

**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'S MOTION FOR AUTHORIZATION TO FILE
PROTECTIVE PROOFS OF CLAIM ON BEHALF OF NOTEHOLDERS
WHO FAILED TO FILE CLAIMS**

Daniel J. Stermer, as Court-appointed Corporate Monitor (the “Corporate Monitor”) for the property, assets, and business of the thirty-two (32) corporate entities¹(the “Consenting Corporate Defendants”) pursuant to the *Agreed Order Granting Plaintiff’s Consent Motion for Appointment of Corporate Monitor and Related Injunctive Relief*, dated September 14, 2021, and the *Agreed Order Granting Corporate Monitor, Daniel J. Stermer’s Unopposed Motion to Expand Corporate Monitorship Estate*, dated January 6, 2022 (together, the “Monitorship Order”), respectfully moves for entry of an Order authorizing the Corporate Monitor to file protective proofs of claim on behalf of approximately 120 noteholders who failed to file proofs of claim in this monitorship proceeding. In support of this Motion, the Corporate Monitor states:

¹ The Consenting Corporate Defendants include: NATIONAL SENIOR INSURANCE, INC. D/B/A SEEMAN HOLTZ, CENTURION INSURANCE SERVICES GROUP, LLC ,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, 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, PARA GLOBAL 2019, LLC, ALLOY ASSETS, LLC, SEEMAN HOLTZ WEALTH MANAGEMENT, INC. AGENCY ACQUISITION FUNDING, LLC, and AMERICA’S FAVORITE INSURANCE SERVICES LLC

BACKGROUND

1. On July 12, 2021, the State of Florida, Office of Financial Regulation (hereinafter “Plaintiff” or “OFR”) filed a *Complaint for Temporary and Permanent Injunction, Appointment of Receiver, Restitution, Civil Penalties, and Other Statutory and Equitable Relief* (the “Complaint”) against thirty corporate defendants (collectively, the “Corporate Defendants”), two individual defendants, Marshal Seeman and Brian J. Schwartz (collectively, the “Individual Defendants” and, together with the Corporate Defendants, collectively, the “Defendants”) and three relief defendants (collectively, the “Relief Defendants”), seeking to restrain acts and practices of the Defendants and Relief Defendants in violation of various provisions of Chapter 517, Florida Statutes, including sections 517.301, 517.12 and 517.07, and “halt the securities fraud scheme and common enterprise operated and controlled by Defendant Marshal Seeman (“Seeman”) and Seeman’s recently deceased business partner, Eric Charles Holtz (“Holtz”).”

2. On September 9, 2021, the OFR filed its *Consent Motion for Appointment of Corporate Monitor and Related Injunctive Relief*, requesting the appointment of the Corporate Monitor for the property, assets, and business of the following twenty-seven corporate-entity defendants (the “Consenting Corporate Defendants” or “Monitorship Entities”), seeking a temporary injunction against the Consenting Corporate Defendants and against 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. INTERGRITY ASSETS, LLC,²
6. PARA LONGEVITY 2014-5, LLC,
7. PARA LONGEVITY 2015-3, LLC,

² “Intergrity Assets, LLC” as used in the caption is defined in the Complaint as “Integrity Assets, LLC.” The Corporate Monitor has not identified any entity named “Intergrity Assets, LLC” and therefore asserts the distinction is not a difference and rather a scrivener’s error.

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.

3. On September 14, 2021, the Court entered the *Agreed Order Granting Plaintiff's Consent Motion for Appointment of Corporate Monitor and Related Injunctive Relief* (the "Agreed Consent 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.

4. On January 6, 2022, the Court entered an *Agreed Order Granting Corporate Monitor, Daniel J. Stermer's Unopposed Motion to Expand Corporate Monitorship Estate*, thereby expanding the scope of the corporate monitorship to include the following five (5) additional corporate entities as Consenting Corporate Defendants/Monitorship Entities:

1. PARA GLOBAL 2019, LLC,
2. ALLOY ASSETS, LLC,
3. SEEMAN HOLTZ WEALTH MANAGEMENT, INC.,
4. AGENCY ACQUISITION FUNDING, LLC, and
5. AMERICA'S FAVORITE INSURANCE SERVICES LLC

5. On June 17, 2022, the Corporate Monitor filed *Corporate Monitor's Unopposed*

Motion to Approve the Proposed Noticing and Claims Process (the “Claim Motion”) seeking approval of certain proposed noticing and claims administration procedures and the form of the notice to be sent to potential claimants. Pursuant to the Claim Motion, the Corporate Monitor sought approval of (a) a legal notice to apprise potential claimants of how the claims process was created, who is eligible to submit a claim in order to potentially receive a monetary distribution from the Corporate Monitorship estate, the process by which eligible claimants can submit a claim, and the process by which the Corporate Monitor will determine which eligible claimants have allowed claims and are thus entitled to receive a *pro rata* distribution, if any, from the Corporate Monitorship estate, (b) a bar date notice to notify the potential claimants of the deadline to file claims and advise claimants that they will be forever barred and permanently enjoined from asserting a claim against the Consenting Corporate Defendants should they fail to timely file a proof of claim, (c) a form Proof of Claim asking claimants to provide, among other things, (i) the nature of the claim; (ii) a copy of the agreement(s) or other document evidencing or giving rise to the claim; (iii) the amount of the asserted claim against the Consenting Corporate Defendants or Corporate Monitorship estate; and (iv) the amount of any transfer of funds that the claimant or any of its representatives received from any of the Consenting Corporate Defendants, or any of their affiliates, or any persons or entities on behalf of the foregoing, in connection with the asserted claim

6. The Claim Motion acknowledged that while Grace Holdings Financial, LLC (“Grace Holdings”) is a Corporate Defendant named in this matter but not one of the Consenting Corporate Defendants which the Corporate Monitor has been appointed, the Corporate Monitor has been and continues to believe that the noteholders who invested with Grace Holdings (“the Grace Holding’s Noteholders”), should be potential creditors of the Corporate Monitorship Estate,

subject to further evaluation of these noteholders' interests through the proposed Claims Process even if Grace Holdings itself ultimately does not become part of the Corporate Monitorship Estate.

7. On June 27, 2022, the Court entered an *Agreed Order Approving the Noticing and Claims Administration Process*, as amended by the *Amended Agreed Order Approving the Noticing and Claims Administration Process* dated June 29, 2022 (collectively, the "Claim Order"), thereby granting the Claim Motion in its entirety, including the Grace Noteholders in the claims process, and set August 31, 2022, as the deadline by which claimants must return completed Proof of Claim forms to the Corporate Monitor.

8. Pursuant to the approval of a settlement reached in the class action case captioned *Millstein, et al. v. Marshal Seeman, et al.*, Case No. 21-CV-61179-RAR (S.D. Fla. 2021), the deadline to file proofs of claim was extended through October 31, 2022.

9. As of the date of this Motion, over 1400 claims have been filed (collectively, the "Filed Claims"). Below is a summary of the claims received by the Corporate Monitor as of the date of this Motion:

Total # of Claims	1,437
Total # of Individualized Claimants	1,139
Total Amount of Claims	\$342,065,044
Total Amount of Noteholder-related Claims	\$308,402,933
Total Amount of Trade/non-individual Noteholder Creditor Claims	\$33,662,110

10. The Corporate Monitor has commenced the process to review all Filed Claims to date, and has commenced a reconciliation process related to the Filed Claims that have been filed by Noteholders and other creditors.

11. A comparison of the Filed Claims to the list of Noteholders provided to the Corporate Monitor reflects that there are approximately 120 Noteholders (totaling approximately

\$15,707,061.91 in the aggregate of monies invested by these Noteholders) that have not submitted proofs of claim to the Corporate Monitor. The Corporate Monitor is mindful of that portion of the Agreed Consent Order wherein it states: “Plaintiff has requested a corporate monitor to, among other things, . . . confirm what the Consenting Corporate Defendants’ investors are currently owed, . . . ensure that the Consenting Corporate Defendants’ investors are repaid in a fair and equitable manner. . .” See paragraph 3, Agreed Consent Order.

Relief Requested

12. By this Motion, the Corporate Monitor requests authority to prepare and file protective proofs of claim for the 120 Noteholders that have not filed proofs of claim in this case. The Corporate Monitor has attempted to reach out to these 120 Noteholders that have not filed a proof of claim, utilizing the contact information available to the Corporate Monitor, but wants to be fair to those Noteholders who have not filed proofs of claim while at the same time being fair to the other Noteholders and other creditors that did file claims pursuant to the Claims Order and the extended Claims Bar Date.

13. The Corporate Monitor believes the relief requested herein is reasonable and a proper exercise of his professional business judgment.

WHEREFORE, the Corporate Monitor respectfully requests this Court to enter an Order (i) granting this Motion; (ii) authorizing the Corporate Monitor to file protective proofs of claim on behalf of the 120 Noteholders who failed to file proofs of claim in this case; and (iii) granting

such further relief as the Court may deem proper.

Dated: March 30, 2023

Respectfully submitted,

BERGER SINGERMAN LLP
Counsel for Corporate Monitor
525 Okeechobee Boulevard, Suite 1250
West Palm Beach, FL 33401
Tel. (561) 241-9500
Fax (561) 998-0028

By: /s/ Brian G. Rich

Brian G. Rich, FBN 38229
brich@bergersingerman.com
Gavin C. Gaukroger, FBN 76489
ggaukroger@bergersingerman.com
Michael J. Niles, FBN 107203
mniles@bergersingerman.com
DRT@bergersingerman.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 30, 2023, 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 upon all parties on the attached Service List.

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

SERVICE LIST

<p>A. Gregory Melchior, Esq., Chief Counsel George C. Bedell, III, Esq., Chief Counsel <i>Office of General Counsel</i> <i>Florida Office of Financial Regulation</i> 200 East Gaines Street Tallahassee, FL 32309 Greg.Melchior@flofr.gov George.Bedell@flofr.gov Sharon.Sutor@flofr.gov <i>Counsel for Plaintiff</i></p>	<p>Scott Alan Orth, Esq. <i>Law Offices of Scott Alan Orth</i> 3860 Sheridan Street, Ste. A Hollywood, FL 33021 scott@orthlawoffice.com service@orthlawoffice.com eserviceSAO@gmail.com <i>Attorney for Defendant Marshal Seeman, Twenty-six Defendant Entities</i></p>
<p>Jeffrey H. Sloman, Esq. <i>Stumphauzer Foslid Sloman & Kolaya, PLLC</i> One Biscayne Tower 2 South Biscayne Boulevard, Suite 1600 Miami, FL 33131 jsloman@sfsllaw.com <i>Attorneys for Defendants Brian J. Schwartz and Ameritonian Enterprises, LLC</i></p>	<p>Daniel J. Stermer, Esq. <i>Development Specialists, Inc.</i> 500 W. Cypress Creek Road, Suite 400 Fort Lauderdale, Florida 33309 dsterner@DSIConsulting.com <i>Corporate Monitor</i></p>
<p>Susan Yoffee, Esq. Gary A. Woodfield, Esq. <i>Nason Yeager Gerson Harris & Fumero, P.A.</i> 3001 PGA Boulevard, Suite 305 Palm Beach Gardens, FL 33410 syoffee@nasonyeager.com gwoodfield@nasonyeager.com sdaversa@nasonyeager.com <i>Counsel for The Estate of Eric Charles Holtz</i></p>	<p>Victoria R. Morris, Esq. Andrew C. Lourie, Esq. Kobre & Kim LLP 201 South Biscayne Boulevard, Suite 1900 Miami, FL 33131 Andrew.Lourie@kobrekim.com Victoria.Morris@kobrekim.com <i>Attorneys for Relief Defendant Seeman Holtz Property and Casualty LLC</i></p>
<p>David L. Luikart III, Esq. Hill, Ward & Henderson, P.A. 101 East Kennedy Boulevard, Suite 3700 Tampa, FL 33602 Dave.luikart@hwlaw.com Michelle.armstrong@hwlaw.com <i>Attorneys for Prime Short Term Credit, Inc.</i></p>	<p>Joshua W. Dobin, Esq. James C. Moon, Esq. Meland Budwick, P.A. 3200 Southeast Financial Center 200 South Biscayne Boulevard Miami, FL 33131 jdobin@melandbudwick.com jmoon@melandbudwick.com mramos@melandbudwick.com <i>Attorneys for Teleios LS Holdings V DE, LLC and Teleios LS Holdings IV DE, LLC</i></p>

<p>Bernard Charles Carollo, Jr., Esq. John J. Truitt, Esq. William Leve, Esq. Vernon Litigation Group 8985 Fontana Del Sol Way Naples, FL 34109 bcarollo@vernonlitigation.com jtruitt@vernonlitigation.com wleve@vernonlitigation.com nzumaeta@vernonlitigation.com <i>Attorneys for Edwin and Karen Ezrine, Intervenors And Tom Echolds, Interested Party</i></p>	<p>Gary M. Murphree, Esq. Brandy Abreu, Esq. AM Law, LC 10743 SW 104th Street Miami, FL 33186 gmm@amlaw-miami.com babreu@amlaw-miami.com mramirez@amlaw-miami.com pleadings@amlaw-miami.com <i>Attorneys for Zoe Seijas and Victor Seijas, Jr., Trustees of Victor Seijas Living Trust</i></p>
<p>Harris J. Koroglu, Esq. Shutts & Bowen LLP 200 South Biscayne Boulevard, Suite 4100 Miami, FL 33131 hkoroglu@shutts.com <i>Attorneys for MCM 301 Yamato LLC</i></p>	<p>Angela C. Flowers, Esq. Kubicki Draper 13906 N.E. 20th Avenue, Building 500 Ocala, FL 34470 Af-kd@kubickidraper.com <i>Attorneys for Pelican Capital Management, LLC</i></p>
<p>Adam J. Ruttenberg, Esq. Arent Fox Schiff, LLP 800 Boylston Street, 32nd Floor Boston, MA 02199 Adam.ruttenberg@afslaw.com <i>Attorney for Pelican Capital Management, LLC</i></p>	<p>Christopher R. Murray, Esq. Murray Legal, PLLC 170 Old Country Road, Suite 608 Mineola, New York 11501 Tel: (516) 260-7367 E-Mail: cmurray@murraylegalpllc.com <i>Attorneys for Business Advance Team LLC d/b/a Everyday Capital</i></p>