

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

CIVIL DIVISION

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

STATE OF FLORIDA,
OFFICE OF FINANCIAL REGULATION,

Plaintiff,

v.

NATIONAL SENIOR INSURANCE, INC.
(d/b/a Seeman Holtz); *et al*,

Defendants.

**MOTION FOR REHEARING/RECONSIDERATION
OR IN THE ALTERNATIVE MOTION TO COMPEL**

Defendant, MARSHAL SEEMAN, by and through undersigned counsel, pursuant to Rule 1.530, Florida Rules of Civil Procedure, hereby moves the Court to reconsider and vacate this Court's Order Overruling, In Part, Defendant Brian J. Schwartz's Objection to the Corporate Monitor's Notice of Production from Non-Party and Defendant Marshal Seeman's Request for Copies, (entered on April 20, 2023) (herein, the "Order"), and in support thereof states:

1. Unbeknownst to the parties, Brian Schwartz died on April 12, 2023. (See Suggestion of Death, Docket # 245)
2. Any putative privacy interest (of Brian Schwartz) no longer applies.
3. Brian Schwartz was the CEO for Defendant Centurion ISG, LLC and acted for all companies under the Centurion umbrella of entities that acquired, pooled, and managed life insurance policies viaticals and raised money via investments and secured lending.
4. Marshal Seeman has been accused of violating duties with respect to Centurion's business.
5. As the monitor is essentially seeking discovery for use by the state or potentially – for use by the state against Marshal Seeman, Marshal Seeman should receive copies of all

documents sought against co-defendants, and particularly these in a supervisory and organizational role.

6. Alternatively, the documents should be provided in conjunction with a confidentiality provision against further circulation of the materials beyond Seeman's counsel and retained experts, pending further order of the Court.
7. Marshal Seeman is potentially prejudiced in his defense of this case as he has no other means to obtain the documents at issue or the equivalent.

WHEREFORE, Defendant, MARSHAL SEEMAN respectfully requests that this Court rehear and reconsider its order denying copies relating to materials of Brian Schwartz and Ameritonian Enterprises, LLC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy hereof has been filed via the Florida ePortal and furnished to

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using electronic notification via the ePortal system on this 5th day of May 2023.

s/ Scott Alan Orth

SCOTT ALAN ORTH

Florida Bar No. 436313

Counsel for Plaintiff

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