**IN THE UNITED STATES DISTRICT COURT**

**FOR THE NORTHERN DISTRICT COURT ILLINOIS**

**EASTERN DIVISION**

**SIMON BERNSTEIN IRREVOCABLE )**

**INSURANCE TRUST DTD 6/21/95, )**

**)**

**Plaintiff, )**

**)**

**v. ) Case No. 13-cv-03643**

**)**

**HERITAGE UNION LIFE INSURANCE) Honorable Amy J. St. Eve**

**COMPANY, ) Magistrate Mary M. Rowland**

**)**

**Defendant. )**

**---------------------------------------------------- )**

**HERITAGE UNION LIFE INSURANCE)**

**COMPANY, )**

**)**

**Counter-Plaintiff, ) Rule 26(a)1 Additional Disclosures by**

**) Eliot Ivan Bernstein**

**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 ILLINOI S, BANK )**

**OF AMERICA, successor in interest to )**

**LaSalle National Trust, N.A., )**

**SIMON BERNSTEIN TRUST, N. A., )**

**TED BERNSTEIN, 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 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, Inc. )**

**(of Florida) National )**

**Service Association, Inc. )**

**(of Illinois) and )**

**John and Jane Doe’s )**

**)**

**Third Party Defendants. )**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_/

**DEFENDANT'S FED. R. CIV. P. 26(a)(l) ADDITIONAL DISCLOSURES**

**TO: ALL PARTIES LISTED ON THE ATTACHED CERTIFICATE OF**

**SERVICE**

Cross-Plaintiff and Third Party Defendant, Eliot Ivan Bernstein, pursuant to Rule 26(a)(l) of the Federal Rules of Civil Procedure hereby submits the following additional disclosures:

**(i) Relevant documents to be used as proof in Eliot’s possession**

1. Eliot hereby produces the following documents attached as Exhibit A.
2. Eliot hereby produces documents located at the following URL, hereby incorporated in entirety by reference herein @ <http://www.iviewit.tv/Simon%20and%20Shirley%20Estate/20140602EstateFilesBenBrownCuratorDelieveredByTescherAndSpallina.pdf> The file is 240MB so patience is a virtue and please download and print these files for the Court Record. Bates #TS000001 through Bates TS007421.

Eliot Ivan Bernstein reserves the right to supplement this response as additional documents become known or which may be used in the prosecution or defense of claims asserted, unless solely for impeachment.

Respectfully submitted,

/s/ Eliot Ivan Bernstein

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Dated: June 09, 2014 Eliot I. Bernstein

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EXHIBIT A

**Certificate of Service**

The undersigned certifies that a copy of the foregoing Rule 26 Additional Disclosure was served by ECF and by E-mail on June 09, 2014 to the following parties:

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Jackson National Insurance Company

Heritage Union Insurance Company

(and including all successor insurers to Capitol Bankers Life Insurance Company

as the issuing insurer of the Policy)

c/o Alexander D. Marks and Frederic A. Mendelsohn

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/s/ Eliot Ivan Bernstein

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