

**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
	)	Magistrate Mary M. Rowland
v.)	
)	
HERITAGE UNION LIFE INSURANCE)	
COMPANY,)	
)	
Defendant,	)	Filers: Simon Bernstein Irrevocable
	)	Insurance Trust Dated 6/21/95,
	)	Ted Bernstein, as Trustee and
	)	Individually,
HERITAGE UNION LIFE INSURANCE	)	Pamela B. Simon, Brian O'Connell, solely
COMPANY	)	in his capacity as successor personal
	)	representative of the Estate of Simon L.
Counter-Plaintiff	)	Bernstein, Jill Iantoni and Lisa
	)	Friedstein.
v.)	
)	
SIMON BERNSTEIN IRREVOCABLE)	
INSURANCE TRUST DTD 6/21/95)	
)	
Counter-Defendant)	

**JOINT MOTION TO ENTER FINAL JUDGMENT INCLUDING
A DISBURSEMENT ORDER
PURSUANT TO THE STIPULATION AND
SETTLEMENT OF THE REMAINING PARTIES**

Now comes Plaintiffs, Simon Bernstein Irrevocable Insurance Trust dated June 21, 1995 (“1995 Trust”), Ted Bernstein, and Pamela B. Simon, by and through their attorney, Adam M. Simon, Intervenor, Brian O’Connell, solely in his capacity as successor personal representative for the Estate of Simon Bernstein (“Intervenor” or “Estate”), by and through his attorney, James Stamos, and co-Plaintiffs, Lisa Friedstein and Jill Iantoni, each appearing *pro se*’ (all of the

aforementioned remaining parties are collectively referred to herein as “movants”), and move this court for entry of a Final Judgment and a separate Disbursement Order pursuant to a Settlement and Stipulation of the Parties, Fed. Rule Civ. Pro. 58, and 28 U.S.C. 1335, in support thereof movants state as follows:

1. On or about July 5, 2017, Movants entered into a Settlement Agreement of the remaining issues in this litigation including but not limited to the terms regarding distribution of the Policy Proceeds that remain on deposit with the Registry of this Court.
2. Intervenor, Brian O’Connell, as personal representative of the Estate, subsequently filed a motion to approve the Settlement with the 15th Judicial Circuit of Florida, In and For Palm Beach County where the Estate of Simon Bernstein has been probated and administered.
3. On October 19, 2017, following an evidentiary hearing on Intervenor’s motion to approve the Settlement, Judge Rosmarie Scher, 15th Circuit Court Judge for Palm Beach County, FL, entered an Order granting Intervenor’s motion and approved the Settlement. A true and correct copy of the Order approving granting the Estate’s motion is attached hereto and made a part hereof as Exh. 1.
4. Here, movants jointly move to enter a final judgment in a form substantially similar to the Proposed Orders submitted to chambers on or about the time of filing of this motion.

5. As part of the final judgment, movants seek a separate disbursement order of interpleaded Funds, pursuant to 28 U.S.C. 1335. (See the proposed Disbursement Order submitted to chambers.)
6. Movants further request, pursuant to Fed. R. Civ. Pro. 58(a) and (d), that this court direct and authorize the Clerk to timely issue a “separate document” evidencing the final judgment entered herein.

WHEREFORE, movants respectfully request that this court grant their joint motion to enter final judgment and disbursement order pursuant to movants’ stipulation and settlement, and such further relief as this court may deem just and proper.

Respectfully submitted,

/s/ Adam Simon
Adam Simon, Esq.
ARDC #6205304
303 East Wacker Drive
Suite 2725
Chicago, Illinois 60601
(312) 819-0730
Attorney for Plaintiffs. 1995 Trust,
Ted Bernstein and Pam Simon

/s/ James Stamos
James Stamos, Esq.
ARDC #3128244
STAMOS & TRUCCO LLP
One East Wacker Drive, 3rd Floor
Chicago, IL 60601
Attorney for Intervenor, Brian O’Connell,
solely in his capacity as successor personal
representative, for the Estate of Simon L. Bernstein

/s/ Jill Iantoni
Jill Iantoni
2101 Magnolia Lane
Highland Park, IL 60035
Appearing *Pro Se*

/s/ Lisa Friedstein
Lisa Friedstein
2142 Churchill Lane
Highland Park, IL 60035
Appearing *Pro Se*

IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT OF FLORIDA, IN
AND FOR PALM BEACH COUNTY

PROBATE DIVISION

FILE NO.: 502012CP004391XXXXNB IH

IN RE: ESTATE OF

SIMON L. BERNSTEIN,

Deceased. /

ORDER ON SUCCESSOR PERSONAL REPRESENTATIVE'S
VERIFIED MOTION FOR APPROVAL OF SETTLEMENT AGREEMENT
ENTERED IN ILLINOIS FEDERAL ACTION

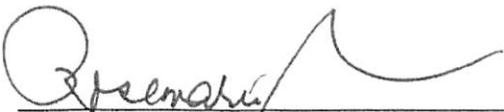
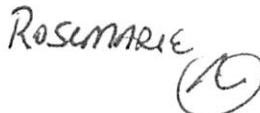
THIS CAUSE having come upon Successor Personal Representative, Brian M. O'Connell's, Verified Motion for Approval of Settlement Agreement Entered in Illinois Federal Action ("Motion"), and the Court being duly advised on the premises, it is thereupon

ORDERED AND ADJUDGED as follows:

1. The Motion is GRANTED DENIED.

*After hearing testimony + witness, the Court finds
it is appropriate to approve Settlement.*

DONE AND ORDERED in Palm Beach Gardens, Palm Beach County, Florida, this _____
day of 10/19/2017, 2017.


ROSEMARY SCHER, Circuit Judge




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SIMON BERNSTEIN IRREVOCABLE)	
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Plaintiff,)	Case No. 13 cv 3643
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)	Magistrate Mary M. Rowland
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Counter-Plaintiff)	Bernstein, Jill Iantoni and Lisa
)	Friedstein.
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SIMON BERNSTEIN IRREVOCABLE)	
INSURANCE TRUST DTD 6/21/95)	
)	
Counter-Defendant)	

NOTICE OF MOTION

To: See Certificate of Service

PLEASE TAKE NOTICE that on the 14th day of November, 2017, at 9:45 a.m., or as soon thereafter as counsel may be heard, the undersigned shall appear before the Honorable John Robert Blakey in Room 1203, United States District Courthouse, at 219 South Dearborn Street, Chicago, Illinois, or before any other judge that may be sitting in his place and stead and shall then and there present Movants' Joint Motion to Enter Final Judgment and a Disbursement Order Pursuant to Stipulation and Settlement of the Parties has been filed electronically and is herewith served upon you.

Dated: November 7, 2017

Respectfully submitted,

/s/ Adam Simon
Adam Simon, Esq.
#6205304
303 East Wacker Drive,
Suite 2725
Chicago, Illinois 60601
(312) 819-0730
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that he caused copies of the Notice of Motion, Motion to Enter Final Judgment and a Disbursement Order Pursuant to the Stipulation and Settlement of the Parties *via* electronic means with the Northern District of Illinois, pursuant to the Court's Electronic Case Filing (ECF) procedures and also served upon the following persons:

James J. Stamos
STAMOS & TRUCCO LLP
One East Wacker Drive, Third Floor
Chicago, IL 60601
Attorney for Intervenor,
Estate of Simon Bernstein

/s/ Jill Iantoni
Jill Iantoni
2101 Magnolia Lane
Highland Park, IL 60035
Appearing *Pro Se*

/s/ Lisa Friedstein
Lisa Friedstein
2142 Churchill Lane
Highland Park, IL 60035
Appearing *Pro Se*

on this 7th day of November, 2017.

/s/ Adam Simon
Adam Simon, Esq.
#6205304
303 East Wacker Drive, Suite 2725
Chicago, Illinois 60601
(312) 819-0730
Attorney for Plaintiffs