

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

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

Plaintiff,)

v.)

HERITAGE UNION LIFE INSURANCE)
COMPANY,)

Defendant,)

_____)

HERITAGE UNION LIFE INSURANCE)
COMPANY,)

Counter-Plaintiff,)

v.)

SIMON BERNSTEIN IRREVOCABLE)
INSURANCE 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., TED BERSTEIN, individually)
and as alleged Trustee of the Simon)
Bernstein Irrevocable Insurance Trust Dtd.)
6/21/95 and ELIOT BERNSTEIN,)

Third Party Defendants)

_____)

ELIOT IVAN BERNSTEIN,)

Cross-Plaintiff)

v.)

TED BERNSTEIN, individually and as)

Case No. 13 cv 3643

**Honorable Amy J. St. Eve
Magistrate Mary M. Rowland**

NOTICE OF MOTION

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., EMPLOYEE DEATH)
BENEFIT TRUST, S.T.P. ENTERPRISES,)
INC., S.B. LEXINGTON, INC.,)
NATIONAL SERVICE ASSOCIATION,)
INC. (OF FLORIDA) NATIONAL)
SERVICE ASSOCIATION, INC,)
(OF ILLINOIS) AND JOHN AND)
JANE DOE'S)

Third Party Defendants)

BENJAMIN P. BROWN, as Curator and)
Administrator Ad Litem of the Estate of)
Simon L. Bernstein,)

Intervenor.)

NOTICE OF MOTION

On **June 10, 2014** at **8:30 a.m.** or soon thereafter as counsel may be heard, I shall appear before the **Honorable Judge Amy J. St. Eve** or any Judge sitting in her stead, in the courtroom usually occupied by her in **Room 1241** of the United States Courthouse, 219 S. Dearborn Street, Chicago, Illinois 60604, and then and there present **Motion to Intervene Pursuant to Fed. R. Civ. P. 24** by Interested Party **Benjamin P. Brown, as Curator and Administrator Ad Litem of the Estate of Simon L. Bernstein**, a copy of which is attached.

/s/ James J. Stamos
One of the Attorneys for
Benjamin P. Brown, as Curator and
Administrator Ad Litem of the Estate of
Simon L. Bernstein

James J. Stamos
Kevin P. Horan
STAMOS & TRUCCO
30 West Monroe Street
Suite 1600
Chicago, Illinois 60603
(312) 630-7979