

# United States Court of Appeals

For the Seventh Circuit  
Chicago, Illinois 60604

July 12, 2017

*Before*

**Hon. William J. Bauer, Circuit Judge**

**Hon. Michael S. Kanne, Circuit Judge**

**Hon. Ann Claire Williams, Circuit Judge**

SIMON BERNSTEIN IRREVOCABLE  
INSURANCE TRUST DTD. 6/21/95, et al.,  
Plaintiffs-Appellees,

No. 17-1461 v.

HERITAGE UNION LIFE INSURANCE  
CO., et al.,  
Defendants.

APPEAL OF:  
ELIOT BERNSTEIN,  
Cross and  
Counter-Claimant-Appellant.

] Appeal from the United  
] States District Court for  
] the Northern District of  
] Illinois, Eastern Division.

] ] No. 1:13-cv-03643

] ] John Robert Blakey, Judge.

] ]

## ORDER

On consideration of the papers filed in this appeal and review of the short record,

IT IS ORDERED that this appeal is DISMISSED for lack of jurisdiction.

No. 17-1461

Page 2

Generally, an appeal may not be taken in a civil case until a final judgment disposing of all claims against all parties is entered on the district court's civil docket pursuant to Fed. R. Civ. P. 58. *See Alonzi v. Budget Construction Co.*, 55 F.3d 331, 333 (7th Cir. 1995); *Cleaver v. Elias*, 852 F.2d 266 (7th Cir. 1988).

The district court has not entered a Rule 58 judgment in the present case, and for good reason. The case remains pending in the district court with a trial date currently set for August 7, 2017. As such, Eliot Bernstein's appeal is premature.

And, to the extent appellant seeks to appeal the district court's February 25, 2016, order denying injunctive relief, the appeal filed on March 2, 2017, is untimely. *See Financial Services Corp. V. Weindruch*, 764 F.32d 197 (7th Cir. 1985).