

**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.

**ORDER GRANTING RECEIVER'S MOTION FOR COMMENCEMENT
OF CLAIMS DISTRIBUTION PROCESS AND PROTOCOL**

THIS MATTER came before the Court on December 3, 2024, at 8:45 a.m., in West Palm Beach, Florida, upon the *Receiver's Motion for Commencement of Claims Distribution Process and Protocol* (the "Motion") filed by the Court-appointed Receiver, Daniel J. Stermer ("Receiver"). The Motion requests the entry of an Order establishing (a) procedures for notifying claimants of the amount of their proposed Allowed Claim¹, (b) procedures for addressing and resolving Disputed Claims, (c) a reserve requirement for Disputed Claims at the time of distributions, (d) a process for approval of a plan of distribution, and (e) procedures for the collection of necessary information to make distributions to holders of Allowed Claims and for making distributions. The Court, having considered the Motion, having reviewed the Court file, having heard argument of counsel, and being otherwise fully advised in the premises, does thereupon,

ORDER and ADJUDGE that:

1. The Motion is **GRANTED**.
2. The Claims Distribution Process and Protocol as set forth in the Motion is

APPROVED.

¹ Capitalized terms used but not defined herein shall have the meanings ascribed to them in the *Corporate Monitor's Unopposed Motion to Approve the Proposed Noticing and Claims Process* filed on June 17, 2022, and the *Amended Agreed Order Approving the Noticing and Claims Administration Process* entered on June 29, 2022.

Claim Identification Number and Notification of Proposed Claim Allowed Amount of Claim or Other Claim Deficiencies

3. The Receiver is authorized assign to each creditor a Claim Identification Number, and is authorized to notify each individual claimant via electronic or U.S. Mail of their corresponding Claim Identification Number.

4. The Receiver is further authorized to notify the holders of Disputed Claims via electronic mail and/or U.S. Mail of the nature of the dispute and the proposed amount that the Receiver submits the Claim should be allowed.

Claims Objection Process

5. The Receiver is authorized to settle objections to Claim Determinations and no distribution shall be made on a Disputed Claim unless the Claim is allowed by agreement of the Receiver or by a final non-appealable order. The Receiver shall be authorized to settle or compromise a Disputed Claim.

6. Should a claimant dispute the amount asserted by the Receiver or the rationale for the Disputed Claim (*i.e.*, procedural defects or other), then the parties shall engage first in a good faith discussion to resolve the issues in dispute. Should the Receiver fail to achieve resolution with respect to a Disputed Claim, the parties shall engage in mediation of the dispute in an effort to avoid costly and time-consuming Court intervention (“Claim Resolution Mediation”). Claim Resolution Mediations may be conducted via Zoom and with procedures and logistics meant to ensure an efficient and fair resolution in a prompt manner. The Receiver may aggregate mediations in his discretion. If the parties are unable to resolve the dispute over the amount of the Claim, then the Receiver shall bring the objection to the Court’s attention after first determining the number of matters that may be brought before the Court, and seek approval from the Court of a process for Court determination of the disputes. The Receiver shall submit a list of five (5) proposed mediators to be the preferred mediators for the Claim Resolution Mediations.

Distribution Reserves

7. To the extent a distribution is made, and Disputed Claims still exist, the Receiver shall establish a reserve for the *pro rata* distribution for any Disputed Claim based upon the highest amount alleged by the Claimant. Such reserves will be released by the Receiver to make appropriate distributions to the holders of the Claim (if the Claim is allowed) or to the pool of assets to be distributed to all holders of Allowed Claims.

Plan of Distribution

8. The Receiver shall determine at a later date whether to utilize the Net Loss Methodology or the Rising Tide Methodology based upon the Receiver's recoveries.

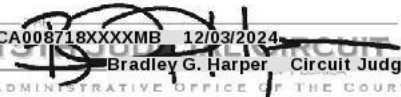
9. Once the Receiver, in his business judgment, determines that sufficient Claims have been resolved and that there are appropriate funds to make a distribution (either interim or final), the Receiver shall file with the Court a proposed Plan of Distribution setting forth the proposed distribution methodology (*i.e.*, Net Loss or Rising Tide), the Claimant Identification Number, the Amount of the Claim and the amount of of the proposed *pro rata* distribution for each Claimant.

10. The Receiver shall make distributions solely to the holders of Allowed Claims without regard to any Claim or interest asserted by any third party in such distributions. Distributions shall be made to the holders of Allowed Claims at the addresses set forth in the Claims asserted by such holders, as may be amended by such holder of the Claims.

11. The holders of Allowed Claims shall submit either a W-9 form, if the holder is treated as a United States entity or citizen by the Internal Revenue Service, or a W-8 form, if the holder is treated as a non-United States entity or citizen by the Internal Revenue Service. As set forth in the Motion, the Receiver does not believe any holder of Claims is a non-U.S. entity or citizen. The submission of a W-9 or W-9 shall serve as conclusive evidence that the submitting Claimant agrees that it has released any and all Claims that it has or may have, if any, against the

Receiver or the Receivership Estate. However, the failure to submit a W-9 or W-8 form shall be treated as a waiver of the holder of an Allowed Claim to any distribution by the Receiver or Receivership Estate.

DONE AND ORDERED in Chambers at West Palm Beach, Florida.


502021CA008718XXXXMB 12/03/2024
Bradley G. Harper Circuit Judge
ADMINISTRATIVE OFFICE OF THE COURT

502021CA008718XXXXMB 12/03/2024
Bradley G. Harper
Circuit Judge

BRADLEY HARPER
CIRCUIT COURT JUDGE

Copies to: Counsel of Record and Corporate Monitor

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