

**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, )  
and ELIOT BERNSTEIN, )

Third-Party Defendants. )

ELIOT IVAN BERNSTEIN, )

Cross-Plaintiff )

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

**NOTICE OF UNOPPOSED MOTION  
TO ENTER BRIEFING SCHEDULE**

**Filers:**

Brian O’Connell, as Personal  
Representative of the Estate of  
Simon L. Bernstein, Intervenor;

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. )  
 )  
 BRIAN M. O'CONNELL, as Personal )  
 Representative of the Estate of )  
 Simon L. Bernstein, )  
 )  
Intervenor. )

**NOTICE OF MOTION**

On **April 13, 2014 at 9:45 a.m.** or soon thereafter as counsel may be heard, I shall appear before the **Honorable Judge John Robert Blakey** or any Judge sitting in his stead, in the courtroom usually occupied by him in **Room 2201** of the United States Courthouse, 219 S. Dearborn Street, Chicago, Illinois 60604, and then and there present **Unopposed Motion to Enter a Briefing Schedule**, a copy of which is attached.

Respectfully submitted,

*/s/ Kevin P. Horan*

One of the attorneys for Proposed Intervenor, Brian  
M. O'Connell, Personal Representative of the Estate  
of Simon L. Bernstein

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Kevin P. Horan  
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