

Fifth Division
September 23, 2011

Nos. 1-09-3533 and 1-10-1068 (Consolidated)

FIFTH THIRD BANK, N.A., Not Individually, But as)	Appeal from the Circuit Court
Successor Cotrustee of the Leon Rosen Trust for the)	of Cook County
Benefit of Adrienne Phillips, and as Successor Cotrustee)	
for the Benefit of Jennifer Sher; and ADRIENNE)	
PHILLIPS,)	
)	
Plaintiffs-Appellants,)	
)	
v.)	
)	02 CH 22812
MYRNA ROSEN, Individually, and as Executor of the)	
Estate of Leon Rosen and as Successor Cotrustee of the)	
Leon Rosen Trust,)	
)	
Defendant-Appellee,)	
)	
(Loren J. Mallon and Howard A. Balikov,)	Honorable
)	Kathleen Pantle,
Defendants).)	Judge Presiding.

JUSTICE McBRIDE delivered the judgment of the court, with opinion.
Justices Cahill and R.E. Gordon concurred in the judgment and opinion.

OPINION

¶ 1 Plaintiffs, Fifth Third Bank, as successor cotrustee of the Leon Rosen Trust for the benefit of Adrienne Phillips and as successor cotrustee for the benefit of Jennifer Sher, and Phillips, individually, filed an action against defendants Myrna Rosen (Myrna), individually and as executor of the estate of Leon Rosen, Loren J. Mallon and Howard A. Balikov¹ seeking an accounting of the estate of Leon Rosen and the "Leon Rosen Revocable Trust," alleging a breach

¹ Defendants Mallon and Balikov were dismissed from the action in 2003 and are no longer involved in this case.