

**IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA
CIVIL DIVISION**

STATE OF FLORIDA
OFFICE OF FINANCIAL REGULATION,

Plaintiff,

v.

CASE NO.: 50-2021-CA-008718-XXXX-MB

NATIONAL SENIOR INSURANCE, INC.
D/B/A SEEMAN HOLTZ,
MARSHAL SEEMAN,
CENTURION INSURANCE SERVICES GROUP, LLC,
BRIAN J. SCHWARTZ,
EMERALD ASSETS 2018, LLC,
INTEGRITY ASSETS 2016, LLC,
INTERGRITY ASSETS, LLC,
PARA LONGEVITY 2014-5, LLC,
PARA LONGEVITY 2015-3, LLC,
PARA LONGEVITY 2015-5, LLC,
PARA LONGEVITY 2016-3, LLC,
PARA LONGEVITY 2016-5, LLC,
PARA LONGEVITY 2018-3, LLC,
PARA LONGEVITY 2018-5, LLC,
PARA LONGEVITY 2019-3, LLC,
PARA LONGEVITY 2019-5, LLC,
PARA LONGEVITY 2019-6, LLC,
PARA LONGEVITY VI, LLC,
SH GLOBAL, LLC N/K/A PARA LONGEVITY V, LLC,
ALTRAI GLOBAL, LLC A/K/A ALTRAI HOLDINGS, LLC,
VALENTINO GLOBAL HOLDINGS, LLC,
AMERITONIAN ENTERPRISES, LLC,
SEEMAN-HOLTZ CONSULTING CORP.,
CENTURION ISG Holdings, LLC,
CENTURION ISG Holdings II, LLC,
CENTURION ISG (Europe) Limited,
CENTURION ISG SERVICES, LLC,
CENTURION ISG FINANCE GROUP, LLC,
CENTURION FUNDING SPV I LLC,
CENTURION FUNDING SPV II LLC,
GRACE HOLDINGS FINANCIAL, LLC,
PRIME SHORT TERM CREDIT INC.,

Defendants.

THE ESTATE OF ERIC CHARLES HOLTZ,
SEEMAN HOLTZ PROPERTY AND CASUALTY, LLC
F/K/A SEEMAN HOLTZ PROPERTY AND CASUALTY, INC.,
SHPC HOLDINGS I, LLC,

Relief Defendants.

**CORPORATE MONITOR, DANIEL J. STERMER'S MOTION TO COMPEL
U.S. BANK TO RENAME BANK ACCOUNTS**

Daniel J. Stermer, as Court-appointed Corporate Monitor (the "Corporate Monitor") for the property, assets, and business of the twenty-seven (27) corporate-entity Defendants identified below (collectively, the "Consenting Corporate Defendants"), pursuant to the Court's *Agreed Order Granting Plaintiff's Consent Motion for Appointment of Corporate Monitor and Related Injunctive Relief*, dated September 14, 2021, respectfully moves for entry of an agreed Order directing U.S. Bank to rename certain bank accounts pursuant to the Corporate Monitor's authority and prior request. In support of this Motion, the Corporate Monitor states:

1. On September 10, 2021, the Plaintiff, State of Florida, Office of Financial Regulation (the "Plaintiff" or "OFR") filed a *Consent Motion for Appointment of Corporate Monitor*, seeking the appointment of the Corporate Monitor for the property, assets, and business of the Consenting Corporate Defendants listed below, as well as a temporary injunction against the Consenting Corporate Defendants and two natural-person Defendants, Marshal Seeman and Brian J. Schwartz (the "Consenting Individual Defendants"):

1. NATIONAL SENIOR INSURANCE, INC. D/B/A SEEMAN HOLTZ,
2. CENTURION INSURANCE SERVICES GROUP, LLC,
3. EMERALD ASSETS 2018, LLC,
4. INTEGRITY ASSETS 2016, LLC,
5. INTEGRITY ASSETS, LLC,
6. PARA LONGEVITY 2014-5, LLC,
7. PARA LONGEVITY 2015-3, LLC,
8. PARA LONGEVITY 2015-5, LLC,
9. PARA LONGEVITY 2016-3, LLC,
10. PARA LONGEVITY 2016-5, LLC,
11. PARA LONGEVITY 2018-3, LLC,

12. PARA LONGEVITY 2018-5, LLC,
13. PARA LONGEVITY 2019-3, LLC,
14. PARA LONGEVITY 2019-5, LLC,
15. PARA LONGEVITY 2019-6, LLC,
16. PARA LONGEVITY VI, LLC,
17. SH GLOBAL, LLC N/K/A PARA LONGEVITY V, LLC,
18. VALENTINO GLOBAL HOLDINGS, LLC,
19. AMERITONIAN ENTERPRISES, LLC,
20. SEEMAN-HOLTZ CONSULTING CORP.,
21. CENTURION ISG Holdings, LLC,
22. CENTURION ISG Holdings II, LLC,
23. CENTURION ISG (Europe) Limited,
24. CENTURION ISG SERVICES, LLC,
25. CENTURION ISG FINANCE GROUP, LLC,
26. CENTURION FUNDING SPV I LLC, and
27. CENTURION FUNDING SPV II LLC.

2. On September 14, 2021, the Court entered an *Agreed Order Granting Plaintiff's Consent Motion for Appointment of Corporate Monitor and Related Injunctive Relief* (the "September 14, 2021 Order"), thereby approving and appointing, *inter alia*, Daniel J. Stermer as the Corporate Monitor for the Consenting Corporate Defendants and their affiliates, subsidiaries, successors and assigns, until further Order of the Court.

3. Paragraph 13X of the September 14, 2021 Order provides that the Corporate Monitor is authorized "[t]o open one or more bank account or any other type of account as designated depositories for funds or assets of the Consenting Corporate Defendants. The Corporate Monitor shall deposit all funds of the Consenting Corporate Defendants in such designated accounts and shall make all payments and disbursements from the monitorship estate from such accounts, subject to Court approval if otherwise specified herein. The Corporate Monitor is authorized to invest monitorship funds in U.S. Treasury securities, money market funds or other interest-bearing accounts as appropriate in the Corporate Monitor's judgment "

4. Paragraph 13Z of the September 14, 2021 Order provides that the Corporate Monitor is authorized to "establish one or more custodial accounts at a federally insured bank to

receive and hold all funds of the Consenting Corporate Defendants. *Such deposit accounts shall be titled in the Corporate Monitor's name.*" (emphasis added).

5. Additionally, Paragraph 40E of the September 14, 2021 Order provides "[p]ending further Order of this Court, *any bank, . . . shall: . . . E. Cooperate with all reasonable requests of the Corporate Monitor relating to implementation of this Order.*" (emphasis added)

6. Pursuant to the authority provided in the September 14, 2021 Order, the Corporate Monitor contacted U.S. Bank, N.A ("U.S. Bank") on October 20, 2021, requesting U.S. Bank change the accounts opened in the name of National Seniors Insurance, Inc. ("NSI") and Centurion Insurance Services Group, LLC ("Centurion") to identify the Corporate Monitor.

7. Specifically, the Corporate Monitor requested the NSI account be changed to Daniel J. Stermer Corporate Monitor for National Seniors Insurance, Inc. (#1495); and the two Centurion accounts be changed to: (a) Daniel J. Stermer Corporate Monitor for Centurion Insurance Services Group, LLC (#3068); and (b) Daniel J. Stermer Corporate Monitor for Centurion Insurance Services Group, LLC (#5501) (collectively, "Accounts").

8. Despite the Corporate Monitor's reasonable request, U.S. Bank refused to comply.

9. On October 22, 2021 and on November 1, 2021, the Corporate Monitor, through undersigned counsel, corresponded with U.S. Bank again requesting the Accounts be renamed to reflect the Corporate Monitor to avoid improper diversion or deposits of funds into unauthorized accounts.

10. On November 10, 2021, U.S. Bank responded again refusing to comply with the Corporate Monitors request and requires the Corporate Monitor to either obtain a Court Order or rename the NSI and Centurion on the Secretary of State database to reflect the Corporate Monitor.

11. U.S. Bank's failure to comply with the Corporate Monitor's requests and the September 14, 2021 Order, is impeding the Corporate Monitor's duties to the Court and creates an untenable risk that funds will be diverted to improper accounts.

12. Pursuant to Paragraph 36 of the September 14, 2021 Order, the Corporate Monitor is notifying this Court of U.S. Bank's failure to comply with the terms of the September 14, 2021 Order and requesting the Court order U.S. Bank to immediately rename the Accounts as provided herein.

13. The Corporate Monitor further requests the Court reserve the Corporate Monitors' right to pursue fees and costs against U.S. Bank for the expense of this motion.

WHEREFORE, Daniel J. Stermer, as Corporate Monitor, respectfully requests entry of the proposed agreed Order attached as **Exhibit "A"**, (i) directing U.S. Bank to rename the Accounts; (ii) reserve the Corporate Monitor's right to pursue fees and costs against U.S. Bank; and (iii) for such other and additional relief as the Court deems just and proper.

Dated: November 12, 2021

Respectfully submitted,

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By: /s/ Brian G. Rich
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CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on November 12, 2021, the foregoing was filed using the Florida Court's E-Filing Portal, which served a copy of the foregoing electronically upon all electronic service parties. I further certify that a true and correct copy of the foregoing was served by electronic transmission and first class, U.S. Mail or Certified Mail (as indicated below) upon all parties on the attached Service List.

By: /s/ Brian G. Rich
Brian G. Rich

SERVICE LIST

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Exhibit "A"
(Proposed Order)

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IN AND FOR PALM BEACH COUNTY, FLORIDA
CIVIL DIVISION**

STATE OF FLORIDA
OFFICE OF FINANCIAL REGULATION,

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CASE NO.: 50-2021-CA-008718-XXXX-MB

NATIONAL SENIOR INSURANCE, INC.
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GRACE HOLDINGS FINANCIAL, LLC,
PRIME SHORT TERM CREDIT INC.,

Defendants.

THE ESTATE OF ERIC CHARLES HOLTZ,
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F/K/A SEEMAN HOLTZ PROPERTY AND CASUALTY, INC.,
SHPC HOLDINGS I, LLC,

Relief Defendants.

ORDER GRANTING CORPORATE MONITOR, DANIEL J. STERMER'S MOTION TO COMPEL U.S. BANK TO RENAME BANK ACCOUNTS

THIS CAUSE came before the Court upon the *Corporate Monitor, Daniel J. Stermer's Motion for Authority to Rename Bank Accounts at U.S. Bank* (the "Motion") filed by the Court-appointed Corporate Monitor Daniel J. Stermer ("Corporate Monitor"). The Motion requests the Court compel U.S. Bank to rename certain bank accounts as identified in the Motion to include the Corporate Monitor information. The Court, having considered the Motion¹ and having reviewed the Court file, and being otherwise fully advised in the premises, it is hereupon,

ORDERED AND ADJUDGED that:

1. The Motion is hereby **GRANTED**.
2. U.S. Bank is hereby directed to immediately rename the Accounts as follows:
 - a. The NSI account shall be renamed to *Daniel J. Stermer Corporate Monitor for National Seniors Insurance, Inc.* (#1495); and
 - b. The two Centurion accounts shall be renamed to: (a) *Daniel J. Stermer Corporate Monitor for Centurion Insurance Services Group, LLC* (#3068); and (b) *Daniel J. Stermer Corporate Monitor for Centurion Insurance Services Group, LLC* (#5501).
3. The Court reserves jurisdiction on the Corporate Monitor's right to pursue fees and

¹ Capitalized terms used but not defined herein shall have the meanings ascribed in the Motion.

costs against U.S. Bank regarding the Motion.

DONE AND ORDERED in Chambers at West Palm Beach, Florida this ____ day of
November ____ 2021.

BRADLEY HARPER
CIRCUIT COURT JUDGE

Copies to: Counsel of Record and Corporate Monitor

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