

ROWLAND

**United States District Court  
Northern District of Illinois - CM/ECF LIVE, Ver 5.1.1 (Chicago)  
CIVIL DOCKET FOR CASE #: 1:13-cv-03643**

Simon Bernstein Irrevocable Insurance Trust Dtd 6/21/95 v. Heritage  
Union Life Insurance Company  
Assigned to: Honorable Amy J. St. Eve  
Case in other court: Circuit Court of Cook County, 2013 L 003498  
Cause: 28:1441 Petition for Removal

Date Filed: 05/16/2013  
Jury Demand: None  
Nature of Suit: 110 Contract: Insurance  
Jurisdiction: Diversity

**Plaintiff**

**Simon Bernstein Irrevocable Insurance  
Trust Dtd 6/21/95**

represented by **Adam Michael Simon**  
The Simon Law Firm, P.C.  
303 E. Wacker Drive  
Suite 210  
Chicago, IL 60606  
(312) 819-0730 x408  
Email: [asimon@chicago-law.com](mailto:asimon@chicago-law.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Bank of America**

**Plaintiff**

**Eliot Bernstein**

**Plaintiff**

**United Bank of Illinois**

**Plaintiff  
Simon Bernstein Trust, N.A.**

**Plaintiff  
Ted Bernstein**

**Plaintiff  
First Arlington National Bank**

V.

**Defendant**

**Heritage Union Life Insurance Company**

represented by **Alexander David Marks**  
Burke, Warren, MacKay & Serritella, P.C.  
330 North Wabash Avenue  
22nd Floor  
Chicago, IL 60611-3607  
(312) 840-7000  
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*LEAD ATTORNEY*  
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**Frederic A. Mendelsohn**  
Burke, Warren, MacKay & Serritella PC  
330 North Wabash Avenue  
22nd Floor  
Chicago, IL 60611  
(312) 840-7000  
Email: fmendelsohn@burkelaw.com  
*ATTORNEY TO BE NOTICED*

**ThirdParty Plaintiff**

**Heritage Union Life Insurance Company**

represented by **Alexander David Marks**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Frederic A. Mendelsohn**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Third Party Defendant**  
**Bank of America**  
**Third Party Defendant**  
**Eliot Bernstein**  
**Third Party Defendant**  
**United Bank of Illinois**  
**Third Party Defendant**

**Simon Bernstein Trust, N.A.**

**Third Party Defendant**

**Ted Bernstein**

**Third Party Defendant**

**First Arlington National Bank**

**Counter Claimant**

**Heritage Union Life Insurance Company**

represented by **Alexander David Marks**  
 (See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Frederic A. Mendelsohn**  
 (See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Counter Defendant**

**Simon Bernstein Irrevocable Insurance Trust Dtd 6/21/95**

represented by **Adam Michael Simon**  
 (See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
05/16/2013	<a href="#"><u>1</u></a>	NOTICE of Removal from Circuit Court of Cook County, case number (2013 L 003498) filed by Jackson National Life Insurance Company Filing fee \$ 400, receipt number 0752-8351218. (Attachments: # <a href="#"><u>1</u></a> Exhibit Circuit Court Complaint and Summons)(Marks, Alexander) (Entered: 05/16/2013)
05/16/2013	<a href="#"><u>2</u></a>	CIVIL Cover Sheet (Marks, Alexander) (Entered: 05/16/2013)
05/16/2013	<a href="#"><u>3</u></a>	ATTORNEY Appearance for Defendant Jackson National Life Insurance Company by Alexander David Marks (Marks, Alexander) (Entered: 05/16/2013)
05/16/2013	<a href="#"><u>4</u></a>	NOTICE by Jackson National Life Insurance Company re notice of removal, <a href="#"><u>1</u></a> (Marks, Alexander) (Entered: 05/16/2013)
05/16/2013		CASE ASSIGNED to the Honorable Amy J. St. Eve. Designated as Magistrate Judge the Honorable Mary M. Rowland. (nsf, ) (Entered: 05/16/2013)
05/20/2013	<a href="#"><u>5</u></a>	MINUTE entry before Honorable Amy J. St. Eve: Defendant has failed to allege subject matter

		jurisdiction. Defendant has until 5/24/13 to file an Amended Notice of Removal properly alleging diversity or some other basis for federal jurisdiction. Failure to do so will result in remand of the case to the Circuit Court of Cook County. [For further details, see minute order.] Mailed notice (kef, ) (Entered: 05/20/2013)
05/20/2013	<a href="#">6</a>	MAILED Notice of Removal letter with an attorney appearance form to counsel of record. (pcs, ) (Entered: 05/20/2013)
05/20/2013	<a href="#">7</a>	NOTICE of Removal from Circuit Court of Cook County, case number (2013-L-003498) filed by Jackson National Life Insurance Company ( <i>amended notice</i> ) (Attachments: # <a href="#">1</a> Exhibit 1 - Complaint and Summons)(Marks, Alexander) (Entered: 05/20/2013)
05/20/2013	<a href="#">8</a>	MINUTE entry before Honorable Amy J. St. Eve: Initial status hearing set for 6/7/13 at 9:00 a.m. in courtroom 1241. Parties shall refer to Judge St. Eve's web page at www.ilnd.uscourts.gov and file a joint status report by 6/4/13 as set forth in the Initial Status Conferences procedure. Mailed notice (kef, ) (Entered: 05/20/2013)
05/23/2013	<a href="#">9</a>	MOTION by Defendant Heritage Union Life Insurance Company for extension of time to file answer <i>and counterclaim to Plaintiff's Complaint</i> (Attachments: # <a href="#">1</a> Exhibit 1- Eliot Bernstein Letter)(Marks, Alexander) (Entered: 05/23/2013)
05/23/2013	<a href="#">10</a>	MOTION by Defendant Heritage Union Life Insurance Company to deposit funds (Marks, Alexander) (Entered: 05/23/2013)
05/23/2013	<a href="#">11</a>	NOTICE of Motion by Alexander David Marks for presentment of motion to deposit funds <a href="#">10</a> , motion for extension of time to file answer <a href="#">9</a> before Honorable Amy J. St. Eve on 5/29/2013 at 08:30 AM. (Marks, Alexander) (Entered: 05/23/2013)
05/23/2013	<a href="#">12</a>	ATTORNEY Appearance for Defendant Heritage Union Life Insurance Company by Frederic A. Mendelsohn (Mendelsohn, Frederic) (Entered: 05/23/2013)
05/23/2013	<a href="#">13</a>	ATTORNEY Appearance for Plaintiff Simon Bernstein Irrevocable Insurance Trust Dtd 6/21/95 by Adam Michael Simon (Simon, Adam) (Entered: 05/23/2013)
05/28/2013	<a href="#">14</a>	MINUTE entry before Honorable Amy J. St. Eve: Defendant's motion for an extension of time <a href="#">9</a> is granted. Defendant shall answer or otherwise plead by 6/27/13. Mailed notice (kef, ) (Entered: 05/28/2013)
05/29/2013	<a href="#">15</a>	MINUTE entry before Honorable Amy J. St. Eve: Motion hearing held on 5/29/2013. Defendant's motion to tender insurance policy proceeds to Court <a href="#">10</a> is granted. Parties shall submit an agreed proposed order to Judge St. Eve's proposed order email, the link for which can be found on her web page. Joint status report shall be filed by 7/12/13. Status hearing set for 6/7/13 is stricken and reset to 7/23/13 at 8:30 a.m. Mailed notice (kef, ) (Entered: 05/29/2013)
06/25/2013	<a href="#">16</a>	AGREED ORDER for Defendant's Motion to Tender Insurance Policy Proceeds to Court Signed by the Honorable Amy J. St. Eve on 6/25/2013:Mailed notice(kef, ) (Entered: 06/25/2013)
06/26/2013	<a href="#">17</a>	ANSWER to Complaint , THIRD party complaint by Heritage Union Life Insurance Company

		against Bank of America, Eliot Bernstein, United Bank of Illinois, Simon Bernstein Trust, N.A., Ted Bernstein, First Arlington National Bank ., COUNTERCLAIM filed by Heritage Union Life Insurance Company against Simon Bernstein Irrevocable Insurance Trust Dtd 6/21/95 . by Heritage Union Life Insurance Company (Attachments: # <a href="#">1</a> Exhibit 1)(Marks, Alexander) (Entered: 06/26/2013)
06/26/2013	<a href="#">18</a>	NOTICE by Heritage Union Life Insurance Company re answer to complaint,, third party complaint,, counterclaim, <a href="#">17</a> (Marks, Alexander) (Entered: 06/26/2013)
06/26/2013		SUMMONS Issued as to Third Party Defendants Bank of America, Eliot Bernstein, Ted Bernstein, First Arlington National Bank, Simon Bernstein Trust, N.A., United Bank of Illinois (ym, ) (Entered: 06/26/2013)

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
07/08/2013 14:30:01			
<b>PACER Login:</b>	iv0168	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	1:13-cv-03643
<b>Billable Pages:</b>	4	<b>Cost:</b>	0.40