

**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,)

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

**Filers:
Simon Bernstein Irrevocable
Insurance Trust Dated 6/21/95,
Ted Bernstein, as Trustee and
Individually,
Pamela B. Simon,
David Simon, Adam Simon,
The Simon Law Firm, and STP
Enterprises, Inc. (“Movants”).**

**APPENDIX TO PLAINTIFFS’,
COUNTERDEFENDANTS AND THIRD
PARTY DEFENDANTS
STATEMENT OF UNDISPUTED
MATERIAL FACTS IN SUPPORT OF
THEIR MOTION FOR
SUMMARY JUDGMENT**

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.)
_____)

Movants, pursuant to Local Rule 56.1, submit the following appendix to their statement of
uncontested material facts in support of their motion for summary judgment:

EXHIBIT #	DESCRIPTION
1	Affidavit of Ted Bernstein
2	Affidavit of Don Sanders
3	Affidavit of Lisa Friedstein
4	Affidavit of Jill Iantoni
5	Affidavit of Pam Simon
6	Affidavit of David Simon
7	Deposition of David Simon
8	Plaintiff's First Amended Complaint
9	Eliot Bernstein's Answer, Counterclaims, Cross-claims, and Third-party claims
10	Probate Order entered 12/15/15 by Hon. John L. Phillips
11	Probate Order entered 4/08/16 by Hon. John L. Phillips
12	Estate Intervenor Complaint
13	Insurer's Interpleader Complaint
14	Specimen Life Insurance Policy