

**General Docket
Seventh Circuit Court of Appeals**

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| Court of Appeals Docket #: 17-3595 | | Docketed: 12/20/2017 |
| Nature of Suit: 4110 Insurance Eliot Bernstein v. Ted Bernstein, et al | | |
| Appeal From: Northern District of Illinois, Eastern Division | | |
| Fee Status: Paid | | |
| Case Type Information: | | |
| 1) civil | | |
| 2) private | | |
| 3) - | | |
| Originating Court Information: | | |
| District: 0752-1 : 1:13-cv-03643 | | |
| Court Reporter: Lisa Breiter, Court Reporter | | |
| Trial Judge: John Robert Blakey, District Court Judge | | |
| Date Filed: 05/16/2013 | | |
| Date Order/Judgment: 11/21/2017 | Date NOA Filed: 12/19/2017 | |
| Prior Cases: None | | |
| Current Cases: None | | |

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| ELIOT IVAN BERNSTEIN Plaintiff - Appellant | Eliot Ivan Bernstein Direct: 561-245-8588 [NTC Pro Se] 2753 NW 34th Street Boca Raton, FL 33434 |
| v. | |
| ADAM M. SIMON Defendant - Appellee | Adam M. Simon, Attorney Direct: 312-809-0730 [COR LD NTC Pro Se] SIMON LAW FIRM Suite 210 303 E. Wacker Drive Chicago, IL 60601 |
| SIMON LAW FIRM Defendant - Appellee | Adam M. Simon, Attorney Direct: 312-809-0730 [COR LD NTC Retained] (see above) |
| DAVID B. SIMON, Professionally and personally Defendant - Appellee | Adam M. Simon, Attorney Direct: 312-809-0730 [COR LD NTC Retained] (see above) |
| PAMELA SIMON Defendant - Appellee | Adam M. Simon, Attorney Direct: 312-809-0730 [COR LD NTC Retained] (see above) |
| TED BERNSTEIN, individually and as alleged Trustee of the Simon Bernstein Irrevocable Insurance Trust dated 06/21/1995 Defendant - Appellee | Adam M. Simon, Attorney Direct: 312-809-0730 [COR LD NTC Retained] (see above) |

STP ENTERPRISES, INC.
Defendant - Appellee

Adam M. Simon, Attorney
Direct: 312-809-0730
[COR LD NTC Retained]
(see above)















ELIOT I. BERNSTEIN,
Cross Plaintiff - Third Party Defendant - Appellant
















v.

TED BERNSTEIN, individually and as alleged Trustee of the Simon Bernstein Irrevocable Insurance Trust dated 06/21/1995,
Cross Defendant - Appellee

and

PAMELA SIMON, et al.,
Third Party Defendants - Appellees

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| 12/20/2017 |  1 125 pg, 7.39 MB | Private civil case docketed. IFP pending in the District Court. Docketing Statement due for Appellant Eliot Ivan Bernstein by 12/26/2017. Transcript information sheet due by 01/03/2018. [1] [6891693] [17-3595] (MM) [Entered: 12/21/2017 09:41 AM] |
| 12/20/2017 |  2 | THIS CAUSE CONSISTS OF MORE THAN 5 PARTIES FOR EITHER SIDE. The following are those parties to this cause as reflected on the District Court docket, yet are not reflected on the Appellate docket/caption for administrative purposes: APPELLEES: United Bank of Illinois, Simon Bernstein Trust, N.A., National Service Association, Inc. (of Illinois), Jill Marla Iantoni, S.B. Lexington, Inc. Employee Death Benefit Trust, Lisa Sue Friedstein, SB Lexington, Inc. and National Service Association, Inc. (Florida). [2] [6891699] [17-3595] (MM) [Entered: 12/21/2017 10:00 AM] |
| 01/10/2018 |  3 1 pg, 98.9 KB | ORDER: Appellant Mr. Eliot Ivan Bernstein is directed to file the overdue Docketing Statement within 14 days from the date of this Rule to Show Cause. JR. Docketing statement response due for Appellant Eliot Ivan Bernstein by 01/24/2018. Sent Certified Mail. Receipt Number: 70160340000113339917. [3] [6895797] [17-3595] (CR) [Entered: 01/10/2018 04:43 PM] |
| 01/11/2018 |  4 3 pg, 111.87 KB | Filed District Court order DENYING Appellant Mr. Eliot Ivan Bernstein leave to proceed on appeal in forma pauperis. Date IFP denied: 12/21/2017. Motion seeking recruitment of counsel is DENIED. Issued Circuit Rule 3(b) 30 day notice for failure to pay the docketing fee. Fee or IFP forms due on 02/12/2018 for Appellant Eliot Ivan Bernstein [6895878] [4] [6895878] [17-3595] (AP) [Entered: 01/11/2018 11:05 AM] |
| 02/02/2018 |  5 19 pg, 500.16 KB | Prose motion filed by Party Mr. Eliot Ivan Bernstein to accept late filing of docketing statement and motion to file electronically. 1 copy of docketing statement tendered. [5] [6901494] [17-3595] (CR) [Entered: 02/02/2018 04:00 PM] |
| 02/07/2018 |  6 2 pg, 99.18 KB | INSTANTER ORDER re: Motion to Accept Late Filing of Docketing Statement and Motion to File Electronically. [5] [5] The motion is GRANTED. Eliot Bernstein is granted leave to use the Electronic Case Filing system for filing material in this appeal. This court's Electronic Case Filing Procedures, the Electronic Case Filing User Manual, and answers to frequently asked questions regarding Electronic Case Filing are available at the Seventh Circuit's web site: http://www.ca7.uscourts.gov . This court will terminate Bernstein's filing user status upon the termination of the case, termination of his pro se status, or for any abuse of filing privileges. IT IS FURTHER ORDERED that the clerk of this court shall file INSTANTER Bernstein's tendered docketing statement. SCR [6] [6902226] [17-3595] (MM) [Entered: 02/07/2018 11:12 AM] |
| 02/07/2018 |  7 15 pg, 1.24 MB | Docketing Statement filed by Appellant Mr. Eliot Ivan Bernstein. Prior or Related proceedings: No. [7] [6902234] [17-3595] (MM) [Entered: 02/07/2018 11:19 AM] |
| 03/02/2018 |  8 107 pg, 6.24 MB | Prose motion filed by Appellant Mr. Eliot Ivan Bernstein to proceed on appeal in forma pauperis. [8] [6907654] [17-3595] (Bernstein, Eliot) [Entered: 03/02/2018 09:05 AM] |
| 03/02/2018 |  9 3 pg, 119.05 KB | Pro se motion filed by Appellant Mr. Eliot Ivan Bernstein to extend time to file Motion to Accept Late Filing of In Forma Pauperis and Pro Bono Applications. [9] [6907674] [17-3595] (Bernstein, Eliot) [Entered: 03/02/2018 09:26 AM] |
| 03/07/2018 |  10 1 pg, 86.37 KB | ORDER re: Motion to accept late filing of in forma pauperis and pro bono applications. A review of the court's docket indicates that on March 2, 2018, the clerk accepted the appellant's motion for leave to proceed in forma pauperis for filing. Accordingly, the motion is DENIED as unnecessary. This appeal will proceed to a determination of the appellant's fee status. [9] CMD [6908621] [17-3595] (CD) [Entered: 03/07/2018 04:19 PM] |
| 03/08/2018 |  11 2 pg, 86.76 KB | Notice to the District Court to transmit the record on appeal. Record on Appeal due by 04/09/2018 [11] [6908839] [17-3595] (JK) [Entered: 03/08/2018 10:28 AM] |
| 03/12/2018 |  12 15428 pg, 536.84 MB | Original record on appeal filed electronically. Contents of record : 13 vol. of pleadings. [12] [6909617] [17-3595] (GW) [Entered: 03/12/2018 10:43 AM] |
| 03/12/2018 |  13 | Filed electronic transcript of proceedings held on 02/21/17, 07/13/17, 08/29/17, 11/14/17, 11/21/17. [13] [6909625] THIS TRANSCRIPT IS FOR INTERNAL COURT USE ONLY. Remote electronic access to the transcript is ONLY available through the District Court's PACER system. [17-3595] (GW) [Entered: 03/12/2018 11:00 AM] |
| 04/11/2018 |  14 1 pg, 96.57 KB | ORDER: re: Motion to file in forma pauperis and request for pro bono counsel. [8] The motion for leave to proceed on appeal in forma pauperis is DENIED. Appellant Eliot Bernstein has not shown that he is indigent. Bernstein shall pay the required docketing fee within 14 days, or this appeal will be dismissed for failure to prosecute pursuant to Circuit Rule 3(b). Sent Certified Mail. Receipt Number: 7016 0340 0001 1333 3366. SCR [14] [6917051] [17-3595] (CAG) [Entered: 04/11/2018 11:40 AM] |

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| 04/18/2018 |  15 9 pg, 219.56 KB | Pro se motion filed by Appellant Mr. Eliot Ivan Bernstein for reconsideration of Motion for Clarification and Reconsideration of Order Dated April 11, 2018 or in the alternative a Payment Plan for Appeal Fee. [15] [6918651] [17-3595] (Bernstein, Eliot) [Entered: 04/18/2018 06:54 AM] |
| 04/24/2018 |  16 1 pg, 96.64 KB | ORDER re: Motion for clarification and reconsideration of order dated 4/11/18 or in the alternative a payment plan for appeal fee. [15] IT IS ORDERED that the motion for leave to proceed on appeal in forma pauperis is DENIED. Eliot Bernstein shall pay the required docketing fee within 14 days, or this appeal will be dismissed for failure to prosecute pursuant to Circuit Rule 3(b). SCR [16] [6920106] [17-3595] (AP) [Entered: 04/24/2018 03:56 PM] |
| 05/07/2018 |  17 2 pg, 89.03 KB | Order issued money orders in the amount of \$500 & \$5. The clerk of this court shall send the MONEY ORDER to the clerk of the district court. CC [17] [6922941] [17-3595] (RT) [Entered: 05/07/2018 02:27 PM] |
| 05/08/2018 |  18 2 pg, 58.54 KB | Filed notice from the District Court that the \$505.00 appeal docketing fee was received. [18] [6923311] [17-3595] (RT) [Entered: 05/08/2018 02:12 PM] |
| 05/08/2018 |  19 2 pg, 90.16 KB | ORDER: This court received notice from the District Court that the appellant paid the required docketing fee. Briefing will proceed as follows: Appellant's brief due on or before 06/07/2018 for Eliot Ivan Bernstein. Appellee's brief due on or before 07/09/2018 for Ted Bernstein, STP Enterprises, Inc., Adam M. Simon, David B. Simon, Pamela Simon and Simon Law Firm. Appellant's reply brief, if any, is due on or before 07/23/2018 for Appellant Eliot Ivan Bernstein [19] [6923312] [17-3595] (RT) [Entered: 05/08/2018 02:13 PM] |
| 06/07/2018 |  20 3 pg, 99.7 KB | Pro se motion filed by Appellant Mr. Eliot Ivan Bernstein to extend time to file appellant brief. [20] [6930273] [17-3595] (Bernstein, Eliot) [Entered: 06/07/2018 07:08 PM] |
| 06/08/2018 |  21 1 pg, 96.64 KB | ORDER issued GRANTING motion to extend time to file appellant's brief. [20] Appellant's brief due on or before 07/09/2018 for Eliot Ivan Bernstein. Appellee's brief due on or before 08/08/2018 for Ted Bernstein, STP Enterprises, Inc., Adam M. Simon, David B. Simon, Pamela Simon and Simon Law Firm. Appellant's reply brief, if any, is due on or before 08/22/2018 for Appellant Eliot Ivan Bernstein. CMD [21] [6930304] [17-3595] (AD) [Entered: 06/08/2018 09:28 AM] |
| 07/09/2018 |  22 4 pg, 101.64 KB | Motion filed by Appellant Mr. Eliot Ivan Bernstein to extend time to file appellant brief. [22] [6937044] [17-3595] (Bernstein, Eliot) [Entered: 07/09/2018 09:16 PM] |
| 07/10/2018 |  23 2 pg, 98.22 KB | ORDER issued GRANTING motion to extend time to file appellant's brief. [22] Appellant's brief due on or before 08/09/2018 for Eliot Ivan Bernstein. Appellee's brief due on or before 09/10/2018 for Ted Bernstein, STP Enterprises, Inc., Adam M. Simon, David B. Simon, Pamela Simon and Simon Law Firm. Appellant's reply brief, if any, is due on or before 09/24/2018 for Appellant Eliot Ivan Bernstein. To the extent that the appellant seeks reconsideration of his motion to file in forma pauperis and for pro bono counsel, the motion is DENIED in light of the court's orders dated April 11, 2018, and April 24, 2018. CMD [23] [6937253] [17-3595] (AD) [Entered: 07/10/2018 03:00 PM] |
| 08/09/2018 |  24 4 pg, 120.46 KB | Pro se motion filed by Appellant Mr. Eliot Ivan Bernstein to extend time to file appellant brief. [24] [6944126] [17-3595] (Bernstein, Eliot) [Entered: 08/09/2018 05:44 PM] |
| 08/10/2018 |  25 2 pg, 122.05 KB | Order issued GRANTING motion to extend time to file appellant's brief. [24] Appellant's brief due on or before 09/10/2018 for Eliot Ivan Bernstein. Appellees' brief due on or before 10/10/2018 for Ted Bernstein, STP Enterprises, Inc., Adam M. Simon, David B. Simon, Pamela Simon and Simon Law Firm. Appellant's reply brief, if any, is due on or before 10/24/2018 for Appellant Eliot Ivan Bernstein. To the extent that the appellant seeks reconsideration of his motion to file in forma pauperis and for pro bono counsel, IT IS ORDERED that the motion is DENIED in light of the court's orders dated April 11, 2018, and April 24, 2018. CMD [25] [6944166] [17-3595] (VG) [Entered: 08/10/2018 09:39 AM] |
| 09/10/2018 |  26 4 pg, 44.38 KB | Pro se motion filed by Appellant Mr. Eliot Ivan Bernstein to extend time to file Motion for Extension of Time to File Brief. [26] [6950553] [17-3595] (Bernstein, Eliot) [Entered: 09/10/2018 10:47 AM] |
| 09/10/2018 |  27 2 pg, 98.51 KB | ORDER issued GRANTING motion to extend time to file appellant's brief. [26] Appellant's brief due on or before 10/10/2018 for Eliot Ivan Bernstein. Appellee's brief due on or before 11/09/2018 for Ted Bernstein, STP Enterprises, Inc., Adam M. Simon, David B. Simon, Pamela Simon and Simon Law Firm. Appellant's reply brief, if any, is due on or before 11/23/2018 for Appellant Eliot Ivan Bernstein. Any other requested relief is denied in light of the court's prior orders. Given the number of extensions of time granted to file the opening brief, the appellant is expected to make this appeal a priority. JKL [27] [6950665] [17-3595] (AD) [Entered: 09/10/2018 01:54 PM] |
| 10/10/2018 |  28 5 pg, 127.05 KB | Pro se motion filed by Appellant Mr. Eliot Ivan Bernstein to extend time to file appellant brief. [28] [6957760] [17-3595] (Bernstein, Eliot) [Entered: 10/10/2018 06:31 PM] |
| 10/11/2018 |  29 | Order issued GRANTING motion to extend time to file appellant's brief only to the extent that briefing |

1 pg, 117.83 KB

will proceed as follows: [28] Appellant's brief due on or before 11/13/2018 for Eliot Ivan Bernstein. Appellee's brief due on or before 12/13/2018 for Ted Bernstein, STP Enterprises, Inc., Adam M. Simon, David B. Simon, Pamela Simon and Simon Law Firm. Appellant's reply brief, if any, is due on or before 12/27/2018 for Appellant Eliot Ivan Bernstein. No further extensions of time will be allowed, except in extraordinary circumstances. Any other requested relief is denied in light of the court's prior orders. CMD [29] [6958015] [17-3595] (AG) [Entered: 10/11/2018 03:35 PM]

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