



Todd A. Zuckerbrod, P.A.

August 14, 2024

The Honorable Bradley Harper

Circuit Court of the Fifteenth Judicial Circuit
in and for Palm Beach County, Florida
205 North Dixie Highway
West Palm Beach, FL 33401

Re: Daniel Stermer - *State of Florida Office Regulation, et. al. v. National Senior Insurance, Inc.*, Case No.: 50-2021-CA-008718-XXX-MB

Dear Judge Harper:

I write in response to opposing counsel's letter of August 12, 2024, regarding the referenced matter.

Opposing counsel is misinformed that there is an "Agreed" Final Judgment Against Defendant, Richard Donoff ("Donoff"). There is not.

Receiver and his law firm, in the August 12, 2024 letter, informed the Court of the pending Motion to Set Aside Settlement Agreement for Breach of Contract and Bad Faith, filed on behalf of Donoff. There can be no argument that a motion to set aside a settlement agreement constitutes an objection to the Court finalizing such settlement agreement. Yet, the Receiver purports to unilaterally dispense with Donoff's pleading by stating that he has filed his Motion to Strike and Opposition to that motion. In addition, Receiver purports that there is some basis for the Court to issue a final ruling while Defendant's motion is pending. There is not.

Defendant's motion to set aside the Donoff settlement sets forth a cogent and compelling basis for this Court to vitiate said settlement. Moreover, Receiver's self-serving Motion to Strike fails to respond to any of the substantive allegations set forth in Defendant's motion.

Donoff respectfully requests that the Court reject the entry of a final judgment as to Donoff, in favor of a hearing on Donoff's motion on the merits.

Sincerely,

A handwritten signature in blue ink that reads 'Todd A. Zuckerbrod'.

Todd A. Zuckerbrod, Esq.

cc: Rose Schindler, Esq. (via e-mail)
Brian G. Rich, Esq. (via e-mail)