

**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, )

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

**Filers:**  
**Simon Bernstein Irrevocable**  
**Insurance Trust Dated 6/21/95,**  
**Ted Bernstein, as Trustee**

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. )  
\_\_\_\_\_)

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, certifies that he caused a copy of the foregoing Plaintiff's Motion for Leave to File Answer to Intervenor's Complaint to be served upon the following persons and entities via ECF filing (and/or otherwise if indicated below) to:

James J. Stamos  
Kevin P. Horan  
Stamos & Trucco LLP  
One East Wacker Drive  
Ste 300  
Chicago, IL 60601

And *via* U.S. Mail, proper postage prepaid to:

Eliot Ivan Bernstein  
2753 NW 34<sup>th</sup> St.  
Boca Raton, FL 33434

on the 20th day of January, 2015.

/s Adam M.Simon  
Adam M. Simon (#6205304)  
303 E. Wacker Drive, Suite 2725  
Chicago, IL 60601  
Phone: 313-819-0730  
Fax: 312-819-0773  
E-Mail: [asimon@chicagolaw.com](mailto:asimon@chicagolaw.com)  
Attorney for  
*Simon L. Bernstein Irrevocable Insurance Trust Dtd*  
*6/21/95; Ted Bernstein as Trustee.*