

**U.S. District Court  
District of Connecticut (New Haven)  
CIVIL DOCKET FOR CASE #: 3:14-cv-00157-AWT**

PHL Variable Insurance Company v. Bernstein  
Assigned to: Judge Alvin W. Thompson  
Demand: \$117,000  
Cause: 28:1332 Diversity-Insurance Contract

Date Filed: 02/06/2014  
Date Terminated: 08/04/2014  
Jury Demand: None  
Nature of Suit: 110 Insurance  
Jurisdiction: Diversity

**Plaintiff**

**PHL Variable Insurance Company**

represented by **Andrew R. Kasner**  
Edison, McDowell & Hetherington LLP  
1001 Fannin Street  
Houston, TX 77002  
713-337-5580  
Fax: 713-337-8850  
Email: andrew.kasner@emhllp.com  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Eric L. Sussman**  
Day Pitney LLP-Htd-CT  
242 Trumbull St.  
Hartford, CT 06103-1212  
860-275-0276  
Fax: 860-275-0343  
Email: elsussman@daypitney.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jessica L. Wilson**  
Edison, McDowell & Hetherington LLP

3200 Southwest Freeway, Suite 2100  
 Houston, TX 77027  
 713-337-5580  
 Fax: 713-337-8850  
 Email: [jessica.wilson@emhllp.com](mailto:jessica.wilson@emhllp.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant****Ted Bernstein**

represented by **Eric D. Grayson**  
 Grayson & Associate, PC  
 124 W. Putnam Ave., 2nd Fl.  
 Greenwich, CT 06830  
 203-622-8100  
 Fax: 203-622-8104  
 Email: [ericgrayson@graysonlaw.com](mailto:ericgrayson@graysonlaw.com)  
*TERMINATED: 07/10/2014*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Edward S. Stone**  
 Edward Stone Law  
 2nd Floor  
 175 West Putnam Avenue  
 Greenwich, CT 06830  
 203-504-8425  
 Fax: 203-348-8477  
 Email: [eddie@edwardstonelaw.com](mailto:eddie@edwardstonelaw.com)  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
02/06/2014	<a href="#">1</a>	COMPLAINT against Ted Bernstein ( Filing fee \$400 receipt number 0205-3143755.), filed by PHL Variable Insurance Company.(Sussman, Eric) (Entered: 02/06/2014)
02/06/2014	<a href="#">2</a>	NOTICE of Appearance by Eric L. Sussman on behalf of PHL Variable Insurance Company (Sussman, Eric) (Entered: 02/06/2014)

02/06/2014		Judge Alvin W. Thompson added. (Oliver, T.) (Entered: 02/07/2014)
02/06/2014	<a href="#">3</a>	Order on Pretrial Deadlines: Motions to Dismiss due on 5/6/14. Amended Pleadings due by 4/7/2014. Discovery due by 8/8/2014. Dispositive Motions due by 9/7/2014. Signed by Clerk on 2/6/14.(Ferguson, L.) (Entered: 02/07/2014)
02/06/2014	<a href="#">4</a>	ELECTRONIC FILING ORDER - PLEASE ENSURE COMPLIANCE WITH COURTESY COPY REQUIREMENTS IN THIS ORDER. Signed by Judge Alvin W. Thompson on 2/6/14.(Ferguson, L.) (Entered: 02/07/2014)
02/06/2014	<a href="#">5</a>	STANDING PROTECTIVE ORDER. Signed by Judge Alvin W. Thompson on 2/6/14.(Ferguson, L.) (Entered: 02/07/2014)
02/07/2014	<a href="#">6</a>	NOTICE TO COUNSEL: Counsel initiating or removing this action is responsible for serving all parties with attached documents and copies of <a href="#">3</a> Order on Pretrial Deadlines, <a href="#">2</a> Notice of Appearance filed by PHL Variable Insurance Company, <a href="#">5</a> Standing Protective Order, <a href="#">4</a> Electronic Filing Order, <a href="#">1</a> Complaint filed by PHL Variable Insurance Company. Signed by Clerk on 2/7/14.(Ferguson, L.) (Entered: 02/07/2014)
02/14/2014	<a href="#">7</a>	WAIVER OF SERVICE Returned Executed as to Ted Bernstein waiver sent on 2/7/2014, answer due 4/8/2014 filed by PHL Variable Insurance Company. (Sussman, Eric) (Entered: 02/14/2014)
02/14/2014	<a href="#">8</a>	Corporate Disclosure Statement by PHL Variable Insurance Company identifying Corporate Parent The Phoenix Companies, Inc. for PHL Variable Insurance Company. (Sussman, Eric) (Entered: 02/14/2014)
02/18/2014	<a href="#">9</a>	MOTION for Attorney(s) Andrew R. Kasner to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number 0205-3153091) by PHL Variable Insurance Company. (Attachments: # <a href="#">1</a> Exhibit A -- Affidavit of Andrew R. Kasner, # <a href="#">2</a> Exhibit B -- Certificate of Good Standing)(Sussman, Eric) (Entered: 02/18/2014)
02/18/2014	<a href="#">10</a>	MOTION for Attorney(s) Jessica L. Wilson to be Admitted Pro Hac Vice (paid \$75 PHV fee; receipt number 0205-3153101) by PHL Variable Insurance Company. (Attachments: # <a href="#">1</a> Exhibit A -- Affidavit of Jessica L. Wilson, # <a href="#">2</a> Exhibit B -- Certificate of Good Standing)(Sussman, Eric) (Entered: 02/18/2014)
04/08/2014	<a href="#">11</a>	NOTICE of Appearance by Eric D. Grayson on behalf of Ted Bernstein (Grayson, Eric) (Entered: 04/08/2014)
04/08/2014	<a href="#">12</a>	First MOTION for Extension of Time until May 1, 2014 Respond by Ted Bernstein. (Grayson, Eric) (Entered: 04/08/2014)
04/15/2014	13	ORDER: Motion for Extension of Time (Doc. No. <a href="#">12</a> ) is hereby GRANTED, absent objection. The defendant shall have until May 1, 2014, to answer and/or otherwise respond to the complaint. It is so ordered. Signed by Judge Alvin W. Thompson on 4/15/2014. (Wang, M.) (Entered: 04/15/2014)
04/15/2014		Answer deadline updated for Ted Bernstein to 5/1/2014. See order 13 (LaLone, L.) (Entered: 04/16/2014)
04/17/2014	14	ORDER granting <a href="#">9</a> Motion to Appear Pro Hac Vice for Attorney Andrew R. Kasner for PHL Variable Insurance Company added.. Signed by Clerk on 4/17/14. (Ferguson, L.) (Entered: 04/17/2014)
04/17/2014	15	ORDER granting <a href="#">10</a> Motion to Appear Pro Hac Vice for Attorney Jessica L. Wilson for PHL Variable Insurance Company

		added. Signed by Clerk on 4/17/14. (Ferguson, L.) (Entered: 04/17/2014)
05/01/2014	<a href="#">16</a>	Second MOTION for Extension of Time until 05/12/2014 Answer or Move by Ted Bernstein. (Grayson, Eric) (Entered: 05/01/2014)
05/03/2014	17	ORDER: Second Motion for Extension of Time (Doc. No. <a href="#">16</a> ) is hereby GRANTED, absent objection, until May 12, 2014, for the defendant to answer or otherwise respond to the Complaint. It is so ordered. Signed by Judge Alvin W. Thompson on 5/3/2014. (Wang, M.) (Entered: 05/03/2014)
05/03/2014		Answer deadline updated for Ted Bernstein to 5/12/2014. (Smith, S.) (Entered: 05/05/2014)
05/12/2014	<a href="#">18</a>	First MOTION to Dismiss for Lack of Jurisdiction by Ted Bernstein. Responses due by 6/2/2014 (Attachments: # <a href="#">1</a> Affidavit, # <a href="#">2</a> Memorandum in Support)(Grayson, Eric) (Entered: 05/12/2014)
05/28/2014	<a href="#">19</a>	Consent MOTION for Extension of Time to File Response/Reply <i>in Opposition</i> as to <a href="#">18</a> First MOTION to Dismiss for Lack of Jurisdiction until June 16, 2014 by PHL Variable Insurance Company. (Sussman, Eric) (Entered: 05/28/2014)
05/29/2014	20	ORDER: Unopposed Motion for Extension of Time (Doc. No. <a href="#">19</a> ) is hereby GRANTED, absent objection, until June 16, 2014 for the plaintiff to file a response in opposition to the defendant's Motion to Dismiss. It is so ordered. Signed by Judge Alvin W. Thompson on 5/29/2014. (Wang, M.) (Entered: 05/29/2014)
05/29/2014		Reset Deadline as to <a href="#">18</a> First MOTION to Dismiss for Lack of Jurisdiction. Response due by 6/16/2014. (Smith, S.) (Entered: 05/30/2014)
06/16/2014	<a href="#">21</a>	Memorandum in Opposition re <a href="#">18</a> First MOTION to Dismiss for Lack of Jurisdiction filed by PHL Variable Insurance Company. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit A-1)(Wilson, Jessica) (Entered: 06/16/2014)
06/20/2014	<a href="#">22</a>	First MOTION for Extension of Time to File Response/Reply as to <a href="#">18</a> First MOTION to Dismiss for Lack of Jurisdiction until 6/30/2014 by Ted Bernstein. (Grayson, Eric) (Entered: 06/20/2014)
06/25/2014	23	ORDER: Unopposed Motion for Extension of Time <a href="#">22</a> is hereby GRANTED, to June 30, 2014. It is so ordered. Signed by Judge Alvin W. Thompson on 6/25/2014. (Smith, S.) (Entered: 06/26/2014)
06/25/2014		Reset Deadline as to <a href="#">18</a> First MOTION to Dismiss for Lack of Jurisdiction. Response due by 7/30/2014. (Smith, S.) (Entered: 07/08/2014)
06/30/2014	<a href="#">24</a>	REPLY to Response to <a href="#">18</a> First MOTION to Dismiss for Lack of Jurisdiction filed by Ted Bernstein. (Grayson, Eric) (Entered: 06/30/2014)
06/30/2014	<a href="#">25</a>	Second AFFIDAVIT Signed By Ted Bernstein filed by Ted Bernstein. (Grayson, Eric) (Entered: 06/30/2014)
07/03/2014	<a href="#">26</a>	Consent MOTION to Substitute Attorney by Ted Bernstein. (Stone, Edward) (Entered: 07/03/2014)
07/10/2014	27	ORDER: Defendant's Unopposed Motion for Substitution of Counsel and Notice of Appearance (Doc. No. <a href="#">26</a> ) is hereby GRANTED, absent objection. It is so ordered. Signed by Judge Alvin W. Thompson on 7/10/2014. (Wang, M.) (Entered: 07/10/2014)

07/29/2014	<a href="#">28</a>	STIPULATION of Dismissal by PHL Variable Insurance Company. (Wilson, Jessica) (Entered: 07/29/2014)
08/04/2014	29	ORDER: Joint Stipulation of Dismissal (Doc. No. <a href="#">28</a> ) is hereby APPROVED. The plaintiff's claims against the defendant shall be dismissed, without prejudice, with each party bearing its own attorneys' fees and costs. The Clerk shall close this case. It is so ordered. Signed by Judge Alvin W. Thompson on 8/4/2014.(Wang, M.) (Entered: 08/04/2014)
08/04/2014		JUDICIAL PROCEEDINGS SURVEY: The following link to the confidential survey requires you to log into CM/ECF for SECURITY purposes. Once in CM/ECF you will be prompted for the case number. Although you are receiving this survey through CM/ECF, it is hosted on an independent website called SurveyMonkey. Once in SurveyMonkey, the survey is located in a secure account. The survey is not docketed and it is not sent directly to the judge. To ensure anonymity, completed surveys are held up to 90 days before they are sent to the judge for review. We hope you will take this opportunity to participate, please click on this link:  <a href="https://ecf.ctd.uscourts.gov/cgi-bin/Dispatch.pl?survey">https://ecf.ctd.uscourts.gov/cgi-bin/Dispatch.pl?survey</a> (Smith, S.) (Entered: 08/04/2014)

PACER Service Center			
Transaction Receipt			
01/19/2018 17:09:05			
<b>PACER Login:</b>	iv01689078	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	3:14-cv-00157-AWT
<b>Billable Pages:</b>	3	<b>Cost:</b>	0.30