

**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**
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V.

Defendant

Ted Bernstein

represented by **Eric D. Grayson**
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Date Filed	#	Docket Text
02/06/2014	<u>1</u>	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	<u>2</u>	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	3	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	4	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	5	STANDING PROTECTIVE ORDER. Signed by Judge Alvin W. Thompson on 2/6/14.(Ferguson, L.) (Entered: 02/07/2014)
02/07/2014	6	NOTICE TO COUNSEL: Counsel initiating or removing this action is responsible for serving all parties with attached documents and copies of 3 Order on Pretrial Deadlines, 2 Notice of Appearance filed by PHL Variable Insurance Company, 5 Standing Protective Order, 4 Electronic Filing Order, 1 Complaint filed by PHL Variable Insurance Company. Signed by Clerk on 2/7/14.(Ferguson, L.) (Entered: 02/07/2014)
02/14/2014	7	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	8	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	9	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: # 1 Exhibit A -- Affidavit of Andrew R. Kasner, # 2 Exhibit B -- Certificate of Good Standing)(Sussman, Eric) (Entered: 02/18/2014)
02/18/2014	10	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: # 1 Exhibit A -- Affidavit of Jessica L. Wilson, # 2 Exhibit B -- Certificate of Good Standing)(Sussman, Eric) (Entered: 02/18/2014)
04/08/2014	11	NOTICE of Appearance by Eric D. Grayson on behalf of Ted Bernstein (Grayson, Eric) (Entered: 04/08/2014)
04/08/2014	12	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. 12) 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 9 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 10 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	16	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. 16) 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	18	First MOTION to Dismiss for Lack of Jurisdiction by Ted Bernstein.Responses due by 6/2/2014 (Attachments: # 1 Affidavit, # 2 Memorandum in Support)(Grayson, Eric) (Entered: 05/12/2014)
05/28/2014	19	Consent MOTION for Extension of Time to File Response/Reply <i>in Opposition</i> as to 18 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. 19) 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 18 First MOTION to Dismiss for Lack of Jurisdiction. Response due by 6/16/2014. (Smith, S.) (Entered: 05/30/2014)
06/16/2014	21	Memorandum in Opposition re 18 First MOTION to Dismiss for Lack of Jurisdiction filed by PHL Variable Insurance Company. (Attachments: # 1 Exhibit A, # 2 Exhibit A-1)(Wilson, Jessica) (Entered: 06/16/2014)
06/20/2014	22	First MOTION for Extension of Time to File Response/Reply as to 18 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 22 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 18 First MOTION to Dismiss for Lack of Jurisdiction. Response due by 7/30/2014. (Smith, S.) (Entered: 07/08/2014)
06/30/2014	24	REPLY to Response to 18 First MOTION to Dismiss for Lack of Jurisdiction filed by Ted Bernstein. (Grayson, Eric) (Entered: 06/30/2014)
06/30/2014	25	Second AFFIDAVIT Signed By Ted Bernstein filed by Ted Bernstein. (Grayson, Eric) (Entered: 06/30/2014)
07/03/2014	26	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. 26) 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	28	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. 28) 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		<p>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:</p> <p>https://ecf.ctd.uscourts.gov/cgi-bin/Dispatch.pl?survey (Smith, S.) (Entered: 08/04/2014)</p>

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