

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SIMON BERNSTEIN IRREVOCABLE)
INSURANCE TRUST DTD 6/21/95,)
)
Plaintiff,) Case No. 13 cv 3643
) Honorable John Robert Blakey
v.) Magistrate Mary M. Rowland
)
HERITAGE UNION LIFE INSURANCE)
COMPANY,)
)
Defendant,)
)
HERITAGE UNION LIFE INSURANCE)
COMPANY)
)
Counter-Plaintiff) NOTICE OF MOTION FOR LEAVE
) TO FILE SUR-REPLY
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)

)
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 **July 20, 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 Motion for Leave to File Sur-Reply**, a copy of which is attached.

Respectfully submitted,

/s/ James J. Stamos

One of the attorneys for Proposed Intervenor, Brian
M. O'Connell, Personal Representative of the Estate
of Simon L. Bernstein

James J. Stamos (ARDC 03128244)

Kevin P. Horan (ARDC 06310581)

STAMOS & TRUCCO

30 West Monroe Street

Suite 1600

Chicago, Illinois 60603

Telephone: (312) 630-7979

Facsimile: (312) 630-1183