

**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., SIMON BERNSTEIN TRUST,)
N.A., TED BERNSTEIN, individually and)
as purported Trustee of the Simon Bernstein)
Irrevocable Insurance Trust Dtd 6/21/95,)

**Case No. 13 cv 3643
Honorable John Robert Blakey
Magistrate Mary M. Rowland**

**Simon Bernstein Irrevocable
Insurance Trust Dated 6/21/95,
Ted Bernstein, as Trustee and
Individually,
Pamela B. Simon, Jill Iantoni, and Lisa
Friedstein (“Movants or Plaintiffs”).**

**MOTION FOR LEAVE TO
FILE A BRIEF IN EXCESS OF
FIFTEEN PAGES**

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.)

Plaintiffs, pursuant to Local Rule 7.1, respectfully move this honorable court for an order granting leave to file a memorandum of law in support of their motion for summary judgment in excess of the fifteen page limit, and in support thereof states as follows:

1. Plaintiffs are prepared to file their motion for summary judgment as to Count I of their claims to the Policy Proceeds.
2. This matter is not overly complicated, and is ripe for summary judgment, but as is evident from the seven pages of parties listed on the Docket there is quite a bit of factual and procedural history surrounding this matter which requires review and explanation.
3. Plaintiffs believe that they have dealt with the issues presented by this case in an efficient and succinct manner, but their memorandum of law exceeds fifteen pages. Plaintiffs anticipate that their final brief will not exceed twenty pages.

WHEREFORE, Plaintiffs pray for an Order granting them leave to file a memorandum of law in support of their motion for summary judgment as to Count I of their claims that exceeds the fifteen page limit.

Dated: March 16, 2015

Respectfully submitted,

/s/ Adam Simon

Adam Simon, Esq.

#6205304

303 East Wacker Drive,

Suite 2725

Chicago, Illinois 60601

(312) 819-0730

Attorney for Plaintiffs