

**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, Eliot I. Bernstein, )  
Individually, and on behalf of the Minor )  
Children JEZB, JNAB, and DEAOB, )  
ET AL. )**

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

**NOTICE OF EMERGENCY MOTION:**

**Injunction under  
All Writs Act 28 U.S.C. § 1651(a);  
Anti-Injunction Act 28 U.S.C. § 2283;  
Preliminary Injunction FRCP 65;**

**Filers:  
Eliot Ivan Bernstein, Third-Party  
Defendant and Counter-Plaintiff.**

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**NOTICE OF EMERGENCY MOTION FOR INJUNCTIVE RELIEF  
UNDER THE ALL WRITS ACT, ANTI-INJUNCTION ACT,  
FRCP 65, AND OTHER RELIEF**

On a date determined by this Court as soon as possible to hear this emergency motion or soon thereafter as counsel and I as a pro se party 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 1725 via phone conference of the United States Courthouse,

219 S. Dearborn Street, Chicago, Illinois 60604, and then and there present the Motion for Injunctive and other relief by Eliot Ivan Bernstein, as a Third Party Defendant, a copy of which is attached.

Please take Notice that the undersigned, Eliot I. Bernstein, moves this Court for an Order at a date to be determined by this Court as soon as possible for the following relief:

1. Immediate Injunctive Relief under the All Writs Act, Anti-Injunction Act and FRCP against Ted Bernstein and counsel and representatives acting on his behalf specifically including but not limited to attorney Alan M. Rose, against the Estate of Simon Bernstein acting by and through local Illinois counsel and by Florida PRs Brian O'Connell and Joy Foglietta, against Pamela Simon, David Simon, Adam Simon, Jill Bernstein-Iantoni, Lisa Friedstein, and against proceedings in the Florida Probate Courts of Palm Beach County and other parties deemed proper by this Court, temporarily enjoining said parties from further proceedings in the Florida Probate Courts herein until further order of this Court, from disposing, selling, transferring, encumbering or in any way disposing of any assets, properties as specified herein, and further preserving any and all evidence, documents, files, notes, bills, statements, mail, emails, and other evidence herein;
2. Specifically Enjoining at least Temporarily Florida Probate Court Judge Phillips on Thursday, Feb. 25, 2016 at 3:15 PM EST until further Order of this Court;
3. Permitting the Amendment of the original counter-complaint filed herein to add claims under 42 USC Sec. 1983 and other pendant state law claims including but not limited to tortious interference with rights of expectancy and inheritance;

4. Granting appropriate leave to further Amend said complaint to add specified known parties and have said parties served by the US Marshal service or agency determined by this Court;
5. Granting leave to Amend to include a Declaratory Judgment on specified counts pertaining to Trusts, Wills, Instruments, and the Validity and Construction thereof;
6. Waiving any requirement for Bonding by Eliot I. Bernstein under extra-ordinary circumstances and imposing the requirement of bonding against specified wrongdoers herein if necessary.
7. Such other and further relief as to this Court may seem just and proper.

Respectfully submitted,

DATED: Wednesday, February 24, 2016

*/s/ Eliot Ivan Bernstein*

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Third Party Defendant/Cross Plaintiff PRO SE

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on Wednesday, February 24, 2016 I electronically filed the foregoing with the Clerk of the Court using CM/ECF. I also certify that the foregoing is being served this day on all counsel of record identified below via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner.

*/s/ Eliot Ivan Bernstein*

Third Party Defendant/Cross Plaintiff PRO SE

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**SERVICE LIST**

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