

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
303 E. Wacker Drive
Suite 210
Chicago, IL 60601
(312) 819-0730
Email: 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

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

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
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(312) 840-7000
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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

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

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

Date Filed	#	Docket Text
05/16/2013	1	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: # 1 Exhibit Circuit Court Complaint and Summons) (Marks, Alexander) (Entered: 05/16/2013)
05/16/2013	2	CIVIL Cover Sheet (Marks, Alexander) (Entered: 05/16/2013)
05/16/2013	3	ATTORNEY Appearance for Defendant Jackson National Life Insurance Company by Alexander David Marks (Marks, Alexander) (Entered: 05/16/2013)
05/16/2013	4	NOTICE by Jackson National Life Insurance Company re notice of removal 1 (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	5	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	6	MAILED Notice of Removal letter with an attorney appearance form to counsel of record. (pcs,) (Entered: 05/20/2013)
05/20/2013	7	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: # 1 Exhibit 1 - Complaint and Summons)(Marks, Alexander) (Entered: 05/20/2013)
05/20/2013	8	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	9	MOTION by Defendant Heritage Union Life Insurance Company for extension of time to file answer <i>and counterclaim to Plaintiff's Complaint</i> (Attachments: # 1 Exhibit 1- Eliot Bernstein Letter)(Marks, Alexander) (Entered: 05/23/2013)
05/23/2013	10	MOTION by Defendant Heritage Union Life Insurance Company to deposit funds (Marks, Alexander) (Entered: 05/23/2013)
05/23/2013	11	NOTICE of Motion by Alexander David Marks for presentment of motion to deposit funds 10 , motion for extension of time to file answer 9 before Honorable Amy J. St. Eve on 5/29/2013 at 08:30 AM. (Marks, Alexander) (Entered: 05/23/2013)
05/23/2013	12	ATTORNEY Appearance for Defendant Heritage Union Life Insurance Company by Frederic A. Mendelsohn (Mendelsohn, Frederic) (Entered: 05/23/2013)
05/23/2013	13	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	14	MINUTE entry before Honorable Amy J. St. Eve: Defendant's motion for an extension of time 9 is granted. Defendant shall answer or otherwise plead by 6/27/13. Mailed notice (kef,) (Entered: 05/28/2013)
05/29/2013	15	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 10 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	16	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	17	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: # 1 Exhibit 1)(Marks, Alexander) (Entered: 06/26/2013)
06/26/2013	18	NOTICE by Heritage Union Life Insurance Company re answer to complaint,, third party complaint,, counterclaim, 17 (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)
07/11/2013	19	MOTION by Defendant Heritage Union Life Insurance Company, Plaintiff Simon Bernstein Irrevocable Insurance Trust Dtd 6/21/95 for extension of time <i>to file initial status report (agreed)</i> (Marks, Alexander) (Entered: 07/11/2013)
07/11/2013	20	NOTICE of Motion by Alexander David Marks for presentment of extension of time 19 before Honorable Amy J. St. Eve on 7/15/2013 at 08:30 AM. (Marks, Alexander) (Entered: 07/11/2013)
07/11/2013	21	MINUTE entry before Honorable Amy J. St. Eve: Joint motion to extend 19 is granted. Joint status report shall be filed by 8/26/13. Status hearing set for 7/23/13 is stricken and reset to 8/29/13 at 8:30 a.m. No appearance is required on the 7/15/13 notice date. Mailed notice (kef,) (Entered: 07/11/2013)
07/22/2013	22	WAIVER OF SERVICE returned executed by Heritage Union Life Insurance Company. Eliot Bernstein waiver sent on 7/1/2013, answer due 8/30/2013. (Marks, Alexander) (Entered: 07/22/2013)
07/23/2013	23	WAIVER OF SERVICE returned executed by Heritage Union Life Insurance Company. Ted Bernstein waiver sent on 7/1/2013, answer due 8/30/2013. (Marks, Alexander) (Entered: 07/23/2013)
08/05/2013	24	SUMMONS Returned Executed by Heritage Union Life Insurance Company as to Bank of America on 7/29/2013, answer due 8/19/2013. (Marks, Alexander) (Docket text modified by Clerk's Office.) (Entered: 08/05/2013)
08/05/2013	25	SUMMONS Returned Executed by Heritage Union Life Insurance Company as to United Bank of Illinois n/k/a PNC Bank on 7/25/2013, answer due 8/15/2013. (Marks, Alexander) (Docket text modified by Clerk's Office.) (Entered: 08/05/2013)
08/23/2013	26	ATTORNEY Appearance for Third Party Defendant Ted Bernstein, Plaintiff Ted Bernstein by Adam Michael Simon (Simon, Adam)

		(Entered: 08/23/2013)
08/26/2013	27	STATUS Report (<i>Initial</i>) by Ted Bernstein, Heritage Union Life Insurance Company, Simon Bernstein Irrevocable Insurance Trust Dtd 6/21/95 (Simon, Adam) (Entered: 08/26/2013)
08/29/2013	28	MINUTE entry before Honorable Amy J. St. Eve: Status hearing held on 8/29/2013 and continued to 9/25/2013 at 08:30 AM. Rule 26(a)(1) disclosures by 10/1/13. Written discovery shall be issued by 10/15/13. Fact discovery shall be completed by 2/17/14. Parties are directed to meet and confer pursuant to Rule 26(f) and exhaust all settlement possibilities prior to the next status hearing. Mailed notice (kef,) (Entered: 08/29/2013)
08/30/2013	29	ANSWER to Third Party Complaint <i>and Counterclaims</i> by Ted Bernstein, Simon Bernstein Irrevocable Insurance Trust Dtd 6/21/95(Simon, Adam) (Entered: 08/30/2013)
09/03/2013	30	MINUTE entry before Honorable Amy J. St. Eve: Eliot Bernstein's oral request for an extension of time is granted. Eliot Bernstein shall answer or otherwise plead by 9/6/13. Mailed notice (kef,) (Entered: 09/03/2013)
09/04/2013	31	MINUTE entry before Honorable Amy J. St. Eve: Eliot Bernstein's oral request for an extension of time is granted. Eliot Bernstein shall answer or otherwise plead by 9/13/13. Mailed notice (kef,) (Entered: 09/04/2013)

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