

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SIMON BERNSTEIN IRREVOCABLE)
INSURANCE TRUST DTD 6/21/95,)
by Ted S. Bernstein, its Trustee, Ted S.)
Bernstein, an individual,)
Pamela B. Simon, an individual,)
Jill Iantoni, an individual and Lisa S.)
Friedstein, an individual.)

Plaintiff,)

v.)

HERITAGE UNION LIFE INSURANCE)
COMPANY,)

Defendant,)

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HERITAGE UNION LIFE INSURANCE)
COMPANY)

Counter-Plaintiff)

v.)

SIMON BERNSTEIN IRREVOCABLE)
TRUST DTD 6/21/95)

Counter-Defendant)

and,)

FIRST ARLINGTON NATIONAL BANK)
as Trustee of S.B. Lexington, Inc. Employee)
Death Benefit Trust, UNITED BANK OF)
ILLINOIS, BANK OF AMERICA,)
Successor in interest to LaSalle National)
Trust, N.A., SIMON BERNSTEIN TRUST,)
N.A., TED BERNSTEIN, individually and)
as purported Trustee of the Simon Bernstein)

**Case No. 13 cv 3643
Honorable Amy J. St. Eve
Magistrate Mary M. Rowland**

Irrevocable Insurance Trust Dtd 6/21/95,)
and ELIOT BERNSTEIN)

Third-Party Defendants.)

ELIOT IVAN BERNSTEIN,)

Cross-Plaintiff)

v.)

TED BERNSTEIN, individually and)
as alleged Trustee of the Simon Bernstein)
Irrevocable Insurance Trust Dtd, 6/21/95)

Cross-Defendant)

and,)

PAMELA B. SIMON, DAVID B.SIMON,)
both Professionally and Personally)
ADAM SIMON, both Professionally and)
Personally, THE SIMON LAW FIRM,)
TESCHER & SPALLINA, P.A.,)
DONALD TESCHER, both Professionally)
and Personally, ROBERT SPALLINA,)
both Professionally and Personally,)
LISA FRIEDSTEIN, JILL IANTONI)
S.B. LEXINGTON, INC. EMPLOYEE)
DEATH BENEFIT TRUST, S.T.P.)
ENTERPRISES, INC. S.B. LEXINGTON,)
INC., NATIONAL SERVICE)
ASSOCIATION (OF FLORIDA),)
NATIONAL SERVICE ASSOCIATION)
(OF ILLINOIS) AND JOHN AND JANE)
DOES)

Third-Party Defendants.)

NOTICE OF MOTION

To: See Certificate of Service

PLEASE TAKE NOTICE that on the 13th day of January, 2013 at 8:30 a.m., or as soon thereafter as counsel may be heard, the undersigned shall appear before the Honorable Amy St. Eve in Room 1241, United States District Courthouse, at 219 South Dearborn Street, Chicago, Illinois, or before any other judge that may be sitting in his place and stead, and then and there present Plaintiffs' Motion for Leave to File their First Amended Complaint, a copy of which has been filed electronically and is herewith served upon you.

Dated: January 3, 2014

Respectfully submitted,

/s/ Adam Simon

Adam M. Simon (#6205304)
303 E. Wacker Drive, Suite 210
Chicago, IL 60601
Phone: 313-819-0730
Fax: 312-819-0773
E-Mail: asimon@chicagolaw.com
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that he caused a copy of a Notice of Motion and Motion for Leave to file First Amended Complaint to be served upon the following persons and entities electronically by ECF notification or by US Mail (if so indicated):

Alexander David Marks
Frederic A. Mendelsohn
Burke Warren MaCkay & Serritella
330 N. Wabash Ave.
22nd Floor
Chicago, IL 60611
312-840-7000
*Attorneys for Heritage Union Life Insurance Company
And Jackson National Insurance Company*

Eliot Ivan Bernstein
2753 NW 34th St.
Boca Raton, FL 33434
Appearing Pro Se
(Served by U.S. Mail)

John M. O'Halloran
McVey & Parsky, LLC
30 N. LaSalle Street
Ste. 2100
Chicago, IL 60602
Attorney for Intervenor – William E. Stansbury

Glenn E. Heilizer
Law Offices of Glenn E. Heilizer
Five N. Wabash Ave.
Ste. 1304
Chicago, IL 60602
*Attorney for Third-Party Defendant
JPMorgan Chase Bank, N.A.*

on the 3rd day of January, 2014.

/s/ Adam Simon
Adam M. Simon (#6205304)
303 E. Wacker Drive, Suite 210
Chicago, IL 60601
Phone: 313-819-0730
Fax: 312-819-0773
E-Mail: asimon@chicagolaw.com
Attorneys for Plaintiffs

