

**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,
INTEGRITY 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.

RECEIVER’S AGREED MOTION TO CONTINUE SPECIAL SET HEARING

Daniel J. Stermer, in his capacity as Receiver (the “**Receiver**” or “**Plaintiff**”), files this *Agreed Motion to Continue Special Set Hearing* (“**Motion to Continue**”) requesting the Court continue the hearing on Cucuiat’s Motion to Dismiss (as defined below), and in support thereof states:

1. On July 12, 2021, the State of Florida Office of Financial Regulation filed the instant lawsuit against Marshall Seeman, Brian Schwartz, and a myriad of entities arising out of a massive Ponzi scheme that resulted in the loss of more than \$300,000,000.00 to thousands of victims (the “**OFR Enforcement Action**”).

2. Daniel J. Stermer was appointed as Receiver in the OFR Enforcement Action, in part, to facilitate the wind up of certain defendant entities’ affairs, including liquidating assets, disposing of and prosecuting claims, and assisting with litigation against third parties for the benefit of the investors, noteholders, and creditors.

3. In carrying out these duties, the Receiver commenced a supplemental action against Jason Sussman seeking damages for fraudulent transfers and unjust enrichment based on his receipt of improper payments from one or more of the Receivership Entities and that action is currently pending before this Court and is styled *Daniel J. Stermer, Receiver v. Jason Sussman*, Case No. 2023-CA-015245-XXXXA-MB (the “**Sussman Supplemental Action**”)

4. The Receiver filed an Amended Complaint in the Sussman Supplemental Action – the operative pleading – on May 9, 2024, which added eleven additional defendants who also

received improper payments to the detriment of the victims. Cucuiat was one of those defendants who solicited investors, sold notes and received improper benefits/payments.

5. On October 1, 2024, Cucuiat filed his *Motion to Dismiss Plaintiff's Original Complaint and Amended Complaint Against Daniel Cucuiat in the OFR Enforcement Case* ("**Cucuiat Motion to Dismiss**") in the OFR Enforcement Action.

6. On October 11, 2024, the Receiver filed his *Response In Opposition to Defendant Daniel Cucuiat's Motion to Dismiss Plaintiff's Original Complaint and Amended Complaint* ("**Response to Motion to Dismiss**").

7. The Cucuiat Motion to Dismiss is set for hearing on February 6, 2025.

8. On January 28, 2025, the Court denied *Cucuiat's Motion For Special Set Hearing Exceeding 30 Minutes*, wherein Cucuiat requested the hearing be continued to another date and for a duration greater than 30 minutes.

9. On January 30, 2025, Counsel for Cucuiat requested that the Receiver reset the hearing on Cucuiat's Motion to Dismiss to another date. The Receiver does not oppose the request and agreed to file this Motion.

WHEREFORE, the Receiver respectfully requests the Court enter an order continuing the February 6th Hearing on Cucuiat's Motion to Dismiss.

Dated: January 31, 2025.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 31, 2025, a true and correct copy of the foregoing was served upon all parties on the attached Service List by e-service from the Florida Courts E-filing Portal and/or by email.

I FURTHER CERTIFY that on January 31, 2025, a true and correct copy of the foregoing was served by upon all parties in the Supplemental Action identified on the attached Supplemental Action Service List, in the manner indicated.

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

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