

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

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

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

v.)
)
HERITAGE UNION LIFE INSURANCE)
COMPANY,)

Defendant,)

**Filers:
Simon Bernstein Irrevocable
Insurance Trust Dated 6/21/95,
Ted Bernstein, as Trustee, et. al.**

HERITAGE UNION LIFE INSURANCE)
COMPANY)

Counter-Plaintiff)

NOTICE TO *PRO SE* LITIGANT

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,)

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 TO *PRO SE* LITIGANT

To: Eliot Ivan Bernstein
2753 NW 34 St.
Boca Raton, FL 33434
Pro Se Litigant

Plaintiffs have moved for summary judgment against you. This means that plaintiffs are telling the judge that there is no disagreement about the important facts of the case. The plaintiffs are also claiming that there is no need for a trial of your case and is asking the judge to decide that the plaintiffs should win the case based on its written argument about what the law is.

In order to defeat the plaintiffs' request, you need to do one of two things: you need to show that there is a dispute about important facts and a trial is needed to decide what the actual facts are or you need to explain why the plaintiffs are wrong about what the law is.

Your response must comply with Rule 56(e) of the Federal Rules of Civil Procedure and Local Rule 56.1 of this court. These rules are available at any law library. Your Rule 56.1 statement needs to have numbered paragraphs responding to each paragraph in the plaintiff's statement of facts. If you disagree with any fact offered by plaintiffs you need to explain how and why you disagree with the plaintiffs. You also need to explain how the documents or declarations that you are submitting support your version of the facts. If you think some of the facts offered by plaintiffs are immaterial or irrelevant you need to explain why you believe those facts should not be considered.

In your response, you must also describe and include copies of documents which show why you disagree with the plaintiffs about the facts of the case. You may rely on your own declaration or the declaration of other witnesses. A declaration is a signed statement of a witness. The declaration must end with the following phrase:

"I declare under the penalty of perjury under the laws of the United States that the foregoing is true and correct", and must be dated.

If you do not provide the Court with evidence that shows that there is a dispute about the facts, the judge will be required to assume that the plaintiffs' factual contentions are true, and if the plaintiffs are also correct about the law, the plaintiff's motion for partial summary judgment will be granted.

If you choose to do so, you may offer the Court a list of facts that you believe are in dispute and require a trial to decide. Your list of disputed facts should be supported by your documents or declarations support your position. If you do not do so, the judge will be forced to assume you do not dispute the facts which you have not responded to.

Finally, you should explain why you think the plaintiffs are wrong about what the law is.

Dated: March 27, 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-Movants