

**UNITED STATES COURT OF APPEALS  
FOR THE SEVENTH CIRCUIT**

SIMON BERNSTEIN IRREVOCABLE )  
INSURANCE TRUST DTD. 6/21/95, )  
et al., ) Appellate Case No: 17-3595  
Plaintiffs-Appellees, )  
V. ) LC No. 1:13-CV-O3643  
HERITAGE UNION LIFE ) ) John Robert Blakey, Judge  
INSURANCE CO., et al., )  
Defendants-Appellees. ) )  
APPEAL OF: )  
ELIOT BERNSTEIN, )  
Cross and Counter-Claimant- )  
Appellant. )

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**Motion to Accept Late Filing of Docketing Statement  
and  
Motion to File Electronically**

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1. Eliot Bernstein seeks this Court's approval of his Docketing Statement filed late.
2. During much of the period the Docketing Statement was due Eliot Bernstein was under care of both a dentist and a heart doctor and was heavily medicated on pain medicine and muscle relaxers which made him unable to work at all for several of the weeks leading up to the due date. Also side effects of heart medications have caused Eliot to currently have a blood pressure of higher than

200/125 and have led to life threatening series of cough syncope episodes that have led to fainting with severe falls that have caused broken ribs, a broken ankle and multiple severe contusions to the head and elsewhere, including several hospitalizations.

3. Eliot Bernstein also seeks this Court's permission to electronically file with the Court. Due to Eliot's medical condition of cough syncope and fainting spells Eliot is in need of filing electronically with this Court as he cannot drive a vehicle due to his current medical condition and this severely hampers his ability to file timely.

4. Also, despite the fact that Eliot was denied In Forma Pauperis status by the District Court and denied Pro Bono Counsel despite being under the federal poverty level for a family of five, the costs of paper and postage for filings is excessive versus filing electronically. Eliot has taken all the requisite courses online to be an electronic filer and has been approved by several federal courts and state courts to file over the course of several years and has not ever been sanctioned or removed for any abuses of the system.

Wherefore, Eliot Bernstein prays for this Court to accept the late Docketing Statement and approve the motion to file electronically.

DATED: January 30, 2018

Respectfully submitted,

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**/s/ Eliot Ivan Bernstein**

Cross and Counter-Plaintiff, Appellant  
PRO SE

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**CERTIFICATE OF SERVICE**

Eliot Ivan Bernstein, Pro Se certifies that he filed a “Motion to Accept Late Filing of Docketing Statement and Motion to File Electronically” via Postal Mail with the Clerk of the 7th Circuit Court of Appeals, and served copies of same upon those listed below by Postal Mail or email on this 30th day of January, 2018.

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**/s/ Eliot Ivan Bernstein**

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