

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION**

**CASE NO.: 9:24-CV-80722-GAYLES/GOODMAN**

DANIEL J. STERMER, as receiver for  
NATIONAL SENIOR INSURANCE, INC.,  
D/B/A SEEMAN HOLTZ,  
CENTURION ISG SERVICES, LLC  
EMERALD ASSETS 2018, LLC,  
INTEGRITY ASSETS 2016, LLC,  
INTEGRITY ASSETS, LLC,  
PARA LONGEVITY 2014-5, LLC,  
PARA LONGEVITY 2015-3, LLC,  
PARA LONGEVITY 2015-5, LLC,  
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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 VI, LLC,  
SH GLOBAL, LLC N/K/A PARA LONGEVITY V, LLC,

Plaintiff,

v.

WELLS FARGO BANK, N.A.

Defendant.

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**JOINT MOTION TO EXTEND SCHEDULING ORDER DEADLINES**

The parties, Daniel J. Stermer (“Receiver”) and Wells Fargo Bank, N.A. (“Defendant” or “Wells Fargo” and, collectively with Receiver, the “Parties”), by and through their respective counsel, file this Joint Motion to Extend Scheduling Order Deadlines (“Motion”) pursuant to Rule 6(b)(1)(A) of the Federal Rules of Civil Procedure. As grounds therefore, the Parties state as follows:

1. On August 7, 2024, the Court entered a Scheduling Order setting pre-trial deadlines and the civil trial date for the case (the “Scheduling Order”). (ECF No. 33).

2. The Scheduling Order currently provides that fact discovery must conclude by May 16, 2025.

3. On November 15, 2024, following the entry of the Scheduling Order, this case was referred to Magistrate Judge Goodman for a ruling on all pre-trial non-dispositive matters and for a Report and Recommendation on any dispositive matters. (ECF No. 48). On January 15, 2025, Magistrate Judge Goodman provided his Report and Recommendations. (ECF No. 59). Pursuant to the January 21, 2025, Order granting Defendant’s Unopposed Motion for Extension of Time to Object to Report and Recommendations, the Parties now have until February 12, 2025, to file written objections, and until March 12, 2025, to respond to the opposition’s objection. (ECF No. 61). Notwithstanding this, discovery proceeded in light of the Court’s denial of Defendant’s Motion to Stay (ECF No. 47).

4. The ongoing issues that are subject to the Report and Recommendations are key issues to this case, the outcome of which will greatly impact the nature and discovery of this case.

5. Over the past three months, the Parties engaged in substantial discovery negotiations. The Parties negotiated a comprehensive ESI Protocol and Confidentiality Stipulation prior to serving discovery. Wells Fargo served its First Set of Requests for Production and First Set of Interrogatories on the Receiver on November 27, 2024. The Receiver served his First Request for Production and First Set of Interrogatories on Wells Fargo on December 12, 2024. The Parties have also held various meet-and-confer sessions to discuss custodians and search terms.

6. As of present, Defendant Wells Fargo has produced documents responsive to the Receiver's pre-suit subpoena and is continuing to gather, review, and produce documents to respond to the Receiver's document requests in this case, subject to the number of custodians and search terms for Wells Fargo employees' email accounts and potentially certain systems within Wells Fargo. The Receiver is similarly in the process of gathering and reviewing documents for production, subject to the number of custodians and search terms for the Receiver's ESI. It is also anticipated that a significant number of depositions will need to take place in this case after the Parties have made substantial productions, which has not yet occurred to date. The Parties have and are continuing to have ongoing cordial meet and confer discussions as a part of this process.

7. The Parties are also continuing to negotiate custodians and reasonable search terms for ESI related discovery, which the Parties anticipate will be substantial and require extensive efforts to complete.

8. The Parties wish to proceed with discovery while requiring as minimal court intervention as possible, but the roughly three months which the Parties will have remaining between the close of briefing on the Report and Recommendations and the current deadline for fact discovery is an unworkable timeframe for this case. Although the Parties have been actively engaged in discovery negotiations, it has not been possible to complete discovery within the original schedule. This is not due to any lack of diligence by the Parties, but rather the sheer size and complexity of the case. The Parties remain committed to advancing discovery with minimal court intervention, but the time remaining under the current fact discovery deadline is insufficient to complete the necessary work that remains.

9. Accordingly, the Parties respectfully request that the Court extend the deadline for fact discovery by six months, and subsequently adopt the following revised deadlines in the Scheduling Order.

<b>Event</b>	<b>Original Date</b>	<b>Proposed New Date</b>
Written lists containing names and addresses if all witnesses intended to be called at trial by	4/15/2025	10/15/2025
Parties shall disclose experts, expert witness summaries, and reports as required by Fed. R. Civ. P. 26(a)(2) by	5/30/2025	12/1/2025
Exchange of rebuttal expert witness summaries and reports as required by Fed. R. Civ. P. 26(a)(2) by	6/13/2025	12/15/2025
Fact discovery shall be completed by	5/16/2025	12/1/2025
Expert discovery shall be completed by	6/27/2025	1/15/2026
Dispositive motions, including motions for summary judgment, and Daubert motions, shall be filed by	8/15/2025	3/10/2026
Mediation shall be completed by	8/29/2025	3/16/2026
All pretrial motions and memoranda of law, including motions in limine, shall be filed by	10/15/2025	4/15/2026
Joint pretrial stipulation, proposed joint jury instructions, proposed joint verdict form, and/or proposed findings of fact and conclusions of law filed by	11/27/2025	5/18/2026

10. Rule 6(b) of the Federal Rules of Civil Procedure provides that this Court may enlarge time upon a showing of good cause.

11. Where, as here, the request for extension is made prior to the expiration of the specified period of time, no finding of excusable neglect is required. Fed. R. Civ. P. 6(b)(1)(A).

12. This request is not made for the purposes of undue delay but is made in good faith and in the interest of judicial economy and efficiency to ensure that the Parties have adequate time to complete discovery in a thorough and organized manner. As outlined above, the Parties have been actively engaged in discovery and have been diligent in advancing the process.

13. This Motion is being filed in good faith before the deadlines the Parties are jointly seeking to extend and is supported by good cause. Extending these deadlines will allow the Parties to complete discovery thoroughly, avoid unnecessary disputes, and promote judicial efficiency by minimizing the need for court intervention. This request reflects the Parties' commitment to advancing this matter while respecting the Court's time and resources.

14. For the foregoing reasons, the Parties respectfully request that the Court grant this Motion and modify the Scheduling Order.

**CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1(a)(3)**

Pursuant to Local Rule 7.1(a)(3), the undersigned counsel for Plaintiff and Defendant certify that they have conferred and agree to the relief requested herein.

WHEREFORE, the Parties respectfully request that the Court extend the deadlines and adopt the proposed schedule set forth above and grant such other and further relief as this Court deems just and proper.

Dated: January 30, 2025

**MCGUIREWOODS LLP**

50 N. Laura Street, Suite 3300  
Jacksonville, Florida 32202  
Tel: (904) 798-3200  
Fax: (904) 798-3207

/s/ Emily Y. Rottmann

Emily Y. Rottmann, Esq.  
Florida Bar No. 93154  
erottmann@mcguirewoods.com  
clambert@mcguirewoods.com  
flservice@mcguirewoods.com

Jarrod D. Shaw (*admitted pro hac vice*)  
Nellie E. Hestin (*admitted pro hac vice*)  
Tower Two-Sixty  
260 Forbes Avenue, Suite 1800  
Pittsburgh, PA 15222  
jshaw@mcguirewoods.com  
nhestin@mcguirewoods.com

*Counsel for Defendant Wells Fargo Bank,  
N.A.*

Respectfully submitted,

**BERGER SINGERMAN LLP**

201 E. Las Olas Boulevard  
Suite 1500  
Fort Lauderdale, FL 33301  
Tel. (954) 525-9900

/s/ Gavin C. Gaukroger

Gavin C. Gaukroger  
Florida Bar No. 76489  
ggaukroger@bergersingerman.com  
Brian G. Rich  
Florida Bar No. 38229  
brich@bergersingerman.com  
Michael J. Niles  
Florida Bar No. 107203  
mniles@bergersingerman.com  
William O. Diab  
Florida Bar No. 1010215  
wdiab@bergersingerman.com

*Counsel for Plaintiff Daniel J. Stermer,  
Receiver*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed with the Clerk of the Court using the CM/ECF system which will send notice of the electronic filing on January 30, 2025, to all counsel of record listed below:

Gavin C. Gaukroger, Esq.

Brian G. Rich, Esq.

Michael J. Niles, Esq.

William O. Diab, Esq.

BERGER SINGERMAN LLP

201 E. Las Olas Boulevard

Suite 1500

Fort Lauderdale, FL 33301

ggaukroger@bergersingerman.com

brich@bergersingerman.com

mniles@bergersingerman.com

wdiab@bergersingerman.com

*Counsel for Plaintiff Daniel J. Stermer, Receiver*

/s/ Emily Y. Rottmann

Emily Y. Rottmann

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Defendant.

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**ORDER GRANTING JOINT MOTION TO EXTEND  
SCHEDULING ORDER DEADLINES**

THIS MATTER is before the Court on the parties' Joint Motion to Extend the Scheduling Order Deadlines (the "Motion") filed on January 30, 2025.

The Court, having reviewed the Motion and being fully advised in the premises, hereby ORDERS and ADJUDGES as follows:

The Motion is GRANTED, and the Order Setting Civil Trial Date and Pretrial Deadlines (ECF No. 33) is amended as follows.



Event	Date
Written lists containing names and addresses if all witnesses intended to be called at trial by	10/15/2025
Parties shall disclose experts, expert witness summaries, and reports as required by Fed. R. Civ. P. 26(a)(2) by	12/1/2025
Exchange of rebuttal expert witness summaries and reports as required by Fed. R. Civ. P. 26(a)(2) by	12/15/2025
Fact discovery shall be completed by	12/1/2025
Expert discovery shall be completed by	1/15/2026
Dispositive motions, including motions for summary judgment, and Daubert motions, shall be filed by	3/10/2026
Mediation shall be completed by	3/16/2026
All pretrial motions and memoranda of law, including motions in limine, shall be filed by	4/15/2026
Joint pretrial stipulation, proposed joint jury instructions, proposed joint verdict form, and/or proposed findings of fact and conclusions of law filed by	5/18/2026

DONE and ORDERED in Chambers Miami, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
HON. DARRIN P. GAYLES  
UNITED STATES DISTRICT JUDGE

Copies furnished to:  
Jonathan Goodman, U.S. Magistrate Judge  
Counsel of record