the Petitioner was first deposed in this action and later noticed for a subsequent deposition, a formal request was made for the production of the Petitioner's itemized billing statements. Still, the itemized statements were not produced and have yet to be produced to the Court or Vita Wein. So far, the Petitioner and her attorney have collected fees from the guardianship account without petitioning the Court for the same and prior to itemizing the services for which the fees were disbursed. This conduct breaches the fiduciary duty owed to the Ward and is in direct violation of Florida Statutes.

7. It is also believed that Petitioner has created a conflict of interest with the Ward requiring removal. The Petitioner has had several written and verbal communications with Daniel Wein, the brother of the Ward, and other members of Daniel Wein's family, for the purpose of amending the Ward's trust to include a provision paying $150,000.00 from the trust's assets to Daniel Wein. It

2555-109

appears from deposition testimony of the Petitioner that Daniel Wein is surreptitiously directing the Petitioner's conduct in this action for his own financial gain.

8. Acting according to Daniel Wein's demands, the Petitioner has failed to exercise any independent judgment in this action and as a result has navigated these proceedings without considering the best interest of the Ward or his assets.

9. The deposition of Jordan L. Klingsberg, Esq., who was a former attorney of the Ward for purposes of estate planning, revealed that the Ward wished to foreclose Daniel Wein from the Ward's trust because Daniel Wein was stealing from the Ward's assets. Nevertheless, the Petitioner is seeking to amend the Ward's trust for the sole benefit of Daniel Wein.

10. Vita Wein fails to comprehend how such an amendment would be beneficial to the Ward when it is so undeniably against the Ward's previously expressed desires to exclude Daniel Wein from the Ward's trust.

11. Finally, the Petitioner is attempting to annul the longstanding marriage between the Ward and Vita Wein, despite the Ward's requests to the contrary. During her deposition on June 10, 2015, the Petitioner testified that the Ward wanted to keep things the same and continue supporting his wife, Vita Wein. Nevertheless, the Petitioner continues to pursue a petition filed for the purpose of ultimately annulling the Ward's marriage. During the entirety of this action, the Petitioner has systematically disregarded the desires and best interests of the Ward.

12. The course of action undertaken by the Petitioner and her attorney is unconscionable, at best, and sanctionable in all regards.

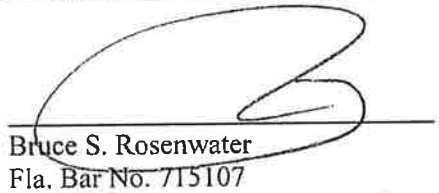
13. For the foregoing reasons, the Petitioner and her attorney should be sanctioned and the Petitioner should be removed as guardian for the Ward. In addition, the Petitioner and her attorney should be ordered to pay the reasonable attorney's fees and costs of Vita Wein, who pursues the relief sought herein for the benefit of the Ward and his assets.

WHEREFORE, Vita Wein respectfully requests this Court to enter an order removing the Petitioner as guardian of the Ward, sanctioning the Petitioner and her attorney for receiving disbursements from the guardianship account without Court approval, awarding attorney's fees and costs to Vita Wein, and entering such further relief as the Court deems just under the circumstances.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 7, 2015, a copy of the foregoing was e-filed with the Court and sent to Ellen S. Morris, Esq., Elder Law Associates, P.A., 7284 W. Palmetto Park Road, Suite 101, Boca Raton, FL 33433 by e-service at emorris@elderlawassociates.com, lrubin@elderlawassociates.com, and clawrence@elderlawassociates.com; Daniel Wein, 9717 N. New River Canal Road #410, Plantation, FL 33324 by e-service at dwein5680@aol.com and stacywein@aol.com; and Jordan L. Klingsberg, Esq., 2101 N.W. Corporate Blvd., Suite 107, Boca Raton, FL 33431 by e-service at atjklingsberg@floridatax.com.

BRUCE S. ROSENWATER & ASSOCIATES, P.A.
Counsel for Vita Wein
1601 Forum Place | Suite 610
West Palm Beach, Florida 33401
T: 561.688.0991 | F: 561.688.0581
info@rosenwater.com | bsr@rosenwater.com



Bruce S. Rosenwater
Fla. Bar No. 715107

Filing # 29422968 E-Filed 07/08/2015 05:38:59 PM

7-8-15

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

Case No. 502014GA000472 | Probate Division IB

IN RE: THE GUARDIANSHIP OF

ROBERT PAUL WEIN,

The Ward.

_____/

VITA WEIN'S PETITION FOR SURCHARGE

Comes now, Vita Wein, by and through the undersigned counsel and as an interested person to the Guardianship of Robert Paul Wein (Ward), and pursuant to Section 744.446, Florida Statutes (2014), hereby files this Petition for Surcharge against the Petitioner, Elizabeth Savitt (Guardian), and states:

1. By order of this Court on October 15, 2014, the Guardian was appointed as limited guardian of the person and property of the Ward. Along with this appointment came important responsibilities and duties to be discharged by the Guardian, expressly codified and governed by the Florida Statutes.

2. Section 744.446(1), Florida Statutes (2014) requires the Guardian to be independent and impartial, to not use the fiduciary relationship with the Ward for private gain, and to avoid conflicts of interest in the discharge of the Guardian's duties.

3. If the Guardian engages in any activity prohibited by Section 744.446, said activity is voidable during the term of the guardianship and the Guardian is subject to removal and personal liability through a proceeding for surcharge.[1] Section 744.446(3), Florida Statutes (2014).

[1] A "surcharge" is an adversarial proceeding in guardianship court which allows property to be recovered from a guardian who had breached the fiduciary duty owed to the ward. Reed v. Long, 111 So. 3d 237, 238 (Fla. 4th DCA 2013). The purpose of a surcharge award is to make the ward's estate whole when the guardian's actions cause loss or damage. Id. (internal citations omitted).

*** FILED: PALM BEACH COUNTY, FL SHARON R BOCK, CLERK. 7/8/2015 5:38:59 PM ***

4. This Court has an obligation to ensure that the Ward is adequately protected from breach of the Guardian's fiduciary duties. Section 744.446(4), Florida Statutes (2014).

5. The purpose of this Petition for Surcharge is to obtain funds that were unlawfully diverted from the Ward's guardianship account and to prevent further misconduct by the Guardian which would cause undue loss to the Ward's assets currently being held in trust. This Petition for Surcharge is guided by the existence of a fiduciary duty of the Guardian, and the breach of that duty which has proximately caused damages to the Ward. Reed, 111 So. 3d at 239.

6. The unlawful diversion of the Ward's funds, and potential further loss of the Ward's assets held in trust, proximately results from the Guardian's failure to exercise her independence and impartiality during the discharge of her duties as guardian of the Ward, the Guardian's private gain from the Ward's assets, and the Guardian's creation of a conflict with the best interests of the Ward.

7. Several of the Guardian's actions in this case have been pursued at the instruction of Daniel Wein, the brother of the Ward who is believed to have previously misappropriated the Ward's assets. Produced at the Guardian's deposition on June 10, 2015, were several e-mails to the Guardian that exposed Daniel Wein's demands to (1) annul the Ward's longstanding marriage to Vita Wein, and (2) add a provision to the Ward's trust for the payment of $150,000.00 to Daniel Wein from the Ward's assets. These demands directly contravene the intentions of the Ward to remain married to Vita Wein and to preclude Daniel Wein from receiving any assets from the Ward's trust due to Daniel Wein's prior misappropriations.

8. Nevertheless, the Guardian has filed petitions in this guardianship seeking to annul the marriage of the Ward and Vita Wein, and to have the Ward's trust amended for the benefit of Daniel Wein. In doing so, the Guardian's dependence on, and partiality to, Daniel Wein is

apparent and has created a conflict of interest in her fiduciary relationship with the Ward. Disregarding her duties to the Ward, the Guardian is proceeding at the behest of Daniel Wein and other family members of the Ward who continue to be guided by greed in their pursuit of the Ward's assets.

9. Even worse, perhaps, is the fact that the Guardian has used her fiduciary relationship with the Ward for her own financial gain, as well as that of her attorney. During her deposition, the Guardian testified that she diverted over $16,000.00 from the Ward's guardianship account for the payment of undocumented guardianship fees and attorney's fees. At the time of her testimony, the Guardian was unable to produce any billing records to substantiate the disbursements made from the Ward's guardianship account. In the absence of corroborating records, the Guardian and her attorney have been excessively compensated from the Ward's assets. As a fiduciary to the Ward, the Guardian is subject to surcharge for the improper and excessive payment of fees from the Ward's assets. See Kozinski v. Stabenow, 152 So. 3d 650, 653 (Fla. 4th DCA 2014) (a surcharge proceeding can be pursued when a fiduciary pays excessive fees to himself, herself, or agents of the fiduciary).

10. Based on the foregoing, it is clear that the Guardian has breached her duties as fiduciary to the Ward, and that such breach has proximately caused the Ward to suffer damages. The Ward will continue to suffer these damages so long as the Guardian remains appointed in this action. Therefore, the Guardian shall be held personally liable for all economic damages caused to the Ward, and shall be removed as Guardian in this action.

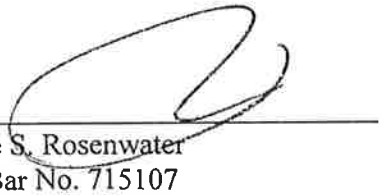
11. Vita Wein has retained the law firm of Bruce S. Rosenwater & Associates, P.A., in connection with this action and has agreed to pay a reasonable fee for the firm's services.

WHEREFORE, Vita Wein respectfully requests this Court to enter an order: imposing a surcharge against the Guardian, Elizabeth Savitt; removing the Guardian, Elizabeth Savitt, from this action; awarding attorney's fees and costs to Vita Wein; and granting all further relief that the Court finds just under the circumstances.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 8, 2015, a copy of the foregoing was e-filed with the Court and sent to Ellen S. Morris, Esq., Elder Law Associates, P.A., 7284 W. Palmetto Park Road, Suite 101, Boca Raton, FL 33433 by e-service at emorris@elderlawassociates.com, lrubin@elderlawassociates.com, and clawrence@elderlawassociates.com; Daniel Wein, 9717 N. New River Canal Road #410, Plantation, FL 33324 by e-service at dwein5680@aol.com and stacywein@aol.com; and Jordan L. Klingsberg, Esq., 2101 N.W. Corporate Blvd., Suite 107, Boca Raton, FL 33431 by e-service at atjklingsberg@floridatax.com.

BRUCE S. ROSENWATER & ASSOCIATES, P.A.
Counsel for Vita Wein
1601 Forum Place | Suite 610
West Palm Beach, Florida 33401
T: 561.688.0991 | F: 561.688.0581
info@rosenwater.com | bsr@rosenwater.com



Bruce S. Rosenwater
Fla. Bar No. 715107

Filing # 29804972 E-Filed 07/17/2015 04:00:58 PM

7-17-15

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

Case No. 502014GA000472 | Probate Division IB

IN RE: THE GUARDIANSHIP OF

ROBERT PAUL WEIN,

The Ward.

_____/

AMENDED RESPONSE AND OBJECTION TO PETITIONER'S AMENDED SECOND REQUEST FOR ADMISSIONS TO VITA WEIN

Vita Wein, by and through her undersigned counsel and pursuant to Florida Probate Rule 5.080, hereby files amended responses and objections to the Amended Second Request for Admissions to Vita Wein that was filed by the Petitioner, Elizabeth Savitt (Petitioner), as follows:

1. On June 12, 2015, Petitioner served an Amended Second Request for Admissions to Vita Wein, requesting certain admissions as to Medicaid applications said to have been filed by Vita Wein in the State of New York and/or State of New Jersey.

2. Vita Wein objects to Petitioner's discovery efforts insofar as they unconstitutionally seek private financial and medical information of Vita Wein where there exists no relevant or compelling reason for disclosure. See Borck v. Borck, 906 So. 2d 1209 (Fla. 4th DCA 2005); Barker v. Barker, 909 So. 2d 333 (Fla. 2d DCA 2005). Without waiving said objections, Vita Wein states that the documents underlying the information requested are not in Vita Wein's possession, custody, or control.

3. Furthermore, Vita Wein contends that by engaging in objectionable discovery practices, Petitioner is unnecessarily depleting the assets of the Ward, Robert Paul Wein. Florida Probate Rule 5.080(b) gives this Court substantial discretion to limit the scope, place, and manner of discovery in order to conserve the Ward's assets.

WHEREFORE, Vita Wein respectfully requests that this Honorable Court enter an order sustaining the objections herein, and awarding any and all further relief that the Court deems just and

proper under the circumstances, including but not limited to an award of attorney's fees and costs related to defending Petitioner's objectionable discovery practices.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of July, 2015, a true and correct copy of the foregoing has been sent to: Michael J. Schlesinger, Esq., Schlesinger & Associates, P.A., 800 Brickell Avenue, Suite 1400, Miami, Florida 33131 by e-service at mjs@mjsjd.com, hcorrea@mjsjd.com, and eservice@mjsjd.com; Ellen S. Morris, Esq., Elder Law Associates, P.A., 7284 W. Palmetto Park Road, Suite 101, Boca Raton, FL 33433 by e-service at emorris@elderlawassociates.com, lrubin@elderlawassociates.com, and clawrence@elderlawassociates.com.

BRUCE S. ROSENWATER & ASSOCIATES, P.A.
Counsel for Vita Wein
1601 Forum Place | Suite 610
West Palm Beach, Florida 33401
T: 561.688.0991 | F: 561.688.0581
info@rosenwater.com | bsr@rosenwater.com

Bruce S. Rosenwater
Fla. Bar No. 715107
Steven C. Williams
Fla. Bar No. 99681

Filing # 29951981 E-Filed 07/22/2015 12:19:00 PM

7-22-15

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

IN RE: GUARDIANSHIP OF

ROBERT PAUL WEIN

_____/

PROBATE DIVISION "IB"

CASE NO. 502014GA000472XXXXMB

ANSWER TO VITA WEIN'S PETITION FOR SURCHARGE

COMES NOW ELIZABETH SAVITT, as Limited Guardian of the Person and Property of ROBERT PAUL WEIN (hereafter "Ward"), by and through her undersigned counsel, and hereby answers Vita Wein's *Petition for Surcharge* filed in the above-referenced Guardianship, as follows:

1. Admitted.

2. Admitted.

3. Admitted.

4. Admitted.

5. Denied.

6. Denied.

7. Denied.

8. Denied.

9. Denied. Further, the guardian has filed a Petition seeking approval of all guardian's fees and compensation from September 16, 2014 through July 3, 2015, totaling $17,085.35, and ratification of the retainer she received in the amount of $8,000.00. Pursuant to F.S. 744.444(16), a guardian may pay attorney's fees and costs to an attorney from the assets of the guardianship without court approval subject to obtaining court approval of the annual accounting. Any and all attorney's fees and costs paid to date by the guardian from the assets of the Ward shall and will be reflected on the next annual accounting.

10. Denied.

11. Without knowledge, and therefore, denied.

*** FILED: PALM BEACH COUNTY, FL SHARON R BOCK, CLERK. 7/22/2015 12:19:00 PM ***

I HEREBY CERTIFY that a copy of the foregoing was served via the e-Portal on this 22nd day of July, 2015 to Bruce S. Rosenwater, Esq., Bruce S. Rosenwater & Associates, P.A., 1601 Forum Place, Suite 610, West Palm Beach, FL 33401 (info@rosenwater.com and bsr@rosenwater.com) and Michael J. Schlesinger, Esq., Schlesinger & Associates, P.A., 800 Brickell Plaza, Suite 1400, Miami, Florida 33131 (mjs@mjsjd.com, hcorrea@mjsjd.com and eservice@mjsjd.com).

Ellen S. Morris, Esq.
Attorney for the Guardian
Florida Bar No. 850306
ELDER LAW ASSOCIATES PA
7284 W. Palmetto Park Road, Suite 101
Boca Raton, FL 33433
Telephone: (561) 750-3850
Fax: (561) 750-4069
E-mail: emorris@elderlawassociates.com
Secondary E-mail: lrubin@elderlawassociates.com
Secondary E-mail: clawrence@elderlawassociates.com

7-24-15

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT OF FLORIDA
IN AND FOR PALM BEACH COUNTY PROBATE/GUARDIANSHIP DIVISION

CASE NO.: 2014GA000472XXXXMB

IN RE: Guardianship of

ROBERT PAUL WEIN.

_____/

FILED
15 JUL 24 PM 4:37
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
FAMILY COURT

ORDER OF RECUSAL
AND CLERK'S REASSIGNMENT

The above captioned case is presently pending in Division IB of the Probate/Guardianship Division presided over by Judge Janis Brustares Keyser. The undersigned judge hereby recuses herself from the case and this case is referred to the Clerk of the Circuit Court for reassignment. All parties shall be notified by the Clerk of the reassignment.

DONE AND ORDERED this 24 day of July, 2015 at West Palm Beach, Palm Beach County, Florida.

Janis Brustares Keyser

JANIS BRUSTARES KEYSER
CIRCUIT COURT JUDGE

CLERK'S NOTICE OF REASSIGNMENT

The Clerk of the Circuit Court, having received the Order of Recusal signed by Judge Janis Brustares Keyser, hereby gives notice to all parties that this case is reassigned to Division _____ presided over by Judge _____.

SHARON R. BOCK
CLERK OF THE CIRCUIT COURT

By: _____
Deputy Clerk

Copies furnished:

Bruce S. Rosenwater & Associates, P.A.
1601 Forum Place, Suite 610
West Palm Beach, FL 33401

Michael J. Schlesinger, Esquire
800 Brickell Avenue, Suite 1400
Miami, FL 33131

Ellen S. Morris, Esquire
7284 W. Palmetto Park Rd., Suite 101
Boca Raton, FL 33433

Filing # 30312596 E-Filed 07/30/2015 05:08:45 PM

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

Case No. 502014GA000472 | Probate Division II

IN RE: THE GUARDIANSHIP OF

ROBERT PAUL WEIN,

The Ward.

_____/

VITA WEIN'S OBJECTION TO THE GUARDIAN'S EX PARTE COMMUNICATION AND NOTICE OF FILING WITH THE COURT

Comes now, Vita Wein, by and through the undersigned counsel and hereby objects to the July 28, 2015, ex parte communication and notice of filing by the Guardian, Elizabeth Savitt (Guardian), and her counsel, and states the following:

1. On July 28, 2015, the Guardian delivered to the Court an ex parte correspondence along with a notice of filing the Ward's income tax returns for 2011 through 2013. The tax returns provided to the Court are incomplete documents predicated on hearsay, and should not be considered by the Court.

2. The tax returns are specious and inflammatory and do not accurately reflect the Ward's position regarding his marital status. The Guardian highlighted sections on the tax returns that ostensibly indicate that the Ward filed under single status. The Court should entertain neither the Guardian's correspondence nor the provided tax returns, as the tax returns were completed and filed by the Ward's brother, Daniel Wein, in 2011 and 2012, and by the Guardian in 2013. Therefore, the tax returns do not prove or disprove the Ward's status as a married man and fail to support the Guardian's suggestion that the Ward does not hold himself out to be married to Vita Wein.

3. Vita Wein objects to the ex parte communication, and any consideration thereof, insofar as it violates the Florida Supreme Court's Code of Judicial Conduct. See Code of Judicial Conduct, Canon 3 (excluding all ex parte communications with all judges in all judicial proceedings except when expressly authorized by law).

*** FILED: PALM BEACH COUNTY, FL SHARON R BOCK, CLERK. 7/30/2015 5:08:45 PM ***

4. Vita Wein continues to incur attorney's fees and costs as a result of the unauthorized conduct of the Guardian in this action. As such, Vita Wein requests that she be compensated by the Guardian for the reasonable attorney's fees and costs that have been unnecessarily incurred.

WHEREFORE, Vita Wein respectfully requests that this Court enter an Order sustaining the objections made herein, awarding attorney's fees and costs to Vita Wein, and granting such further relief as the Court deems just and proper under the circumstances.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of July, 2015, a true and correct copy of the foregoing has been sent to: Michael J. Schlesinger, Esq., Schlesinger & Associates, P.A., 800 Brickell Avenue, Suite 1400, Miami, Florida 33131 by e-service at mjs@mjsjd.com, hcorrea@mjsjd.com, and eservice@mjsjd.com; Ellen S. Morris, Esq., Elder Law Associates, P.A., 7284 W. Palmetto Park Road, Suite 101, Boca Raton, FL 33433 by e-service at emorris@elderlawassociates.com, lrubin@elderlawassociates.com, and clawrence@elderlawassociates.com.

BRUCE S. ROSENWATER & ASSOCIATES, P.A.
Counsel for Vita Wein
1601 Forum Place | Suite 610
West Palm Beach, Florida 33401
T: 561.688.0991 | F: 561.688.0581
info@rosenwater.com | bsr@rosenwater.com

Bruce S. Rosenwater
Fla. Bar No. 715107
Steven C. Williams
Fla. Bar No. 99681

Filing # 30165672 E-Filed 07/28/2015 11:17:38 AM

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

IN RE: GUARDIANSHIP OF

ROBERT PAUL WEIN

_____/

PROBATE DIVISION "IB"

CASE NO. 502014GA000472XXXXMB

NOTICE OF FILING

COMES NOW ELIZABETH SAVITT, as Limited Guardian of the Person and Property of ROBERT PAUL WEIN (the Ward), by and through her undersigned counsel, and hereby provides notice of the filing of the attached first pages of the Ward's 2011, 2012 and 2013 Federal Income Tax Returns.

I HEREBY CERTIFY that a copy of the foregoing was served via the e-Portal on this 28th day of July, 2015 to Bruce S. Rosenwater, Esq., Bruce S. Rosenwater & Associates, P.A., 1601 Forum Place, Suite 610, West Palm Beach, FL 33401 (info@rosenwater.com and bsr@rosenwater.com) and Michael J. Schlesinger, Esq., Schlesinger & Associates, P.A., 800 Brickell Plaza, Suite 1400, Miami, Florida 33131 (mjs@mjsjd.com, hcorrea@mjsjd.com and eservice@mjsjd.com).

Ellen S. Morris, Esq.
Attorney for the Guardian
Florida Bar Number: 850306
ELDER LAW ASSOCIATES PA
7284 W. Palmetto Park Road, Suite 101
Boca Raton, FL 33433
Telephone: (561) 750-3850
Fax: (561) 750-4069
E-Mail: emorris@elderlawassociate.com
Secondary E-Mail: lrubin@elderlawassociates.com
Secondary E-Mail: clawrence@elderlawassociates.com

*** FILED: PALM BEACH COUNTY, FL SHARON R BOCK, CLERK. 7/28/2015 11:17:38 AM ***

Form **1040** Department of the Treasury — Internal Revenue Service (99)

U.S. Individual Income Tax Return **2011**

OMB No. 1545-0074 | IRS Use Only — Do not write or staple in this space.

For the year Jan 1 - Dec 31, 2011, or other tax year beginning , 2011, ending , 20 | See separate instructions.

Your first name	MI	Last name	Your social security number
ROBERT		WEIN	- [redacted]
If a joint return, spouse's first name	MI	Last name	Spouse's social security number

Home address (number and street). If you have a P.O. box, see instructions. | Apartment no.

230 WEST 105TH STREET

▲ Make sure the SSN(s) above and on line 6c are correct.

City, town or post office. If you have a foreign address, also complete spaces below (see instructions). | State | ZIP code

NEW YORK | NY | 10025

Foreign country name | Foreign province/county | Foreign postal code

Presidential Election Campaign

Check here if you, or your spouse if filing jointly, want $3 to go to this fund? Checking a box below will not change your tax or refund. ☐ You ☐ Spouse

Filing Status

Check only one box.

1 [X] Single

2 [ ] Married filing jointly (even if only one had income)

3 [ ] Married filing separately. Enter spouse's SSN above & full name here. ►

4 [ ] Head of household (with qualifying person). (See instructions.) If the qualifying person is a child but not your dependent, enter this child's name here ►

5 [ ] Qualifying widow(er) with dependent child

Exemptions

6a [X] **Yourself.** If someone can claim you as a dependent, **do not** check box 6a

b [ ] **Spouse**

Boxes checked on 6a and 6b: 1

c **Dependents:**

(1) First name Last name	(2) Dependent's social security number	(3) Dependent's relationship to you	(4) ✓ if child under age 17 qualifying for child tax cr (see instrs)
			[ ]
			[ ]
			[ ]
			[ ]

If more than four dependents, see instructions and check here ► [ ]

No. of children on 6c who:
- lived with you
- did not live with you due to divorce or separation (see instrs)

Dependents on 6c not entered above

Add numbers on lines above ► 1

d Total number of exemptions claimed

Income

Attach Form(s) W-2 here. Also attach Forms W-2G and 1099-R if tax was withheld.

If you did not get a W-2, see instructions.

7	Wages, salaries, tips, etc. Attach Form(s) W-2	7	3,120.
8a	Taxable interest. Attach Schedule B if required	8a	41,940.
b	Tax-exempt interest. Do not include on line 8a — 8b: 4,387.		
9a	Ordinary dividends. Attach Schedule B if required	9a	13,686.
b	Qualified dividends — 9b: 5,114.		
10	Taxable refunds, credits, or offsets of state and local income taxes	10	
11	Alimony received	11	
12	Business income or (loss). Attach Schedule C or C-EZ	12	5,587.
13	Capital gain or (loss). Att Sch D if reqd. If not reqd, ck here ► [ ]	13	-3,000.
14	Other gains or (losses). Attach Form 4797	14	-41.
15a	IRA distributions — 15a: — b Taxable amount	15b	
16a	Pensions and annuities — 16a: — b Taxable amount	16b	22,683.
17	Rental real estate, royalties, partnerships, S corporations, trusts, etc. Attach Schedule E	17	390.
18	Farm income or (loss). Attach Schedule F	18	
19	Unemployment compensation	19	
20a	Social security benefits — 20a: 15,522. — b Taxable amount	20b	13,194.
21	Other income SUBSTITUTE PAYMENTS FROM FORM 1099-MISC	21	1,710.
22	Combine the amounts in the far right column for lines 7 through 21. This is your **total income** ►	22	99,269.

Enclose, but do not attach, any payment. Also, please use **Form 1040-V.**

Adjusted Gross Income

23	Educator expenses	23	
24	Certain business expenses of reservists, performing artists, and fee-basis government officials. Attach Form 2106 or 2106-EZ	24	
25	Health savings account deduction. Attach Form 8889	25	
26	Moving expenses. Attach Form 3903	26	
27	Deductible part of self-employment tax. Attach Schedule SE	27	395.
28	Self-employed SEP, SIMPLE, and qualified plans	28	
29	Self-employed health insurance deduction	29	
30	Penalty on early withdrawal of savings	30	
31a	Alimony paid b Recipient's SSN ►	31a	
32	IRA deduction	32	
33	Student loan interest deduction	33	
34	Tuition and fees. Attach Form 8917	34	
35	Domestic production activities deduction. Attach Form 8903	35	
36	Add lines 23 through 35	36	395.
37	Subtract line 36 from line 22. This is your **adjusted gross income** ►	37	98,874.

Form **1040** Department of the Treasury — Internal Revenue Service (99)

U.S. Individual Income Tax Return 2012

OMB No. 1545-0074 | IRS Use Only — Do not write or staple in this space.

For the year Jan 1 - Dec 31, 2012, or other tax year beginning , 2012, ending , 20

See separate instructions.

Your first name and initial	Last name	Your social security number
ROBERT	WEIN	[redacted]
If a joint return, spouse's first name and initial	Last name	Spouse's social security number

Home address (number and street). If you have a P.O. box, see instructions. Apartment no.

C/O D WEIN 9717 N. NEW RIVER CANAL RD.

City, town or post office, state, and ZIP code. If you have a foreign address, also complete spaces below (see instructions).

PLANTATION FL 33324

Foreign country name | Foreign province/state/county | Foreign postal code

▲ Make sure the SSN(s) above and on line 6c are correct.

Presidential Election Campaign

Check here if you, or your spouse if filing jointly, want $3 to go to this fund? Checking a box below will not change your tax or refund. ☐ You ☐ Spouse

Filing Status

Check only one box.

1 [X] Single

2 [ ] Married filing jointly (even if only one had income)

3 [ ] Married filing separately. Enter spouse's SSN above & full name here. ►

4 [ ] Head of household (with qualifying person). (See instructions.) If the qualifying person is a child but not your dependent, enter this child's name here ►

5 [ ] Qualifying widow(er) with dependent child

Exemptions

6a [X] **Yourself.** If someone can claim you as a dependent, **do not** check box 6a.

b [ ] **Spouse**

Boxes checked on 6a and 6b: 1

c **Dependents:**

(1) First name Last name	(2) Dependent's social security number	(3) Dependent's relationship to you	(4) ✓ if child under age 17 qualifying for child tax cr (see instrs)

If more than four dependents, see instructions and check here ► [ ]

No. of children on 6c who:
- lived with you
- did not live with you due to divorce or separation (see instrs)

Dependents on 6c not entered above

d Total number of exemptions claimed ► Add numbers on lines above: 1

Income

Attach Form(s) W-2 here. Also attach Forms W-2G and 1099-R if tax was withheld.

If you did not get a W-2, see instructions.

7	Wages, salaries, tips, etc. Attach Form(s) W-2		7	3,120.
8a	**Taxable** interest. Attach Schedule B if required		8a	42,148.
b	**Tax-exempt** interest. **Do not** include on line 8a	8b 3,983.		
9a	Ordinary dividends. Attach Schedule B if required		9a	19,141.
b	Qualified dividends	9b 10,443.		
10	Taxable refunds, credits, or offsets of state and local income taxes		10	
11	Alimony received		11	
12	Business income or (loss). Attach Schedule C or C-EZ		12	5,031.
13	Capital gain or (loss). Att Sch D if reqd. If not reqd, ck here ► [ ]		13	11,609.
14	Other gains or (losses). Attach Form 4797		14	
15a	IRA distributions	15a	b Taxable amount 15b	
16a	Pensions and annuities	16a 79,889.	b Taxable amount 16b	55,889.
17	Rental real estate, royalties, partnerships, S corporations, trusts, etc. Attach Schedule E		17	0.
18	Farm income or (loss). Attach Schedule F		18	
19	Unemployment compensation		19	
20a	Social security benefits	20a 16,078.	b Taxable amount 20b	13,666.
21	Other income See Line 21 Other Income		21	2,506.
22	Combine the amounts in the far right column for lines 7 through 21. This is your **total income** ►		22	153,110.

Enclose, but do not attach, any payment. Also, please use **Form 1040-V.**

Adjusted Gross Income

23	Educator expenses	23		
24	Certain business expenses of reservists, performing artists, and fee-basis government officials. Attach Form 2106 or 2106-EZ	24		
25	Health savings account deduction. Attach Form 8889	25		
26	Moving expenses. Attach Form 3903	26		
27	Deductible part of self-employment tax. Attach Schedule SE	27	355.	
28	Self-employed SEP, SIMPLE, and qualified plans	28		
29	Self-employed health insurance deduction	29	2,757.	
30	Penalty on early withdrawal of savings	30		
31a	Alimony paid b Recipient's SSN ►	31a		
32	IRA deduction	32		
33	Student loan interest deduction	33		
34	Tuition and fees. Attach Form 8917	34		
35	Domestic production activities deduction. Attach Form 8903	35		
36	Add lines 23 through 35		36	3,112.
37	Subtract line 36 from line 22. This is your **adjusted gross income** ►		37	149,998.

Form **1040** Department of the Treasury—Internal Revenue Service (99)
U.S. Individual Income Tax Return **2013** OMB No. 1545-0074 IRS Use Only—Do not write or staple in this space.

For the year Jan. 1–Dec. 31, 2013, or other tax year beginning , 2013, ending , 20 See separate instructions.

Your first name and initial	Last name	Your social security number
ROBERT	WEIN	-[redacted]
If a joint return, spouse's first name and initial	Last name	Spouse's social security number

Home address (number and street). If you have a P.O. box, see instructions. Apt. no.
C/O ELIZABETH SAVITT 501 N. COUNTRY CLUB DR.

▲ Make sure the SSN(s) above and on line 6c are correct.

City, town or post office, state, and ZIP code. If you have a foreign address, also complete spaces below (see instructions).
ATLANTIS FL 33462

Foreign country name | Foreign province/state/county | Foreign postal code

Presidential Election Campaign
Check here if you, or your spouse if filing jointly, want $3 to go to this fund. Checking a box below will not change your tax or refund. ☐ You ☐ Spouse

Filing Status
Check only one box.
1 ☒ Single
2 ☐ Married filing jointly (even if only one had income)
3 ☐ Married filing separately. Enter spouse's SSN above and full name here. ▶
4 ☐ Head of household (with qualifying person). (See instructions.) If the qualifying person is a child but not your dependent, enter this child's name here. ▶
5 ☐ Qualifying widow(er) with dependent child

Exemptions
6a ☒ **Yourself.** If someone can claim you as a dependent, **do not** check box 6a
b ☐ **Spouse**

Boxes checked on 6a and 6b: 1

c **Dependents:**

(1) First name Last name	(2) Dependent's social security number	(3) Dependent's relationship to you	(4) ✓ if child under age 17 qualifying for child tax credit (see instructions)
			☐
			☐
			☐
			☐

If more than four dependents, see instructions and check here ▶ ☐

No. of children on 6c who:
• lived with you
• did not live with you due to divorce or separation (see instructions)
Dependents on 6c not entered above

d Total number of exemptions claimed — Add numbers on lines above ▶ 1

Income
Attach Form(s) W-2 here. Also attach Forms W-2G and 1099-R if tax was withheld.
If you did not get a W-2, see instructions.

7	Wages, salaries, tips, etc. Attach Form(s) W-2		7	3,120.
8a	**Taxable** interest. Attach Schedule B if required		8a	43,639.
b	**Tax-exempt** interest. **Do not** include on line 8a	8b 3,475.		
9a	Ordinary dividends. Attach Schedule B if required		9a	12,370.
b	Qualified dividends	9b 5,565.		
10	Taxable refunds, credits, or offsets of state and local income taxes		10	
11	Alimony received		11	
12	Business income or (loss). Attach Schedule C or C-EZ		12	
13	Capital gain or (loss). Attach Schedule D if required. If not required, check here ▶ ☐		13	-3,000.
14	Other gains or (losses). Attach Form 4797		14	
15a	IRA distributions	15a b Taxable amount	15b	25,553.
16a	Pensions and annuities	16a b Taxable amount	16b	
17	Rental real estate, royalties, partnerships, S corporations, trusts, etc. Attach Schedule E		17	-7,418.
18	Farm income or (loss). Attach Schedule F		18	
19	Unemployment compensation		19	
20a	Social security benefits	20a 16,342. b Taxable amount	20b	13,891.
21	Other income. List type and amount See Line 21 Statement		21	316.
22	Combine the amounts in the far right column for lines 7 through 21. This is your **total income** ▶		22	88,471.

Adjusted Gross Income

23	Educator expenses	23		
24	Certain business expenses of reservists, performing artists, and fee-basis government officials. Attach Form 2106 or 2106-EZ	24		
25	Health savings account deduction. Attach Form 8889	25		
26	Moving expenses. Attach Form 3903	26		
27	Deductible part of self-employment tax. Attach Schedule SE	27		
28	Self-employed SEP, SIMPLE, and qualified plans	28		
29	Self-employed health insurance deduction	29		
30	Penalty on early withdrawal of savings	30		
31a	Alimony paid b Recipient's SSN ▶	31a		
32	IRA deduction	32		
33	Student loan interest deduction	33		
34	Tuition and fees. Attach Form 8917	34		
35	Domestic production activities deduction. Attach Form 8903	35		
36	Add lines 23 through 35		36	
37	Subtract line 36 from line 22. This is your **adjusted gross income** ▶		37	88,471.

8-10-15

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

Case No. 502014GA000472 | Probate Division II

IN RE: THE GUARDIANSHIP OF

ROBERT PAUL WEIN,

The Ward.
_____/

AFFIDAVIT OF JEROME L. RICH

STATE OF:
COUNTY OF:

I, Jerome L. Rich, being sworn, certify that the following statements are true and based upon my own personal knowledge:

1. I am the nephew-in-law of the Ward, Robert Paul Wein and his wife, Vita Wein.

2. On or about August 25, 2014, Robert Wein executed certain estate planning documents, to wit: Last Will of Robert Wein; Amended and Restated Robert Wein Living Trust; Revocation of Durable Power of Attorney of Robert Wein; Escrow Letter for Durable Power of Attorney for Robert Wein; Designation of Healthcare Surrogate for Robert Wein; and Living Will for Robert Wein.

3. Approximately one week after Robert Wein executed the estate planning documents, and the day after I returned from a trip to Aspen, Colorado, I visited with, and delivered deli food to, Robert Wein and his wife, Vita Wein. At that time, Robert Wein handed me each of the above estate planning documents, and at the request of Robert Wein, I read and discussed the estate planning documents with Robert Wein and his wife, Vita Wein.

4. At that time, Robert Wein advised me that his attorney at the time, Jordan L. Klingsberg, Esq., had a copy of the estate planning documents and Robert Wein further instructed me to keep

the documents in my personal safe. Robert Wein also gave me his previous estate planning documents and other personal papers.

5. Consistent with the confidence he has always had in me, Robert Wein trusted me with the safekeeping of his estate planning documents.

I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this affidavit and that the punishment for knowingly making a false statement includes fines and/or imprisonment.

Dated: 8-10-15

Jerome L. Rich

STATE OF:
COUNTY OF:

Sworn to or affirmed and signed before me on August 10, 2015, by Jerome L. Rich, who is [✓] personally known to me or [ ] produced the following as identification _____.

Notary Public or Deputy Clerk

BRUCE S. ROSENWATER
MY COMMISSION # EE 196567
EXPIRES: May 7, 2016
Bonded Thru Notary Public Underwriters

Filing # 30689776 E-Filed 08/10/2015 04:46:32 PM

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

Case No. 502014GA000472 | Probate Division II

IN RE: THE GUARDIANSHIP OF

ROBERT PAUL WEIN,

The Ward.
_____/

NOTICE OF FILING AFFIDAVIT OF JEROME L. RICH

The undersigned law firm, as counsel for Vita Wein, hereby gives notice to all parties that it has filed with the Court on August 10, 2015, the attached Affidavit of Jerome L. Rich.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 10, 2015, a true and correct copy of this document was sent to: Michael J. Schlesinger, Esq., Schlesinger & Associates, P.A., 800 Brickell Avenue, Suite 1400, Miami, Florida 33131 by e-service at mjs@mjsjd.com, hcorrea@mjsjd.com, and eservice@mjsjd.com; Ellen S. Morris, Esq., Elder Law Associates, P.A., 7284 W. Palmetto Park Road, Suite 101, Boca Raton, FL 33433 by e-service at emorris@elderlawassociates.com, lrubin@elderlawassociates.com, and clawrence@elderlawassociates.com.

BRUCE S. ROSENWATER & ASSOCIATES, P.A.
Counsel for Vita Wein
1601 Forum Place | Suite 610
West Palm Beach, Florida 33401
T: 561.688.0991 | F: 561.688.0581
info@rosenwater.com | bsr@rosenwater.com

Bruce S. Rosenwater
Fla. Bar No. 715107

*** FILED: PALM BEACH COUNTY, FL SHARON R BOCK, CLERK. 8/10/2015 4:46:32 PM ***

Filing # 30845884 E-Filed 08/13/2015 03:42:44 PM

8-13-15

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

IN RE: GUARDIANSHIP OF PROBATE DIVISION

ROBERT PAUL WEIN CASE NO. 502014GA000472XXXXNB

_____/

OBJECTIONS TO NOTICE OF PRODUCTION FROM NON-PARTY

COMES NOW ELIZABETH SAVITT, as Limited Guardian of the Person and Property of ROBERT PAUL WEIN (hereafter "Ward"), by and through her undersigned counsel, and hereby objects to the *Notice of from Non-Party (the "Notice")* filed by Vita Wein, as follows:

1. On August 6, 2015, Vita Wein filed and served the Notice in the above-reference case including a proposed Subpoena Duces Tecum in which she is seeking to obtain copies of the Ward's account information held at Wells Fargo Bank, N.A. going back for the last two (2) years.

2. The pending Petitions at issue in this case are for authority to pursue an annulment on behalf of the Ward and to amend the Ward's Trust and do not involve any financial transactions of the Ward.

3. Further, the Notice requests document going back two (2) years. The guardian was not appointed until October 15, 2014, and therefore, the request of any financial records beyond that point is outside the scope of the guardianship and the issues pending before the Court.

4. Lastly, the documents are the Ward's confidential financial documents and Article I, Section 23, of the Florida Constitution protects discovery of financial information of persons if there is no relevant or compelling reason to compel disclosure. See Borck v. Borck, 906 So. 2d 1209 (Fla. 4th DCA 2005).

5. Respondent asserts that there is no relevant or compelling reason to compel disclosure of the Ward's confidential financial records and that it would be reversible error for this Court to order production of the requested financial documents without an evidentiary inquiry as to the relevant or compelling reason.

WHEREFORE, Respondent hereby objects to the issuance of the Subpoena Duces Tecum directed to Wells Fargo Bank, N.A., and should Petitioner bring a motion before the Court for permission to serve such subpoenas, requests that a hearing be held on said motion and that the Court consider these objections and any further argument and award the guardianship such other relief as this Court deems just and proper.

*** FILED: PALM BEACH COUNTY, FL SHARON R BOCK, CLERK. 8/13/2015 3:42:44 PM ***

I HEREBY CERTIFY that a copy of the foregoing was served via the e-Portal on this 13th day of August, 2015 to Bruce S. Rosenwater, Esq., Bruce S. Rosenwater & Associates, P.A., 1601 Forum Place, Suite 610, West Palm Beach, FL 33401 (info@rosenwater.com and bsr@rosenwater.com) and Michael J. Schlesinger, Esq., Schlesinger & Associates, P.A., 800 Brickell Plaza, Suite 1400, Miami, Florida 33131 (mjs@mjsjd.com, hcorrea@mjsjd.com and eservice@mjsjd.com).

Ellen S. Morris, Esq.
Attorney for the Guardian
Florida Bar Number: 850306
ELDER LAW ASSOCIATES PA
7284 W. Palmetto Park Road, Suite 101
Boca Raton, FL 33433
Telephone: (561) 750-3850
Fax: (561) 750-4069
E-Mail: emorris@elderlawassociates.com
Secondary E-Mail: lrubin@elderlawassociates.com
Secondary E-Mail: clawrence@elderlawassociates.com

8-27-15

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

IN RE: GUARDIANSHIP OF — PROBATE DIVISION "II"

ROBERT PAUL WEIN — CASE NO. 502014GA000472XXXXNB

_____/

ORDER AUTHORIZING AND RATIFYING PAYMENT OF COMPENSATION AND EXPENSES OF GUARDIAN
(September 16, 2014 through July 3, 2015)

On the petition of Elizabeth Savitt, as limited guardian of the person and property of Robert Paul Wein (the Ward), for an order authorizing payment of compensation for services rendered and expenses incurred, the Court having examined the file in this proceeding and having considered the evidence presented regarding the criteria established by Section 744.108(2), Florida Statutes, and finding that the material allegations of the petition are true and $85.00 per hour is a reasonable rate of compensation for the services of the guardian, and being otherwise fully advised, it is

ORDERED AND ADJUDGED as follows:

1. The retainer paid by the guardian of the property from the assets of the Ward in the amount of $8,000.00 is hereby ratified and approved.

2. Petitioner is hereby awarded a reasonable fee under Section 744.108(2), Florida Statutes, for services rendered by the Petitioner during the period of **September 16, 2014**, through **July 3, 2015**, as follows:

Hourly Rate:	$85.00
Hours Worked:	196.95 (.60 at No Charge)
Total Fees:	$16,847.75
Total Costs:	$237.60
Total Fees and Costs:	**$17,085.35**

3. The guardian of the property of the Ward is authorized and directed to pay that compensation and those expenses from the assets of the Ward, less the $8,000.00 retainer, in the total amount of **$9,085.35** to Elizabeth Savitt. Such payment shall be made within ten (10) days from the date of this Order, if not sooner, and shall be made through any accounts held in the name of the Ward or guardianship.

DONE AND ORDERED this 27 day of August, 2015 in Palm Beach Gardens, Palm Beach County, Florida.

HONORABLE KRISTA MARX
Circuit Judge

FILED
2015 AUG 27 AM 11:49
SHARON R. BOCK, CLERK
PALM BEACH COUNTY, FL
NORTH COUNTY BRANCH

Copies furnished to: See attached list

SERVICE LIST

Ellen S. Morris, Esq.
ELDER LAW ASSOCIATES PA
7284W. Palmetto Park Road, Suite 101
Boca Raton, FL 33433

Bruce S. Rosenwater, Esq.
Bruce S. Rosenwater & Associates, P.A.
1601 Forum Place, Suite 610
West Palm Beach, FL 33401

Michael J. Schlesinger, Esq.
Schlesinger & Associates, P.A.
800 Brickell Plaza, Suite 1400
Miami, FL 33131