

**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 EMERGENCY MOTION
TO ENTER BRIEFING SCHEDULE
AND FOR EXTENSION OF TIME TO
COMPLETE DEPOSITIONS**

Filer:
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 23, 2015 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 **Intervenor's Emergency Motion to Enter Briefing Schedule and for Extension of Time to Complete Depositions**, 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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