

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

Case Number: 1:24-cv-22142-GAYLES/GOODMAN

FANNY B. MILLSTEIN and
MARTIN KLEINBART,

Plaintiffs,

v.

WELLS FARGO BANK, N.A.,

Defendant.

**DEFENDANT’S NOTICE OF FILING IN
COMPLIANCE WITH COURT ORDER (Doc. 71)**

Defendant Wells Fargo Bank, N.A. (“Wells Fargo”), by and through its undersigned counsel, hereby files Plaintiffs’ First Request for Production of Documents to Defendant Wells Fargo Bank, N.A. attached hereto as **Exhibit 1**, and Defendant’s First Set of Objections and Responses to Plaintiffs’ First Set of Requests for Productions of Documents attached hereto as **Exhibit 2**, in compliance with this Court’s Order dated February 4, 2025 (Doc. 71).

Dated: February 5, 2025

Respectfully submitted,

MCGUIREWOODS LLP

/s/ Emily Y. Rottmann

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 5, 2025, a copy of the foregoing was furnished by

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**DEFENDANT'S NOTICE OF FILING IN
COMPLIANCE WITH COURT ORDER (Doc. 71)**

EXHIBIT 1

**Plaintiffs' First Request for Production
of Documents to Defendant Wells Fargo Bank, N.A.**

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

Case Number: 1:24-cv-22142-DPG

**FANNY B. MILLSTEIN and
MARTIN KLEINBART,**

Plaintiffs,

v.

WELLS FARGO BANK, N.A.,

Defendant.

**PLAINTIFFS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO
DEFENDANT WELLS FARGO BANK, N.A.**

Plaintiffs, Fanny Millstein and Martin Kleinbart, hereby request that Defendant Wells Fargo Bank, N.A., produce the following documents, or legible copies of the following documents, pursuant to Rule 34, Federal Rules of Civil Procedure.

DEFINITIONS

1. The terms “WF,” “Wells Fargo,” “You,” “Your,” “Yours,” “Yourself,” “Yourselves,” and “Defendant” shall refer to Wells Fargo Bank, N.A., including its agents, attorneys, predecessors, merged or acquired banks, and all other persons acting or purporting to act on its behalf.

2. The term “Person” means any natural person, individual, proprietorship, partnership, corporation, association, trust, organization, joint venture, firm, other business enterprise, governmental body, group of natural persons or other entity.

3. The term “Complaint” means the First Amended Complaint filed in *Millstein v. Wells Fargo Bank, N.A.*, No: 1:24-cv-22142-DPG (S.D. Fla. June 6, 2024).

4. The term “Plaintiffs” shall refer to the Plaintiffs in this case, Fanny B. Milstein and Martin Kleinbart.

5. “Millstein” shall refer to Fanny B. Milstein.

6. “Kleinbart” shall refer to Martin Kleinbart.

7. “Seeman” shall refer to Marshal Seeman.

8. “Holtz” shall refer to Eric Holtz.

9. “Schwartz” shall refer to Brian Schwartz.

10. The “Scheme Operators” are collectively Marshal Seeman, Eric Holtz, and Brian Schwartz, or any of them.

11. “NSI” shall refer to National Senior Insurance, Inc. d/b/a Seeman Holtz.

12. The “Para Longevity Companies” or “PLCs” shall refer to the following entities: (1) Para Longevity Investments, LLC; (2) Integrity Longevity Investments, LLC; (3) Para Longevity 2012, LLC; (4) Para Longevity 2012-5, LLC; (5) Emerald Assets, LLC; (6) Seeman Holtz Global, LLC; (7) Para Longevity 2014, LLC; (8) Emerald Assets 2014, LLC; (9) Paraveda Investments V, Inc.; (10) Paraveda Investments, LLC; (11) Emerald Assets 2015, LLC; (12) Emerald Assets 2016, LLC; (13) Alloy Elements Assets, LLC; (14) Para Longevity 2019-7, LLC; (15) Advent Assets, LLC; (16) Paraveda Premium Financing 2009-2, LLC; (17) Paraveda Premium Financing 2009-3, LLC; (18) Para INT 2019, LLC; (19) Para Longevity Global V, LLC; (20) Para Longevity 2014-5, LLC; (21) Centurion ISG Services, LLC; (22) Para Longevity 2015-5, LLC; (23) Para Longevity 2015-3, LLC; (24) Para Longevity 2016-3, LLC; (25) Para Longevity 2016-5, LLC; (26) Integrity Assets, LLC; (27) SH Global, LLC N/K/A Para Longevity V, LLC; (28) Integrity Assets 2016, LLC; (29) Para Longevity 2018-5, LLC; (30) Para Longevity 2018-3, LLC; (31) Emerald Assets 2018, LLC; (32) Para Longevity 2019-6, LLC; (33) Para Longevity

2019-3, LLC; (34) Para Longevity 2019-5, LLC; (35) Para Longevity VI, LLC; (36) Grace Holdings Financial, LLC; (37) Alloy Assets, LLC; and (38) Centurion ISG Finance Group, LLC.

13. “STOLI” shall refer to Stranger Originated Life Insurance.

14. The “Centurion Companies” or “Centurion” shall refer to the following entities: (1) Centurion Insurance Services Group, LLC; (2) Centurion ISG Holdings, LLC; (3) Centurion ISG Holdings, II, LLC; (4) Centurion ISG (Europe) Limited; (5) Centurion Funding SPC I, LLC; (6) Centurion Funding SPV II, LLC; and (7) 24K Capital, Inc.

15. “The Scheme” or “Scheme,” shall refer to the Scheme Operators’ perpetration of a Ponzi scheme as defined and alleged in the Complaint, including without limitation the following: (a) that the Scheme Operators used a multitude of entities controlled by them, including NSI, to sell promissory notes to Plaintiffs and the Putative Class that were offered by the PLCs, the returns for which were to be paid from the proceeds of maturing STOLI policies; (b) that the Scheme Operators misrepresented to Plaintiffs and the Putative Class that proceeds from the death benefits of the STOLIs would be used to fund the interest payments due to the Putative Class members and to eventually return their principal; (c) that instead of properly using new investor money to fund premiums for STOLI policies, the Scheme Operators took a substantial portion of those newly invested funds to pay existing investors and further looted significant sums through improper, exorbitant or fictitious fees and expenses; and (d) that many of the same STOLIs that were represented to Plaintiffs and the Class to serve as collateral for their Notes were instead fraudulently pledged as security or transferred to other lenders through the Centurion Companies.

16. “OFR” shall refer to the Florida Office of Financial Regulations.

17. The “OFR Action” shall refer to the action styled *State of Florida, Office of Financial Regulation v. National Senior Insurance, Inc. d/b/a Seeman Holtz, et al.*, Case No. 502021CA008718XXXXMB.

18. “Stermer” shall refer to Daniel J. Stermer.

19. “Trustee” shall refer to Wells Fargo’s role as Trustee of certain irrevocable life insurance trusts that were part of the Scheme and subject to the trust agreements secured by the collateral from STOLI policies including, but not limited to: (1) the James S. Yakovakis life insurance policy (Policy Number 00065133089); (2) the William G. Walters life insurance policy, (Policy Number JJ-7056710); and (3) the Albert Cohen life insurance policy (Policy Number JJ-7133948).

20. “Securities Intermediary” shall refer to Wells Fargo’s role as the Securities Intermediary for the STOLI policies that were part of the Scheme, including but not limited to, the STOLI policies listed and identified in the Securities Account Control and Custodian Agreement by and among DZ Bank AG Deutsche Zentral-Genossenschaftsbank, Centurion Funding SPB I LLC, Centurion ISG Services, LLC, and Wells Fargo Bank, N.A., and the Securities Account and Custodian Agreement by and among Centurion Funding SPV II, LLC, Wells Fargo Bank, N.A., Teleios LS Holdings V DE, LLC, and Teleios LS Holdings IV, LLC.

21. “Securities Account Agreements” shall collectively refer to the Securities Account Control and Custodian Agreement by and among DZ Bank AG Deutsche Zentral-Genossenschaftsbank, Centurion Funding SPB I LLC, Centurion ISG Services, LLC, and Wells Fargo Bank, N.A., and the Securities Account and Custodian Agreement by and among Centurion Funding SPV II, LLC, Wells Fargo Bank, N.A., Teleios LS Holdings V DE, LLC, and Teleios LS Holdings IV, LLC.

22. “KYC” shall refer to Wells Fargo’s Know Your Customer requirements.
23. “DZ Bank” shall refer to DZ Bank AG Deutsche Zentral-Genossenschaftsbank.
24. “Teleios” shall collectively refer to Teleios LS Holdings V DE, LLC and Teleios LS Holdings IV, LLC.
25. “Teleios V” shall refer to Teleios LS Holdings V DE, LLC.
26. “Teleios IV” shall refer to Teleios LS Holdings IV, LLC.
27. “SHPC” shall refer to Seeman Holtz Property & Casualty, LLC.
28. “ILIT” shall refer to the irrevocable life insurance trusts that were part of the Scheme and that Wells Fargo’s served as the Trustee for, which included but were not limited to: (1) the James S. Yakovakis life insurance policy (Policy Number 00065133089); (2) the William G. Walters life insurance policy, (Policy Number JJ-7056710); and (3) the Albert Cohen life insurance policy (Policy Number JJ-7133948).
29. “Putative Class” shall refer to all persons who, during the applicable limitations period, purchased interests or invested in life settlement policies offered by the PLCs. Excluded from the Putative Class are (a) Wells Fargo Bank, N.A., and its principals, officers, directors, and employees, (b) the Scheme Operators and their spouses, employees, heirs, and assigns, and (c) any governmental entity.
30. “Note” or “Notes” shall refer to the promissory notes that NSI and its agents solicited and sold to Plaintiffs and the Putative Class and that were offered by the PLCs and secured by the collateral in the form of certain STOLI policies that comprised the Scheme.
31. “BSA” shall refer to the Bank Secrecy Act, 31 USC 5311, *et seq.*
32. “AML” shall refer to the anti-money laundering provisions of the BSA.
33. The term “Employees” shall refer to both current and former employees.

34. The term “Agent” shall mean any agent, employee, officer, director, attorney, independent contractor, or any other person acting at the direction on behalf of another.

35. The terms “Deposit Account” or “Deposit Accounts” shall mean any and all types of bank accounts, including but not limited to, trust accounts, IOTA accounts, escrow accounts, demand deposit accounts, savings accounts, certificate of deposit accounts, checking accounts, and any subaccounts thereof.

36. The term “Funds Flow Report” means a report which reflects total debits and credits flowing through a particular account over a specific period (*e.g.*, thirty days).

37. The terms “document,” “documents,” “material,” or “materials” is intended to have the broadest meaning possible, and shall include every kind of written, typed, recorded, transcribed, electronically stored, computer-stored, taped, filmed, or graphic material, however recorded or reproduced, which includes but is not limited to, e-mails, letters, books, records, charts, graphs, designs, applications, invoices, receipts, checks, money orders, account statements, ledgers, statements, agreements, contracts, amendments, messages, memo pads, post-its, telephone logs, analyses, booklets, notes, notations, lists, studies, reports, estimates, forecasts, summaries, projections, tabulations or opinions, correspondence, inter-office or intra-office communications, transcripts, tapes or other recordings, computer discs, computer files, memoranda, telexes, telegrams, faxes, electronic mail, pamphlets, log books, diaries, journals, data in the memory of any computer or machine-readable matter, reports, and documentary materials of any nature. This definition includes not only originals, but also any copy containing or having attached thereto any alterations, notes, comments, or other material not appearing on the original. Any copy containing alterations, notes, comments, or other material not appearing on the original is considered a separate document. In addition, this definition includes drafts, revisions of drafts, and other

preliminary material, from whatever source, underlying, supporting, or used in preparation of any document.

38. The term “communication” shall refer to any exchange or transmission of information, whether oral, written, via electronic mail, or by other means, and includes, but is not limited to, written, oral, telephonic, via electronic mail, representation, discussion, meeting, letter, correspondence, memorandum, newsletter, telegram, advertisement, speech, conversation, conference, note, e-mail or computer-generated message and any other document which refers to any such communication.

39. The term “all documents” means every document or group of documents as defined above.

40. The terms “relating to,” “related to,” “relates to,” or “relate to” means in any way directly or indirectly, concerning, referring to, disclosing, describing, confirming, supporting, evidencing, or representing.

41. The terms “and” and “or” are intended to have both the conjunctive and disjunctive meanings, so as to be inclusive of any documents that otherwise may be excluded from production.

42. The use of the singular includes the plural, and the use of the plural includes the singular, so as to be inclusive of any documents that may otherwise be excluded from production.

43. The use of the present tense includes the past tense, and the use of the past tense includes the present tense, so as to be inclusive of any documents that otherwise may be excluded from production.

44. Unless otherwise indicated, all terms used in these requests shall have the same meaning as reflected in the Complaint.

45. Unless otherwise indicated, these requests shall cover the time period from August 1, 2009 through the present.

INSTRUCTIONS

1. Production of documents and items requested herein shall be made at the offices of Buckner + Miles, P.A., 2020 Salzedo Street, Suite 302, Coral Gables, Florida 33134.

2. These requests shall include all documents in the possession, custody or control of Wells Fargo, or in the possession, custody or control of the present or former agents, officers, directors, employees, attorneys, partners, representatives, corporate parents, subsidiaries or affiliates thereof, or any and all persons acting on the behalf of Wells Fargo or these other individuals or entities.

3. When producing the documents, please keep all documents segregated by the file that the documents are contained in and indicate the name of the file that the documents are contained in and the name of the documents being produced.

4. In producing the documents requested, indicate the specific request or requests pursuant to which document or group of documents is being produced.

5. When producing the required documents, please produce all other documents that are clipped, stapled, or otherwise attached to any requested document.

6. In the event such files or documents have been removed, either for the purpose of this action or for some other purpose, please state the name and address of the person who removed the file, the title of the file and each sub-file, if any, maintained within the file, and the present location of the file.

7. If any document responsive to these document requests has been destroyed or is otherwise unavailable, state: (a) the date, place and means of destruction; (b) the name and address

of each person deciding upon, participating in, and having knowledge of the destruction; (c) the reason for the destruction; and (d) if not destroyed, the reason why the document is incapable of production.

8. If you claim that the attorney-client privilege, attorney work-product doctrine, or any other privilege applies to any document, the production of which is called for by these requests, then for each such document, state its date, subject matter, author(s), recipient(s), present custodian and all past custodians, and such additional information concerning the claim of privilege or work product doctrine as will permit the adjudication of the propriety of the claim of privilege.

9. All documents will be produced in accordance with the Protocol Governing Electronically Stored Information agreed upon and entered by the Court in this case.

10. In accordance with Rule 26(e) of the Federal Rules of Civil Procedure, these requests shall be continuing, and supplemental production should be provided as additional documents become available or are discovered or created.

REQUESTS FOR PRODUCTION OF DOCUMENTS

1. The account opening documents that relate to the ILITs, including but not limited to business account opening documents, business account applications, life insurance policy applications, trust agreements, life insurance policies, beneficiary cooperation agreements, irrevocable life insurance policy relinquishment and loan satisfaction agreements, premium finance loan agreements, signature cards, deposit account agreements, wire transfer authorization agreements, funds transfer request authorizations, post-account opening reviews, client profiles and risk ratings, and Customer Identification Program documents.

2. The account opening documents that relate to the Wells Fargo's role as Securities Intermediary, including but not limited to business account opening documents, business account applications, life insurance policy applications, trust agreements, life insurance policies, beneficiary

cooperation agreements, irrevocable life insurance policy relinquishment and loan satisfaction agreements, premium finance loan agreements, signature cards, deposit account agreements, wire transfer authorization agreements, funds transfer request authorizations, post-account opening reviews, client profiles and risk ratings, and Customer Identification Program documents.

3. The communications that relate to the opening of the ILITs' accounts, including but not limited to business account opening documents, business account applications, life insurance policy applications, trust agreements, life insurance policies, beneficiary cooperation agreements, irrevocable life insurance policy relinquishment and loan satisfaction agreements, premium finance loan agreements, signature cards, deposit account agreements, wire transfer authorization agreements, funds transfer request authorizations, post-account opening reviews, client profiles and risk ratings, and Customer Identification Program documents.

4. The communications that relate to Wells Fargo's role as the Securities Intermediary, including but not limited to business account opening documents, business account applications, life insurance policy applications, trust agreements, life insurance policies, beneficiary cooperation agreements, irrevocable life insurance policy relinquishment and loan satisfaction agreements, premium finance loan agreements, signature cards, deposit account agreements, wire transfer authorization agreements, funds transfer request authorizations, post-account opening reviews, client profiles and risk ratings, and Customer Identification Program documents.

5. The communications between and among Wells Fargo and any of the Scheme Operators, PLCs, Centurion Companies, NSI, SHPC, Teleios, DZ Bank, beneficiaries of the ILIT life insurance policies, Plaintiffs, and/or the Putative Class members that relate to the ILITs.

6. The communications between and among Wells Fargo and any of the Scheme Operators, PLCs, Centurion Companies, NSI, SHPC, Teleios, DZ Bank, beneficiaries of the life

insurance policies, Plaintiffs, and/or the Putative Class members that relate to Wells Fargo's role as Securities Intermediary.

7. The ILITs' KYC materials.

8. The compliance-related policies and procedures (including employee training materials) for the ILITs, including but not limited to KYC policies and procedures, Financial Industry Regulatory Authority ("FINRA") KYC requirements, account maintenance and monitoring regulations, 31 C.F.R. §§ 1020.220(a)(1),(2), account due diligence, Bank Secrecy Act requirements, 12 C.F.R. § 21.21, Federal Financial Institutions Council ("FFIEC") Bank Secrecy Anti Money Laundering Manual compliance, policies and procedures concerning "red flags," policies and procedures concerning the termination of account relationships, customer exit policies, policies and procedures concerning wire transfers, electronic fund transfers, check deposits and withdrawals, and the policies and procedures concerning risk evaluations and referrals.

9. The KYC materials related to Wells Fargo's role as the Securities Intermediary.

10. The compliance-related policies and procedures (including employee training materials) for Wells Fargo's role as the Securities Intermediary, including but not limited to KYC policies and procedures, Financial Industry Regulatory Authority ("FINRA") KYC requirements, account maintenance and monitoring regulations, 31 C.F.R. §§ 1020.220(a)(1),(2), account due diligence, Bank Secrecy Act requirements, 12 C.F.R. § 21.21, Federal Financial Institutions Council ("FFIEC") Bank Secrecy Anti Money Laundering Manual compliance, policies and procedures concerning "red flags," policies and procedures concerning the termination of account relationships, customer exit policies, policies and procedures concerning wire transfers, electronic fund transfers, check deposits and withdrawals, and the policies and procedures concerning risk evaluations and referrals.

11. The communications between or among Wells Fargo and any of the Scheme Operators, PLCs, NSI, and/or SHPC that relate to the ILITs' KYC materials.

12. The communications between or among Wells Fargo and any of the Scheme Operators, PLCs, NSI, and/or SHPC that relate to the Securities Intermediary's KYC materials.

13. The communications between or among Wells Fargo and any Person that relate to the ILITs' KYC materials.

14. The communications between or among Wells Fargo and any Person that relate to the Securities Intermediary's KYC materials.

15. The internal Wells Fargo communications that relate to the ILITs' KYC materials.

16. The internal Wells Fargo communications that relate to the Securities Intermediary KYC materials.

17. The internal Wells Fargo documents that relate to the ILITs' KYC materials.

18. The internal Wells Fargo documents that relate to the Securities Intermediary's KYC materials.

19. The documents that relate to Wells Fargo's role as the Trustee of the ILITs, including but not limited to STOLI policies, life insurance policy collateral assignments, life insurance policy grace notices, life insurance policy final notices, personal supplements to applications for life insurance policies, cooperation agreements between the life insurance beneficiaries and any of the Centurion Companies, Scheme Operators, NSI, SHPC, Teleios, DZ Bank, and the PLCs, release of assignments for the life insurance policies, directions to the Trustee by the protector and lender, and verification of trust agreement forms.

20. The documents that relate to Wells Fargo's role as the Securities Intermediary, including but not limited to STOLI policies, life insurance policy collateral assignments, life

insurance policy grace notices, life insurance policy final notices, personal supplements to applications for life insurance policies, cooperation agreements between the life insurance beneficiaries and any of the Centurion Companies, Scheme Operators, NSI, SHPC, Teleios, DZ Bank, and the PLCs, release of assignments for the life insurance policies, directions to the Trustee by the protector and lender, and verification of trust agreement forms.

21. The communications that relate to Wells Fargo's role as the Trustee of the ILITS, including but not limited to, STOLI policies, life insurance policy collateral assignments, life insurance policy grace notices, life insurance policy final notices, personal supplements to applications for life insurance policies, cooperation agreements between the life insurance beneficiaries and any of the Centurion Companies, Scheme Operators, NSI, SHPC, Teleios, DZ Bank, and the PLCs, release of assignments for the life insurance policies, directions to the Trustee by the protector and lender, and verification of trust agreement forms.

22. The communications that relate to Wells Fargo's role as the Securities Intermediary, including but not limited to, STOLI policies, life insurance policy collateral assignments, life insurance policy grace notices, life insurance policy final notices, personal supplements to applications for life insurance policies, cooperation agreements between the life insurance beneficiaries and any of the Centurion Companies, Scheme Operators, NSI, SHPC, Teleios, DZ Bank, and the PLCs, release of assignments for the life insurance policies, directions to the Trustee by the protector and lender, and verification of trust agreement forms.

23. The documents that relate to the James S. Yakovakis life insurance policy (Policy Number 00065133089).

24. The documents that relate to the William G. Walters life insurance policy, (Policy Number JJ-7056710).

25. The documents that relate to the Albert Cohen life insurance policy (Policy Number JJ-7133948).

26. The documents that relate to the STOLI policies held by the ILITs.

27. The documents that relate to the STOLI policies for which Wells Fargo served as the Securities Intermediary.

28. The communications between or among Wells Fargo and any Person that relates to the James S. Yakovakis life insurance policy (Policy Number 00065133089).

29. Wells Fargo's internal communications that relate to the James S. Yakovakis life insurance policy (Policy Number 00065133089).

30. The communications between or among Wells Fargo and any Person that relates to the William G. Walters life insurance policy, (Policy Number JJ-7056710).

31. Wells Fargo's internal communications that relate to the William G. Walters life insurance policy, (Policy Number JJ-7056710).

32. The communications between or among any Person that relate to the Albert Cohen life insurance policy (Policy Number JJ-7133948).

33. Wells Fargo's internal communications that relate to the Albert Cohen life insurance policy (Policy Number JJ-7133948).

34. The communications between or among Wells Fargo and any Person that relate to the STOLI policies held by the ILITs.

35. Wells Fargo's internal communications that relate to the STOLI policies held by the ILITs.

36. The communications between or among Wells Fargo and any Person that relate to the STOLI policies for which Wells Fargo served as the Securities Intermediary.

37. Wells Fargo's internal communications that relate to the STOLI policies for which Wells Fargo served as the Securities Intermediary.

38. The communications between Wells Fargo and any Person that relate to any STOLI rules, regulations, or requirements for the STOLI policies held by the ILITs.

39. The communications between Wells Fargo and any Person that relate to any STOLI rules, regulations, or requirements for the life insurance policies for which Wells Fargo served as the Securities Intermediary.

40. The Securities Account Agreements.

41. The documents related to the Securities Account Agreements.

42. The communications between or among Wells Fargo and any Person, including but not limited to any of the Scheme Operators, NSI, Centurion Companies, Teleios, DZ Bank, and/or any life insurance companies, that relate to the Securities Account Agreements, including but not limited to its negotiation, execution, warranties and representations, and administration.

43. The communications between or among Wells Fargo and any Putative Class member related to the STOLI policies held in the ILITs.

44. The communications between or among Wells Fargo and any Person, including but not limited to any of the Centurion Companies, Teleios, DZ Bank, SHPC, NSI, and/or the Scheme Operators that relate to the Putative Class members' payment of premiums through Notes for the STOLI policies held in the ILITs.

45. The communications between or among Wells Fargo and any Putative Class member related to the STOLI policies for which Wells Fargo served as the Securities Intermediary.

46. The communications between or among Wells Fargo and any Person, including but not limited to any of the Centurion Companies, Teleios, DZ Bank, SHPC, NSI, and/or the Scheme

Operators that relate to the Putative Class members' payment of premiums through Notes for the STOLI policies for which Wells Fargo served as the Securities Intermediary.

47. Copies of the Notes.

48. The documents that relate to the Notes.

49. The communications between Wells Fargo and any Person that relates to the Notes.

50. Wells Fargo's internal communications about the Notes.

51. The documents provided by any Putative Class member to Wells Fargo that relate to the STOLI policies held in the ILITs.

52. The communications between or among Wells Fargo and any Person, including any of the Centurion Companies, Teleios, DZ Bank, SHPC, NSI, and/or the Scheme Operators that relate to the Putative Class members' payment of premiums through Notes for the STOLI policies held in the ILITs.

53. The documents provided by any Putative Class member to Wells Fargo that relate to the STOLI policies for which Wells Fargo served as the Securities Intermediary.

54. The communications between or among Wells Fargo and any Person, including but not limited to, any of the Centurion Companies, Teleios, DZ Bank, SHPC, NSI, and/or the Scheme Operators that relate to the Putative Class members' payment of premiums through Notes for the STOLI policies for which Wells Fargo served as the Securities Intermediary.

55. The account opening documents for the PLCs' Deposit Accounts, including but not limited to signature cards, deposit account agreements, wire transfer authorization agreements, funds transfer request authorizations, post-account opening reviews, client profiles and risk ratings, and Customer Identification Program documents.

56. The documents that relate to the account opening documents for the PLCs' Deposit Accounts.

57. The communications that relate to the account opening documents for the PLCs' Deposit Accounts.

58. The KYC materials for the PLCs' Deposit Accounts.

59. The compliance related policies and procedures (including employee training materials) for the Wells Fargo's Deposit Accounts, including but not limited to KYC policies and procedures, Financial Industry Regulatory Authority ("FINRA") KYC requirements, account maintenance and monitoring regulations, 31 C.F.R. §§ 1020.220(a)(1),(2), account due diligence, Bank Secrecy Act requirements, 12 C.F.R. § 21.21, Federal Financial Institutions Council ("FFIEC") Bank Secrecy Anti Money Laundering Manual compliance, policies and procedures concerning "red flags," policies and procedures concerning the termination of account relationships, customer exit policies, policies and procedures concerning wire transfers, electronic fund transfers, check deposits and withdrawals, and the policies and procedures concerning risk evaluations and referrals

60. The documents that relate to the KYC materials for the PLCs' Deposit Accounts.

61. The communications that relate to the KYC materials for the PLCs' Deposit Accounts.

62. The account records for the PLCs' Deposit Accounts, including but not limited to account statements, monthly statements, historic account balance information, deposit slips, records for incoming and outgoing electronic transfers, records for and copies of checks deposited and drawn, records reflecting cash activity, insufficient funds reports and/or overdraft reports, weekly or monthly wire activity detail reports, weekly automated clearing house transaction activity

reports, Funds Flow Reports, written estimation of anticipated account activity and customer income source, administrative or custodial agreements between Wells Fargo and the holders of the PLCs' Deposit Accounts, and agreements or contracts related to each of the PLCs' Deposit Accounts.

63. The communications between or among Wells Fargo and any Person related to the PLCs' Deposit Accounts, including but not limited to overdrawn balances, deposits, debits, credits, insufficient funds notices, and payments.

64. The internal Wells Fargo communications related to the PLCs' Deposit Accounts, including but not limited to overdrawn balances, deposits, debits, credits, insufficient fund notices, and payments.

65. The weekly balance fluctuation reports for the PLCs' Deposit Accounts.

66. The documents and communications that relate to the weekly balance fluctuation reports for the PLCs' Deposit Accounts.

67. The daily insufficient funds reports or overdraft reports, including but not limited to wire reviews, for the PLCs' Deposit Accounts.

68. The documents and communications that relate to daily insufficient funds reports or overdraft reports, including but not limited to wire reviews, for the PLCs' Deposit Accounts.

69. The wire activity detail reports, including but not limited to wire reviews, for the PLCs' Deposit Accounts.

70. The documents and communications that relate to the wire activity detail reports, including but not limited to wire reviews, for the PLCs' Deposit Accounts.

71. The ACH transaction activity reports for the PLCs' Deposit Accounts.

72. The documents and communications that relate to the ACH transaction activity reports for the PLCs' Deposit Accounts.

73. The new account activity reports for the PLCs' Deposit Accounts.

74. The documents and communications that relate to the new account activity reports for the PLCs' Deposit Accounts.

75. The Funds Flow Reports for the PLCs' Deposit Accounts, which should include the name of the customer, account number, date of transaction, dollar amount of payments (debits), dollar amount of receipts (credits), average balance of the account, and the type of account.

76. The documents and communications that relate to the Funds Flow Reports for the PLCs' Deposit Accounts.

77. The account opening documents for the Centurion Companies' Deposit Accounts, including but not limited to signature cards, deposit account agreements, wire transfer authorization agreements, funds transfer request authorizations, post-account opening reviews, client profiles and risk ratings, and Customer Identification Program documents.

78. The documents that relate to the account opening documents for the Centurion Companies' Deposit Accounts.

79. The communications that relate to the account opening documents for the Centurion Companies' Deposit Accounts.

80. The KYC materials for the Centurion Companies' Deposit Accounts.

81. The documents related to the KYC materials for the Centurion Companies' Deposit Accounts.

82. The communications related to the KYC materials for the Centurion Companies' Deposit Accounts.

83. The account records for the Centurion Companies' Deposit Accounts, including but not limited to account statements, monthly statements, historic account balance information, deposit slips, records for incoming and outgoing electronic transfers, records for and copies of checks deposited and drawn, records reflecting cash activity, insufficient funds reports and/or overdraft reports, weekly or monthly wire activity detail reports, weekly automated clearing house transaction activity reports, Funds Flow Reports, written estimation of anticipated account activity and customer income source, administrative or custodial agreements between Wells Fargo and the holders of the Centurion Companies' Deposit Accounts, and agreements or contracts concerning each of the Centurion Companies' Deposit Accounts.

84. The communications between or among Wells Fargo and any Person related to the Centurion Companies' Deposit Accounts, including but not limited to overdrawn balances, deposits, debits, credits, insufficient funds notices, payments, and wire reviews.

85. The internal Wells Fargo communications related to the Centurion Companies' Deposit Accounts, including but not limited to overdrawn balances, deposits, debits, credits, insufficient fund notices, wire reviews, and payments.

86. The weekly balance fluctuation reports for the Centurion Companies' Deposit Accounts.

87. The documents and communications that relate to the weekly balance fluctuation reports for the Centurion Companies' Deposit Accounts.

88. The daily insufficient funds reports or overdraft reports, including but not limited to wire reviews, for the Centurion Companies' Deposit Accounts.

89. The documents and communications that relate to daily insufficient funds reports or overdraft reports, including but not limited to wire reviews, for the Centurion Companies' Deposit Accounts.

90. The wire activity detail reports, including but not limited to wire reviews, for the Centurion Companies' Deposit Accounts.

91. The documents and communications that relate to the wire activity detail reports, including but not limited to wire reviews, for the Centurion Companies' Deposit Accounts.

92. The ACH transaction activity reports for the Centurion Companies' Deposit Accounts.

93. The documents and communications that relate to the ACH transaction activity reports for the Centurion Companies' Deposit Accounts.

94. The new account activity reports for the Centurion Companies' Deposit Accounts.

95. The documents and communications that relate to the new account activity reports for the Centurion Companies' Deposit Accounts.

96. The Funds Flow Reports for the Centurion Companies' Deposit Accounts, which should include the name of the customer, account number, date of transaction, dollar amount of payments (debits), dollar amount of receipts (credits), average balance of the account, and the type of account.

97. The documents and communications that relate to the Funds Flow Reports for the Centurion Companies' Deposit Accounts.

98. The account opening documents for NSI's Deposit Accounts, including but not limited to signature cards, deposit account agreements, wire transfer authorization agreements,

funds transfer request authorizations, post-account opening reviews, client profiles and risk ratings, and Customer Identification Program documents.

99. The documents that relate to the account opening documents for NSI's Deposit Accounts.

100. The communications that relate to the account opening documents for NSI's Deposit Accounts.

101. The KYC materials for NSI's Deposit Accounts.

102. The documents related to the KYC materials for NSI's Deposit Accounts.

103. The communications related to the KYC materials for NSI's Deposit Accounts.

104. The account records for NSI's Deposit Accounts, including but not limited to account statements, monthly statements, historic account balance information, deposit slips, records for incoming and outgoing electronic transfers, records for and copies of checks deposited and drawn, records reflecting cash activity, insufficient funds reports and/or overdraft reports, weekly or monthly wire activity detail reports, weekly automated clearing house transaction activity reports, Funds Flow Reports, written estimation of anticipated account activity and customer income source, administrative or custodial agreements between Wells Fargo and the holders of NSI's Deposit Accounts, and agreements or contracts concerning each of NSI's Deposit Accounts.

105. The communications between or among Wells Fargo and any Person related to NSI's Deposit Accounts, including but not limited to overdrawn balances, deposits, debits, credits, insufficient funds notices, wire reviews, and payments.

106. The internal Wells Fargo communications related to NSI's Deposit Accounts, including but not limited to overdrawn balances, deposits, debits, credits, insufficient fund notices, wire reviews, and payments.

107. The weekly balance fluctuation reports for NSI's Deposit Accounts.
108. The documents and communications that relate to the weekly balance fluctuation reports for NSI's Deposit Accounts.
109. The daily insufficient funds reports or overdraft reports, including but not limited to wire reviews, for NSI's Deposit Accounts.
110. The documents and communications that relate to daily insufficient funds reports or overdraft reports, including but not limited to wire reviews, for NSI's Deposit Accounts.
111. The wire activity detail reports, including but not limited to wire reviews, for NSI's Deposit Accounts.
112. The documents and communications that relate to the wire activity detail reports, including but not limited to wire reviews, for NSI's Deposit Accounts.
113. The ACH transaction activity reports for NSI's Deposit Accounts.
114. The documents and communications that relate to the ACH transaction activity reports for NSI's Deposit Accounts.
115. The new account activity reports for NSI's Deposit Accounts.
116. The documents and communications that relate to the new account activity reports for NSI's Deposit Accounts.
117. The Funds Flow Reports for NSI's Deposit Accounts, which should include the name of the customer, account number, date of transaction, dollar amount of payments (debits), dollar amount of receipts (credits), average balance of the account, and the type of account.
118. The documents and communications that relate to the Funds Flow Reports for NSI's Deposit Accounts.

119. The account opening documents for SHPC's Deposit Accounts, including but not limited to signature cards, deposit account agreements, wire transfer authorization agreements, funds transfer request authorizations, post-account opening reviews, client profiles and risk ratings, and Customer Identification Program documents.

120. The documents that relate to the account opening documents for SHPC's Deposit Accounts.

121. The communications that relate to the account opening documents for SHPC's Deposit Accounts.

122. The KYC materials for SHPC's Deposit Accounts.

123. The documents related to the KYC materials for SHPC's Deposit Accounts.

124. The communications related to the KYC materials for SHPC's Deposit Accounts.

125. The account records for SHPC's Deposit Accounts, including but not limited to account statements, monthly statements, historic account balance information, deposit slips, records for incoming and outgoing electronic transfers, records for and copies of checks deposited and drawn, records reflecting cash activity, insufficient funds reports and/or overdraft reports, weekly or monthly wire activity detail reports, weekly automated clearing house transaction activity reports, Funds Flow Reports, written estimation of anticipated account activity and customer income source, administrative or custodial agreements between Wells Fargo and the holders of SHPC's Deposit Accounts, and agreements or contracts concerning each of SHPC's Deposit Accounts.

126. The communications between or among Wells Fargo and any Person related to SHPC's Deposit Accounts, including but not limited to, overdrawn balances, deposits, debits, credits, insufficient funds notices, wire reviews, and payments.

127. The internal Wells Fargo communications related to SHPC's Deposit Accounts, including but not limited to, overdrawn balances, deposits, debits, credits, insufficient fund notices, wire reviews, and payments.

128. The weekly balance fluctuation reports for SHPC's Deposit Accounts.

129. The documents and communications that relate to the weekly balance fluctuation reports for SHPC's Deposit Accounts.

130. The daily insufficient funds reports or overdraft reports, including but not limited to wire reviews, for SHPC's Deposit Accounts.

131. The documents and communications that relate to daily insufficient funds reports or overdraft reports, including but not limited to wire reviews, for SHPC's Deposit Accounts.

132. The wire activity detail reports, including but not limited to wire reviews, for SHPC's Deposit Accounts.

133. The documents and communications that relate to the wire activity detail reports, including but not limited to wire reviews, for SHPC's Deposit Accounts.

134. The ACH transaction activity reports for SHPC's Deposit Accounts.

135. The documents and communications that relate to the ACH transaction activity reports for SHPC's Deposit Accounts.

136. The new account activity reports for SHPC's Deposit Accounts.

137. The documents and communications that relate to the new account activity reports for SHPC's Deposit Accounts.

138. The Funds Flow Reports for SHPC's Deposit Accounts, which should include the name of the customer, account number, date of transaction, dollar amount of payments (debits), dollar amount of receipts (credits), average balance of the account, and the type of account.

139. The documents and communications that relate to the Funds Flow Reports for SHPC's Deposit Accounts.

140. The account opening documents for the Scheme Operators' Deposit Accounts, including but not limited to signature cards, deposit account agreements, wire transfer authorization agreements, funds transfer request authorizations, post-account opening reviews, client profiles and risk ratings, and Customer Identification Program documents.

141. The documents that relate to the account opening documents for the Scheme Operators' Deposit Accounts.

142. The communications that relate to the account opening documents for the Scheme Operators' Deposit Accounts.

143. The KYC materials for the Scheme Operators' Deposit Accounts.

144. The documents related to the KYC materials for the Scheme Operators' Deposit Accounts.

145. The communications related to the KYC materials for the Scheme Operators' Deposit Accounts.

146. The account statements for the Scheme Operators' Deposit Accounts, including but not limited to account statements, monthly statements, historic account balance information, deposit slips, records for incoming and outgoing electronic transfers, records for and copies of checks deposited and drawn, records reflecting cash activity, insufficient funds reports and/or overdraft reports, weekly or monthly wire activity detail reports, weekly automated clearing house transaction activity reports, Funds Flow Reports, written estimation of anticipated account activity and customer income source, administrative or custodial agreements between Wells Fargo and the

holders of the Scheme Operators' Deposit Accounts, and agreements or contracts concerning each of the Scheme Operators' Deposit Accounts.

147. The communications between or among Wells Fargo and any Person related to the Scheme Operators' Deposit Accounts, including but not limited to overdrawn balances, deposits, debits, credits, insufficient funds notices, wire reviews, and payments.

148. The internal Wells Fargo communications related to the Scheme Operators' Deposit Accounts, including but not limited to overdrawn balances, deposits, debits, credits, insufficient fund notices, wire reviews, and payments.

149. The weekly balance fluctuation reports for the Scheme Operators' Deposit Accounts.

150. The documents and communications that relate to the weekly balance fluctuation reports for the Scheme Operators' Deposit Accounts.

151. The daily insufficient funds reports or overdraft reports, including but not limited to wire reviews, for the Scheme Operators' Deposit Accounts.

152. The documents and communications that relate to daily insufficient funds reports or overdraft reports, including but not limited to wire reviews, for the Scheme Operators' Deposit Accounts.

153. The wire activity detail reports, including but not limited to wire reviews, for the Scheme Operators' Deposit Accounts.

154. The documents and communications that relate to the wire activity detail reports, including but not limited to wire reviews, for the Scheme Operators' Deposit Accounts.

155. The ACH transaction activity reports for the Scheme Operators' Deposit Accounts.

156. The documents and communications that relate to the ACH transaction activity reports for the Scheme Operators' Deposit Accounts.

157. The new account activity reports for the Scheme Operators' Deposit Accounts.

158. The documents and communications that relate to the new account activity reports for the Scheme Operators' Deposit Accounts.

159. The Funds Flow Reports for the Scheme Operators' Deposit Accounts, which should include the name of the customer, account number, date of transaction, dollar amount of payments (debits), dollar amount of receipts (credits), average balance of the account, and the type of account.

160. The documents and communications that relate to the Funds Flow Reports for the Scheme Operators' Deposit Accounts.

161. The documents and communications that relate to any transactions that NSI had with Wells Fargo that were in addition to any depository accounts maintained at Wells Fargo, such as loans, lines of credit, and/or credit cards.

162. The documents and communications that relate to any transactions that the PLCs had with Wells Fargo that were in addition to any depository accounts maintained at Wells Fargo, such as loans, lines of credit, and/or credit cards.

163. The documents and communications that relate to any transactions that the Centurion Companies had with Wells Fargo that were in addition to any depository accounts maintained at Wells Fargo, such as loans, lines of credit, and/or credit cards.

164. The documents and communications that relate to any transactions that the Scheme Operators had with Wells Fargo that were in addition to any depository accounts maintained at Wells Fargo, such as loans, lines of credit, and/or credit cards.

165. The documents and communications that relate to any transactions that SHPC had with Wells Fargo that were in addition to its depository accounts maintained at Wells Fargo, such as loans, lines of credit, and/or credit cards.

166. The documents and communications that relate to any Wells Fargo employee's (or former employee's) investment in any Note, or referral or recommendation by such Wells Fargo employee to potential investors.

167. The documents and communications that relate to any reports that Wells Fargo generated to monitor, analyze and/or summarize the inter-account banking activities and/or banking activities across or among all or some combination of Deposit Accounts held by NSI, PLCs, Centurion Companies, SHPC or the Scheme Operators.

168. The documents and communications that relate to the profitability of any business relationship between Wells Fargo and NSI, PLCs, Centurion Companies, SHPC or the Scheme Operators.

169. The documents and communications that relate to any reports on Wells Fargo customers with the largest Deposit Accounts that mention NSI, PLCs, Centurion Companies, SHPC or the Scheme Operators.

170. The private placement memorandums for the PLCs.

171. The documents and communications related to the PLCs' private placement memorandums.

172. The documents and communications related to the Putative Class members' deposits in the PLCs' Deposit Accounts.

173. The documents and communications related to the Putative Class members' deposits in the Centurion Companies' Deposit Accounts.

174. The documents and communications related to the Putative Class members' deposits in NSI's Deposit Accounts.

175. The documents and communications related to the Putative Class members' deposits in SHPC's Deposit Accounts.

176. The documents and communications related to the Putative Class members' deposits in the Scheme Operators' Deposit Accounts.

177. The documents and communications that relate to the PLCs, including but not limited to offering materials, prospectuses, internal memoranda, reports, and analysis.

178. The documents and communications that relate to any meetings about the PLCs, including but not limited to the agenda, minutes, and notes from any meeting.

179. The documents and communications that relate to any meetings about the Centurion Companies, including but not limited to the agenda, minutes, and notes from any meeting.

180. The documents and communications that relate to any meetings about NSI, including but not limited to the agenda, minutes, and notes from any meeting.

181. The documents and communications that relate to any meetings about the Scheme Operators, including but not limited to the agenda, minutes, and notes from any meeting.

182. The documents and communications that relate to any meetings about SHPC, including but not limited to the agenda, minutes, and notes from any meeting.

183. The documents and communications that relate to any meetings about the ILITs, including but not limited to the agenda, minutes, and notes from any meeting.

184. The documents and communications that relate to any meetings about the STOLI policies for which Wells Fargo served as the Securities Intermediary.

185. The documents and communications that relate to any meetings about Wells Fargo's role as the Securities Intermediary.

186. Documents, including organizational charts, sufficient to show each department, division, unit, or other subdivision of Wells Fargo.

187. Documents, including organizational charts, sufficient to show each department, division, unit, or other subdivision, of the Wells Fargo office or unit where the PLCs' Deposit Accounts were opened or maintained.

188. Documents, including organizational charts, sufficient to show each department, division, unit, or other subdivision, of the Wells Fargo office or unit where the Centurion Companies' Deposit Accounts were opened or maintained.

189. Documents, including organizational charts, sufficient to show each department, division, unit, or other subdivision, of the Wells Fargo office or unit where NSI's Deposit Accounts were opened or maintained.

190. Documents, including organizational charts, sufficient to show each department, division, unit, or other subdivision, of the Wells Fargo office or unit where the Scheme Operators' Deposit Accounts were opened or maintained.

191. Documents, including organizational charts, sufficient to show each department, division, unit, or other subdivision, of the Wells Fargo office or unit where the SHPCs' Deposit Accounts were opened or maintained.

192. Documents, including organizational charts, sufficient to show each department, division, unit, or other subdivision, of the Wells Fargo office or unit where the ILITs were opened or maintained.

193. Documents, including organizational charts, sufficient to show each department, division, unit, or other subdivision, of the Wells Fargo office or unit where it supervised any department, division, unit, or other subdivision, of the Wells Fargo office or unit where the SHPCs' Deposit Accounts were opened or maintained.

194. Documents, including organizational charts, sufficient to show each department, division, unit, or other subdivision, of the Wells Fargo office or unit where it supervised any department, division, unit, or other subdivision, of the Wells Fargo office or unit where the ILITs were opened or maintained.

195. Documents, including organizational charts, sufficient to show each department, division, unit, or other subdivision, of the Wells Fargo office or unit where it supervised any department, division, unit, or other subdivision, of the Wells Fargo office or unit where it operated as the Securities Intermediary.

196.

197. Documents, including organizational charts, sufficient to show each department, division, unit, or other subdivision, of the Wells Fargo office or unit where it operated as the Securities Intermediary.

198. The electronic and manual diaries, calendars, appointment books, and appointment notes for each of the Employees with responsibility for the PLCs' Deposit Accounts.

199. The electronic and manual diaries, calendars, appointment books, and appointment notes for each of the Employees with responsibility for the Centurion Companies' Deposit Accounts.

200. The electronic and manual diaries, calendars, appointment books, and appointment notes for each of the Employees with responsibility for NSI's Deposit Accounts.

201. The electronic and manual diaries, calendars, appointment books, and appointment notes for each of the Employees with responsibility for the Scheme Operators' Deposit Accounts.

202. The electronic and manual diaries, calendars, appointment books, and appointment notes for each of the Employees with responsibility for the SHPC's Deposit Accounts.

203. The electronic and manual diaries, calendars, appointment books, and appointment notes for each of the Employees with responsibility for the ILITs.

204. The electronic and manual diaries, calendars, appointment books, and appointment notes for each of the Employees with responsibility for acting as the Securities Intermediary.

205. The supervisory manuals, handbooks, and policies that relate to the types of Deposit Accounts that the PLCs had at Wells Fargo.

206. The expense reports related to the Scheme Operators for each of the Employees with responsibility for the PLC's Deposit Accounts.

207. The expense reports related to the Scheme Operators for each of the Employees with responsibility for the Centurion Companies' Deposit Accounts.

208. The expense reports related to the Scheme Operators for each of the Employees with responsibility for NSI's Deposit Accounts.

209. The expense reports related to the Scheme Operators for each of the Employees with responsibility for the Scheme Operators' Deposit Accounts.

210. The expense reports related to the Scheme Operators for each of the Employees with responsibility for the SHPC's Deposit Accounts.

211. The expense reports related to the Scheme Operators for each of the Employees with responsibility for the ILITs.

212. The expense reports related to the Scheme Operators for each of the Employees with responsibility for acting as the Securities Intermediary.

213. The supervisory manuals, handbooks, and policies that relate to the types of Deposit Accounts that the Centurion Companies had at Wells Fargo.

214. The supervisory manuals, handbooks, and policies that relate to the types of Deposit Accounts that NSI had at Wells Fargo.

215. The supervisory manuals, handbooks, and policies that relate to the types of Deposit Accounts that the Scheme Operators had at Wells Fargo.

216. The supervisory manuals, handbooks, and policies that relate to the types of Deposit Accounts that SHPC had at Wells Fargo.

217. The supervisory manuals, handbooks, and policies that relate to the ILITS.

218. The supervisory manuals, handbooks, and policies that relate to the types of Deposit Accounts that the ILITs had at Wells Fargo.

219. The supervisory manuals, handbooks, and policies that relate to the Securities Intermediary.

220. The supervisory manuals, handbooks, and policies that relate to the types of Deposit Accounts that the Securities Intermediary had at Wells Fargo.

221. The supervisory manuals, handbooks, and policies that relate to suspicious activities involving customer accounts.

222. The supervisory manuals, handbooks and policies that relate to Wells Fargo's compliance with the BSA, including but not limited to, the AML provisions.

223. The supervisory manuals, handbooks and policies that relate to Wells Fargo's required actions once put on notice of money laundering indicia (red flags) as set forth in the FFIEC BSA/AML Examination Manual.

224. The supervisory manuals, handbooks, and policies that relate to the KYC standard or its equivalents.

225. The supervisory manuals, handbooks, and policies that relate to communications with customers about the status of account balances.

226. The documents and communications, including but not limited to any reviews, investigations, and memoranda, related to the PLCs, Centurion Companies, NSI, Scheme Operators, or SHPC.

227. The documents and communications, including but not limited to any reviews, investigations, and memoranda, related to Wells Fargo's role as Trustee of the ILITs.

228. The documents and communications, including but not limited to any reviews, investigations, and memoranda, related to Wells Fargo's role as the Securities Intermediary.

229. Documents sufficient to show how Wells Fargo maintains and organizes its electronic data and records, including its electronic data and records for customer accounts and electronic mail.

230. Documents sufficient to show Wells Fargo's policy or practice related to the retention, destruction, disposal, and preservation of documents, including electronic data and records.

231. The documents related to Wells Fargo's resignation as Trustee of the ILITs.

232. The communications related to Wells Fargo's resignation as Trustee of the ILITs, including but not limited to any discussion of limiting Wells Fargo's liability as Trustee.

233. The documents and communications related to any notice of default for, or foreclosure on, any STOLI policy held by the ILITs.

234. The communications between Wells Fargo and any Person, including but not limited to any of the Centurion Companies, the Scheme Operators, the PLCs, Teleios, and/or DZ Bank, related to any representation about liens or security interests in any of the STOLI policies identified in the Securities Account Agreements, including but not limited to the STOLI policies held by the ILITs.

235. Wells Fargo's internal communications related to any representation about liens or security interests in the any of the STOLI policies identified in the Securities Account Agreements, including but not limited to the STOLI policies held by the ILITs.

236. The documents related to any representation about liens or security interests in any of the STOLI policies identified in the Securities Account Agreements, including but not limited to the STOLI policies held by the ILITs.

237. The documents related to the STOLI policies for which Wells Fargo served as the Securities Intermediary, including but not limited to applications, STOLI policies and procedures, assignment of beneficiary, lien rights, notice of default or foreclosure, foreclosure actions, the Centurion Companies' business practices, grace notices, and payments of premiums.

238. The communications related to the STOLI policies for which Wells Fargo served as the Securities Intermediary, including but not limited to communications with the life settlement companies that issued the life settlement policies subject to the Securities Account Agreements, applications, assignment of beneficiary, lien rights, STOLI policies and procedures, notice of default or foreclosure, foreclosure actions, the Centurion Companies' business practices, grace notices, and payments of premiums.

239. The documents related to any suspicious activity report generated for any of the Deposit Accounts opened by any of the PLCs, Centurion Companies, NSI, Scheme Operators, and/or SHPC. Excluded from this request is the suspicious activity report itself.

240. The communications related to any suspicious activity report generated for any of the Deposit Accounts opened by any of the PLCs, Centurion Companies, NSI, Scheme Operators, and/or SHPC. Excluded from this request is the suspicious activity report itself.

241. The documents related to any suspicious activity report generated for any of the ILITs. Excluded from this request is the suspicious activity report itself.

242. The documents related to any suspicious activity report generated for any of the STOLI policies for which Wells Fargo served as the Securities Intermediary. Excluded from this request is the suspicious activity report itself.

243. The reports generated by any of Wells Fargo's internal compliance monitoring systems, including but not limited to its BSA and AML programs, for any of the Deposit Accounts opened by the PLCs, Centurion Companies, NSI, Scheme Operators, and SHPC.

244. The reports generated by any of Wells Fargo's internal compliance monitoring systems, including but not limited to its BSA and AML programs, for any of the ILITs.

245. The reports generated by any of Wells Fargo's internal compliance monitoring systems, including but not limited to its BSA and AML programs, for any of the STOLI policies that Wells Fargo served as the Securities Intermediary.

246. The documents related to any report generated by any of Wells Fargo's internal compliance monitoring systems, including but not limited to its BSA and AML programs, for any of the Deposit Accounts opened by any of the PLCs, Centurion Companies, NSI, Scheme Operators, and/or SHPC.

247. The documents related to any report generated by any of Wells Fargo's internal compliance monitoring systems, including but not limited to its BSA and AML programs, for any of the ILITs.

248. The documents related to any report generated by any of Wells Fargo's internal compliance monitoring systems, including but not limited to its BSA and AML programs, for any of the STOLI policies that Wells Fargo served as the Securities Intermediary.

249. The communications related to the reports generated by any of Wells Fargo's internal compliance monitoring systems, including but not limited to its BSA and AML programs, for any of the Deposit Accounts opened by any of the PLCs, Centurion Companies, NSI, Scheme Operators, and/or SHPC.

250. The communications related to the reports generated by any of Wells Fargo's internal compliance monitoring systems, including but not limited to its BSA and AML programs, for any of the ILITs.

251. The communications related to the reports generated by any of Wells Fargo's internal compliance monitoring systems, including but not limited to its BSA and AML programs, for any of the STOLI policies that Wells Fargo served as the Securities Intermediary.

252. The communications about the documents related to the reports generated by any of Wells Fargo's internal compliance monitoring systems, including but not limited to its BSA and AML programs for any of the Deposit Accounts opened by any of the PLCs, Centurion Companies, NSI, Scheme Operators, and/or SHPC.

253. The communications about the documents related to the reports generated by any of Wells Fargo's internal compliance monitoring systems, including but not limited to its BSA and AML programs, for any of the ILITs.

254. The communications about the documents related to the reports generated by any of Wells Fargo's internal compliance monitoring systems, including but not limited to its BSA and AML programs, for any of the STOLI policies for which it served as the Securities Intermediary.

255. Wells Fargo's Code of Ethics and Business Conduct.

256. The Currency Transaction Reports for the Deposit Accounts opened by any of the PLCs, Centurion Companies, NSI, Scheme Operators, and/or SHPC.

257. The documents related to the Currency Transaction Reports for the Deposit Accounts opened by any of the PLCs, Centurion Companies, NSI, Scheme Operators, and/or SHPC.

258. The communications related to the Currency Transaction Reports for the Deposit Accounts opened by any of the PLCs, Centurion Companies, NSI, Scheme Operators, and/or SHPC.

259. The communications about the documents related to the Currency Transaction Reports for the Deposit Accounts opened by any of the PLCs, Centurion Companies, NSI, Scheme Operators, and/or SHPC.

260. The documents related to any transfer of funds between or among the PLCs' Deposit Accounts.

261. The communications related to any transfer of funds between or among the PLCs' Deposit Accounts.

262. The documents related to any transfer of funds between the PLCs' Deposit Accounts and the Centurion Companies' Deposit Accounts.

263. The communications related to any transfer of funds between the PLCs' Deposit Accounts and the Centurion Companies' Deposit Accounts.

264. The communications about the Notes between or among Wells Fargo and any Person, including but not limited to, any of the Putative Class members, PLCs, Centurion Companies, NSI, Scheme Operators, insurance companies, and/or SHPC.

265. Wells Fargo's communications with any Person, including but not limited to any of the Putative Class members, PLCs, Centurion Companies, NSI, Scheme Operators, insurance companies, and/or SHPC, about the premiums paid for the STOLI policies secured by the Notes.

266. Wells Fargo's internal communications about the premiums paid for the STOLI policies secured by the Notes.

267. Documents related to any loan made by, or paid on behalf of, the PLCs to any Person.

268. The communications related to any loan made by, or paid on behalf of, the PLCs to any Person.

269. The documents that relate to Plaintiffs' investment in the Scheme.

270. The communications between Wells Fargo and the Plaintiffs' that relate to Plaintiffs' investment in the Scheme.

271. Wells Fargo's communications about Plaintiffs' investment in the Scheme.

272. The documents that relate to the Putative Class members' investment in the Scheme.

273. The communications between Wells Fargo and the Putative Class members that relate to the Putative Class members' investment in the Scheme.

274. Wells Fargo's communications about the Putative Class members' investment in the Scheme.

275. The documents that relate to the Scheme.

276. The communications that relate to the Scheme.
277. All documents that Wells Fargo may present or rely upon at any stage of this case including class certification and trial.
278. All documents discussing Wells Fargo's exposure or risk as a result of the activities discussed in the Complaint.
279. All documents that support Wells Fargo's affirmative defenses.
280. All remedial, employment, or disciplinary actions taken with regard to each of the Employees with responsibility for the PLCs' Deposit Accounts.
281. All remedial, employment, or disciplinary actions taken with regard to each of the Employees with responsibility for the Centurion Companies' Deposit Accounts.
282. All remedial, employment, or disciplinary actions taken with regard to each of the Employees with responsibility for NSI's Deposit Accounts.
283. All remedial, employment, or disciplinary actions taken with regard to each of the Employees with responsibility for the Scheme Operators' Deposit Accounts.
284. All remedial, employment, or disciplinary actions taken with regard to each of the Employees with responsibility for the SHPC's Deposit Accounts.
285. All remedial, employment, or disciplinary actions taken with regard to each of the Employees with responsibility for the ILITs.
286. All remedial, employment, or disciplinary actions taken with regard to each of the Employees with responsibility for acting as the Securities Intermediary.
287. The personnel files for any Wells Fargo employee, including but not limited to any regional banking district manager, account manager, branch manager, service manager, personal banker, relationship manager, business relationship support associate or other similarly titled Wells

Fargo employee with responsibilities at any time for the ILITs, Wells Fargo's role as the Securities Intermediary, PLCs' Deposit Accounts, SHPC's Deposit Accounts, Centurion Companies' Deposit Accounts, NSI's Deposit Accounts, and the Scheme Operators' Deposit Accounts.

288. Policies and procedures (including employee training materials) related to ILITs.

289. Policies and procedures (including employee training materials) related to Wells Fargo's role as the Securities Intermediary.

290. Documents and communications sufficient to show Wells Fargo employee incentives (financial or otherwise) related to the amount of funds held in Wells Fargo accounts.

291. Branch performance reports related to the revenues, profits, or the amount of funds in the PLCs' Deposit Accounts, SHPC's Deposit Accounts, Centurion Companies' Deposit Accounts, NSI's Deposit Accounts, the Scheme Operators' Deposit Accounts, the ILITs, or Wells Fargo's role as the Securities Intermediary.

292. Documents and communications related to any risk assessment of the ILITs, Wells Fargo's role as Securities Intermediary, the PLCs, the PLCs' Deposit Accounts, SHPC, SHPC's Deposit Accounts, the Centurion Companies, the Centurion Companies' Deposit Accounts, NSI, NSI's Deposit Accounts, the Scheme Operators, the Scheme Operators' Deposit Accounts, or the Notes.

293. Alerts, reports, communications, and documents generated by or accessible from the Actimize banking activity monitoring system related to the PLCs' Deposit Accounts, SHPC's Deposit Accounts, Centurion Companies' Deposit Accounts, NSI's Deposit Accounts, and the Scheme Operators' Deposit Accounts, and any related investigation files, documents, and communications.

294. Alerts, reports, communications, and documents generated or accessible from any banking activity monitoring or detection system other than Actimize (including without limitation Fiserv FraudLink, Radar World Check, and Office of Foreign Assets Control (OFAC)) related to the PLCs' Deposit Accounts, SHPC's Deposit Accounts, Centurion Companies' Deposit Accounts, NSI's Deposit Accounts, and the Scheme Operators' Deposit Accounts.

295. Documents related to the software requirement specifications for Actimize or any other banking activity monitoring system used by Wells Fargo.

296. Any electronic record or log showing each time a Wells Fargo employee accessed Wells Fargo's electronic systems in connection with a PLCs' Deposit Accounts, SHPC Deposit Accounts, Centurion Companies' Deposit Accounts, NSI's Deposit Accounts, and the Scheme Operators' Deposit Accounts, including but not limited to the time, date, branch, and location of such access.

297. Communications with any governmental agency (meaning a state or federal regulatory or law enforcement agency or self-regulatory body) or any other governmental or investigative entity, including but not limited to subpoenas or requests for information, related to the PLCs, the PLCs' Deposit Accounts, SHPC, SHPC's Deposit Accounts, the Centurion Companies, the Centurion Companies' Deposit Accounts, NSI, NSI's Deposit Accounts, the Scheme Operators, and the Scheme Operators' Deposit Accounts.

298. Communications between or among Wells Fargo employees related to any inquiry, subpoena, or request for information issued by any governmental agency (meaning a state or federal regulatory or law enforcement agency or self-regulatory body) or any other governmental or investigative entity, related to the PLCs, the PLCs' Deposit Accounts, SHPC, SHPC's Deposit

Accounts, the Centurion Companies, the Centurion Companies' Deposit Accounts, NSI, NSI's Deposit Accounts, the Scheme Operators, and the Scheme Operators' Deposit Accounts.

299. Communications between or among Wells Fargo employees and any Person related to any inquiry, subpoena, or request for information issued by any governmental agency (meaning a state or federal regulatory or law enforcement agency of self-regulatory body) or any other governmental or investigative entity, related to the PLCs, the PLCs' Deposit Accounts, SHPC, SHPC's Deposit Accounts, the Centurion Companies, the Centurion Companies' Deposit Accounts, NSI, NSI's Deposit Accounts, the Scheme Operators, and the Scheme Operators' Deposit Accounts.

300. Documents produced by Wells Fargo to any governmental entity (meaning state or federal regulatory or law enforcement agency or self-regulatory body) or receiver related to the PLCs, the PLCs' Deposit Accounts, SHPC, SHPC's Deposit Accounts, the Centurion Companies, the Centurion Companies' Deposit Accounts, NSI, NSI's Deposit Accounts, the Scheme Operators, and the Scheme Operators' Deposit Accounts.

Dated: August 29, 2024.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via electronic mail upon all parties as noted in the service list below on August 29, 2024.

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**DEFENDANT'S NOTICE OF FILING IN
COMPLIANCE WITH COURT ORDER (Doc. 71)**

EXHIBIT 2

**Defendant's First Set of Objections and Responses
to Plaintiffs' First Set of Requests for Productions of Documents**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

Case Number: 1:24-cv-22142-DPG

FANNY B. MILLSTEIN and
MARTIN KLEINBART,

Plaintiffs,

v.

WELLS FARGO BANK, N.A.,

Defendant.

**DEFENDANT’S FIRST SET OF OBJECTIONS
AND RESPONSES TO PLAINTIFFS’ FIRST SET
OF REQUESTS FOR PRODUCTION OF DOCUMENTS**

Pursuant to Federal Rule of Civil Procedure 34, Defendant Wells Fargo Bank, N.A. (“Wells Fargo”) hereby provides the following objections and responses to Plaintiffs Fanny Millstein and Martin Kleinbart’s (“Plaintiffs”) First Set of Requests for Production of Documents (“Requests”).

PRELIMINARY STATEMENT

Wells Fargo has not yet completed its investigation of the facts relating to this action, its preparation for trial, or associated discovery. As discovery proceeds, Wells Fargo may identify individuals who have knowledge concerning the subject matter of this action, or who participated in some capacity in the events underlying (or related to) this action, and Wells Fargo may discover facts, information, evidence, documents and/or things that are not set forth herein, but which may be responsive. The following objections and responses are based on Wells Fargo’s present

knowledge, information, and belief and are complete to the best of Wells Fargo's knowledge at this time.

Furthermore, Wells Fargo has prepared these objections and responses based on its good faith interpretation and understanding of the individual Requests, and it expressly reserves its right to correct any inadvertent errors or omissions. Wells Fargo also reserves the right to conduct discovery with reference to or to offer into evidence at the time of trial of any and all facts, evidence, documents, and things developed during the course of discovery and trial preparation, notwithstanding the reference to certain facts, evidence, documents, and things in these objections and responses. In addition, Wells Fargo reserves the right to revise and supplement these objections and responses based upon any information, evidence, and documentation which may be discovered subsequent to the service of these objections and responses as appropriate. Additionally, Wells Fargo is not waiving, and hereby expressly preserves, any and all objections as to relevance, admissibility, or authenticity of any documents or information produced in conjunction herewith.

Plaintiffs and Wells Fargo have engaged in an iterative meet and confer process to allow Wells Fargo to make a rolling production of responsive documents while the parties negotiate the scope of Plaintiffs' Requests and attempt to resolve any disputes concerning any of the Requests without the need for intervention by the Court. To that end, the parties have grouped Plaintiffs' Requests into categories to allow the parties to discuss the Requests that seek the same or similar information without the need to discuss the specifics of all 300 of Plaintiffs' Requests. Wells Fargo incorporates the parties' agreed upon Categories below for purposes of organization.

Finally, keeping with the iterative meet and confer process described above, the below objections and responses relate to the topics covered in the parties' first meet and confer, which

occurred over the course of two phone calls on October 30-31, 2024, inclusive of any related email correspondence. Wells Fargo will provide objections and responses to the remaining categories of Requests following the parties' conferences concerning those Requests. For the avoidance of doubt, Wells Fargo does not waive, and expressly preserves, all objections that it may have to any of Plaintiffs' Requests that are not covered by the below objections and responses.

Objections and Responses to Certain of Plaintiffs' Requests

Categories 30¹; 39²; and 40³

Request No. 221: The supervisory manuals, handbooks, and policies that relate to suspicious activities involving customer accounts.

Request No. 222: The supervisory manuals, handbooks and policies that relate to Wells Fargo's compliance with the BSA, including but not limited to, the AML provisions.

Request No. 223: The supervisory manuals, handbooks and policies that relate to Wells Fargo's required actions once put on notice of money laundering indicia (red flags) as set forth in the FFIEC BSA/AML Examination Manual.

Request No. 226: The documents and communications, including but not limited to any reviews, investigations, and memoranda, related to the PLCs, Centurion Companies, NSI, Scheme Operators, or SHPC.

Request No. 227: The documents and communications, including but not limited to any reviews, investigations, and memoranda, related to Wells Fargo's role as Trustee of the ILITs.

Request No. 228: The documents and communications, including but not limited to any reviews, investigations, and memoranda, related to Wells Fargo's role as the Securities Intermediary.

Request No. 239: The documents related to any suspicious activity report generated for any of the Deposit Accounts opened by any of the PLCs, Centurion Companies, NSI, Scheme Operators, and/or SHPC. Excluded from this request is the suspicious activity report itself.

Request No. 240: The communications related to any suspicious activity report generated for any of the Deposit Accounts opened by any of the PLCs, Centurion Companies, NSI, Scheme Operators, and/or SHPC. Excluded from this request is the suspicious activity report itself.

¹ Covers Requests 221, 222, 223, 226, 227, 228, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, and 254.

² Covers Requests 293 and 295.

³ Covers Request 294.

Request No. 241: The documents related to any suspicious activity report generated for any of the ILITs. Excluded from this request is the suspicious activity report itself.

Request No. 242: The documents related to any suspicious activity report generated for any of the STOLI policies for which Wells Fargo served as the Securities Intermediary. Excluded from this request is the suspicious activity report itself.

Request No. 243: The reports generated by any of Wells Fargo's internal compliance monitoring systems, including but not limited to its BSA and AML programs, for any of the Deposit Accounts opened by the PLCs, Centurion Companies, NSI, Scheme Operators, and SHPC.

Request No. 244: The reports generated by any of Wells Fargo's internal compliance monitoring systems, including but not limited to its BSA and AML programs, for any of the ILITs.

Request No. 245: The reports generated by any of Wells Fargo's internal compliance monitoring systems, including but not limited to its BSA and AML programs, for any of the STOLI policies that Wells Fargo served as the Securities Intermediary.

Request No. 246: The documents related to any report generated by any of Wells Fargo's internal compliance monitoring systems, including but not limited to its BSA and AML programs, for any of the Deposit Accounts opened by any of the PLCs, Centurion Companies, NSI, Scheme Operators, and/or SHPC.

Request No. 247: The documents related to any report generated by any of Wells Fargo's internal compliance monitoring systems, including but not limited to its BSA and AML programs, for any of the ILITs.

Request No. 248: The documents related to any report generated by any of Wells Fargo's internal compliance monitoring systems, including but not limited to its BSA and AML programs, for any of the STOLI policies that Wells Fargo served as the Securities Intermediary.

Request No. 249: The communications related to the reports generated by any of Wells Fargo's internal compliance monitoring systems, including but not limited to its BSA and AML programs, for any of the Deposit Accounts opened by any of the PLCs, Centurion Companies, NSI, Scheme Operators, and/or SHPC.

Request No. 250: The communications related to the reports generated by any of Wells Fargo's internal compliance monitoring systems, including but not limited to its BSA and AML programs, for any of the ILITs.

Request No. 251: The communications related to the reports generated by any of Wells Fargo's internal compliance monitoring systems, including but not limited to its BSA and AML programs, for any of the STOLI policies that Wells Fargo served as the Securities Intermediary.

Request No. 252: The communications about the documents related to the reports generated by any of Wells Fargo's internal compliance monitoring systems, including but not limited to its BSA

and AML programs for any of the Deposit Accounts opened by any of the PLCs, Centurion Companies, NSI, Scheme Operators, and/or SHPC.

Request No. 253: The communications about the documents related to the reports generated by any of Wells Fargo's internal compliance monitoring systems, including but not limited to its BSA and AML programs, for any of the ILITs.

Request No. 254: The communications about the documents related to the reports generated by any of Wells Fargo's internal compliance monitoring systems, including but not limited to its BSA and AML programs, for any of the STOLI policies for which it served as the Securities Intermediary.

Request No. 293: Alerts, reports, communications, and documents generated by or accessible from the Actimize banking activity monitoring system related to the PLCs' Deposit Accounts, SHPC's Deposit Accounts, Centurion Companies' Deposit Accounts, NSI's Deposit Accounts, and the Scheme Operators' Deposit Accounts, and any related investigation files, documents, and communications.

Request No. 294: Alerts, reports, communications, and documents generated or accessible from any banking activity monitoring or detection system other than Actimize (including without limitation Fiserv FraudLink, Radar World Check, and Office of Foreign Assets Control (OFAC)) related to the PLCs' Deposit Accounts, SHPC's Deposit Accounts, Centurion Companies' Deposit Accounts, NSI's Deposit Accounts, and the Scheme Operators' Deposit Accounts.

Request No. 295: Documents related to the software requirement specifications for Actimize or any other banking activity monitoring system used by Wells Fargo.

Objections and Response:

Wells Fargo objects to this Category of Requests to the extent it seeks documents and information that are either privileged or subject to a legal prohibition on disclosure. In particular, this Request seeks information Wells Fargo is legally prohibited from disclosing, acknowledging, or admitting the existence of under the Bank Secrecy Act ("BSA") and related provisions. *See* 12 C.F.R. §§ 4.31, *et seq.*, and 21.11(k), 31 C.F.R. § 1020.320(e)(1)(i), and 31 U.S.C. § 5318(g); *see also* 75 Fed. Reg. 75593, 75595 (Dec 3, 2010). *See, e.g., Zeitlin v. Bank of America, N.A.*, No. 2:18-cv-01919, 2021 WL 2595102, *3 (D. Nev. June 24, 2021) (holding documents created "in the context of the SAR/no-SAR decision-making process" are protected, as are documents that contain a "SAR/no-SAR narrative"). To be clear, this category of prohibited documents includes "other work product or privileged communications that relate to the SAR itself," such as memorandums or e-mails commenting on suspicious transactions. *Cotton v. PrivateBank & Tr. Co.*, 235 F. Supp. 2d 809, 815 (N.D. Ill. 2002); *see also Fed. Trade Comm'n v. Marcus*, No. 0:17-CV-60907, 2020 WL 1482250, at *3 (S.D. Fla. Mar. 27, 2020); *Wiand v. Wells Fargo Bank, N.A.*, No. 8:12-CV-00557-T-27EAJ, 2013 WL 12157564, at *2 (M.D. Fla. Dec. 11, 2013); *Union Bank of Cal. v. Superior Court*, 130 Cal. App. 4th 378, 394 (holding that the prohibition covers SARs, draft SARs, any communication concerning a SAR, and "documents prepared by a bank 'for the purpose of investigating or drafting a possible SAR.'").

As further response and as discussed during the parties' meet and confer, Wells Fargo directs Plaintiffs to *Li v. Walsh*, Civ. No. 16-81871 LEAD CASE, Civ. No. 19-80332, 2020 WL 5887443 (S.D. Fla. Oct. 5, 2020), which provides a thorough discussion of the SAR privilege and its application within this District. Specifically, as stated in *Li*, the SAR privilege prohibits disclosure of a "'SAR or any information that would reveal the existence of a SAR,' but does not include 'the underlying facts, transactions, and documents upon which a SAR is based ...'" *Id.* at *2 (quoting 12 C.F.R. § 21.11(k)). The court in *Li* went on to confirm that the SAR privilege extends to "documents which have been prepared as part of a national bank's process for complying with federal reporting requirements." *Id.* (citing *Lesti v. Wells Fargo Bank, N.A.*, 2014 WL 12828854, at *1 (M.D. Fla. Mar. 4, 2014)). Against this backdrop, the court in *Li* held that the SAR privilege prohibited disclosure of the following categories of documents:

1. "Transaction monitoring alerts, which contain information concerning a decision whether to file a SAR";
2. "Evaluative processes and algorithms used by [the Bank] to detect suspicious activity and comply with AML and BSA regulations";
3. "Transaction monitoring 'cases,' which contain information concerning a decision whether to file a SAR";
4. "Evaluative reports created by [the Bank] which concern a transaction monitoring case to comply with AML and BSA regulations."

Id. The *Li* court then specifically held that "supporting documentation for a transaction monitoring alert" is not covered by the SAR privilege. *Id.*

Wells Fargo further objects to this Category as overly broad, unduly burdensome, and ambiguous. Specifically, this Category purports to seek all "documents and communications, including but not limited to any reviews, investigations, and memoranda" related to Wells Fargo's roles as Trustee for the ILITs and Securities Intermediary. This Category's use of undefined terms "reviews," "investigations," and "memoranda" is ambiguous in that those terms are subject to multiple reasonable interpretations in this context. Moreover, this Category is over broad and unduly burdensome to the extent it seeks to require Wells Fargo to identify, collect, and produce any document or communication related to Wells Fargo's roles as Trustee for the ILITs and Securities Intermediary, which could encompass thousands of documents from an unknown number of custodians over a 15-year period. Wells Fargo objects to such an undertaking.

Subject to the above objections, Wells Fargo will follow the rules established by *Li* in responding to the Requests in this Category. Specifically, Wells Fargo will agree to perform a reasonable search of its records and produce any non-privileged, responsive monitoring alerts generated for the relevant accounts that were created in the ordinary course of business and not for the purpose of complying with Wells Fargo's BSA/AML obligations. Wells Fargo will also search for and produce any non-evaluative, supporting documents that relate to any responsive monitoring alerts related to the responsive accounts. Finally, Wells Fargo will search for and produce its generally applicable policies and procedures that concern Wells Fargo's compliance with its BSA/AML obligations.

For the avoidance of doubt and as described more fully in *Li*, Wells Fargo objects to producing any SARs concerning the relevant accounts, to the extent any such documents exist.⁴ Wells Fargo further objects to producing any evaluative materials created by Wells Fargo in determining whether or not to file a SAR related to any of the relevant accounts. Such evaluative materials would include, but are not limited to: (1) the mental impressions of any Wells Fargo employees concerning whether or not to file a SAR; (2) any monitoring alerts generated by a system specifically designed and utilized by Wells Fargo to aid Wells Fargo's compliance with its BSA/AML obligations; and (3) any memoranda or other similar documents created by Wells Fargo in the process of determining whether or not to file a SAR, to the extent any of these types of documents exist. Finally, Wells Fargo objects to producing any algorithms (or similar types of information) utilized by Wells Fargo to detect suspicious activity in order to comply with its BSA/AML obligations, under *Li* and because such information would contain the confidential, proprietary information of Wells Fargo.

Categories 4⁵; 5⁶; 17⁷

Request No. 7: The ILITs' KYC materials.

Request No. 8: The compliance-related policies and procedures (including employee training materials) for the ILITs, including but not limited to KYC policies and procedures, Financial Industry Regulatory Authority ("FINRA") KYC requirements, account maintenance and monitoring regulations, 31 C.F.R. §§ 1020.220(a)(1),(2), account due diligence, Bank Secrecy Act requirements, 12 C.F.R. § 21.21, Federal Financial Institutions Council ("FFIEC") Bank Secrecy Anti Money Laundering Manual compliance, policies and procedures concerning "red flags," policies and procedures concerning the termination of account relationships, customer exit policies, policies and procedures concerning wire transfers, electronic fund transfers, check deposits and withdrawals, and the policies and procedures concerning risk evaluations and referrals.

Request No. 9: The KYC materials related to Wells Fargo's role as the Securities Intermediary.

Request No. 10: The compliance-related policies and procedures (including employee training materials) for Wells Fargo's role as the Securities Intermediary, including but not limited to KYC policies and procedures, Financial Industry Regulatory Authority ("FINRA") KYC requirements, account maintenance and monitoring regulations, 31 C.F.R. §§ 1020.220(a)(1),(2), account due diligence, Bank Secrecy Act requirements, 12 C.F.R. § 21.21, Federal Financial Institutions Council ("FFIEC") Bank Secrecy Anti Money Laundering Manual compliance, policies and procedures concerning "red flags," policies and procedures concerning the termination of account

⁴ Wells Fargo is prohibited by law from disclosing whether or not a SAR was filed for any particular account, and Wells Fargo's response should not be read as confirming or denying whether a SAR was filed for any of the relevant accounts in this case.

⁵ Covers Requests 7, 8, 217, 218, and 288.

⁶ Covers Requests 9, 10, 219, 220, and 289.

⁷ Covers Requests 58, 59, 60, 205, 213, 214, 215, 216, 224, 225, and 255.

relationships, customer exit policies, policies and procedures concerning wire transfers, electronic fund transfers, check deposits and withdrawals, and the policies and procedures concerning risk evaluations and referrals.

Request No. 58: The KYC materials for the PLCs' Deposit Accounts.

Request No. 59: The compliance related policies and procedures (including employee training materials) for the Wells Fargo's Deposit Accounts, including but not limited to KYC policies and procedures, Financial Industry Regulatory Authority ("FINRA") KYC requirements, account maintenance and monitoring regulations, 31 C.F.R. §§ 1020.220(a)(1),(2), account due diligence, Bank Secrecy Act requirements, 12 C.F.R. § 21.21, Federal Financial Institutions Council ("FFIEC") Bank Secrecy Anti Money Laundering Manual compliance, policies and procedures concerning "red flags," policies and procedures concerning the termination of account relationships, customer exit policies, policies and procedures concerning wire transfers, electronic fund transfers, check deposits and withdrawals, and the policies and procedures concerning risk evaluations and referrals.

Request No. 60: The documents that relate to the KYC materials for the PLCs' Deposit Accounts.

Request No. 205: The supervisory manuals, handbooks, and policies that relate to the types of Deposit Accounts that the PLCs had at Wells Fargo.

Request No. 213: The supervisory manuals, handbooks, and policies that relate to the types of Deposit Accounts that the Centurion Companies had at Wells Fargo.

Request No. 214: The supervisory manuals, handbooks, and policies that relate to the types of Deposit Accounts that NSI had at Wells Fargo.

Request No. 215: The supervisory manuals, handbooks, and policies that relate to the types of Deposit Accounts that the Scheme Operators had at Wells Fargo.

Request No. 216: The supervisory manuals, handbooks, and policies that relate to the types of Deposit Accounts that SHPC had at Wells Fargo.

Request No. 217: The supervisory manuals, handbooks, and policies that relate to the ILITS.

Request No. 218: The supervisory manuals, handbooks, and policies that relate to the types of Deposit Accounts that the ILITs had at Wells Fargo.

Request No. 219: The supervisory manuals, handbooks, and policies that relate to the Securities Intermediary.

Request No. 220: The supervisory manuals, handbooks, and policies that relate to the types of Deposit Accounts that the Securities Intermediary had at Wells Fargo.

Request No. 224: The supervisory manuals, handbooks, and policies that relate to the KYC standard or its equivalents.

Request No. 225: The supervisory manuals, handbooks, and policies that relate to communications with customers about the status of account balances.

Request No. 255: Wells Fargo's Code of Ethics and Business Conduct.

Request No. 288: Policies and procedures (including employee training materials) related to ILITs.

Request No. 289: Policies and procedures (including employee training materials) related to Wells Fargo's role as the Securities Intermediary.

Objections and Response:

Subject to the following objections, Wells Fargo will perform a reasonable search of its records and produce any non-privileged responsive documents, subject to the following limitations. Wells Fargo will search for and produce its responsive policies and procedures related to its commercial banking line of business for the period of 2017 through present. Wells Fargo will search for and produce its responsive policies and procedures related to its corporate trust and securities intermediary lines of business for the period of 2009 to present, to the extent responsive documents exist for this period.

The above response is explicitly subject to the following objections. Wells Fargo objects to this Category broadly seeking policies and procedures for over a 15-year time period as overly broad, irrelevant, unduly burdensome, vague, and ambiguous. For example, Plaintiffs' use of the undefined term "compliance-related" is subject to multiple reasonable interpretations in this context. Wells Fargo also objects to this Category to the extent it seeks to require Wells Fargo to collect and produce "all" of its policies and procedures, as such a request would be significantly over broad and unduly burdensome. Wells Fargo will limit its collection and production of policies and procedures to the policies and procedures relevant to the allegations asserted in the Complaint in this case. Wells Fargo further objects to this Category to the extent it seeks disclosure of proprietary knowledge or confidential business information. Wells Fargo also objects to this Category to the extent it seeks information or documents protected by the attorney-client privilege, the attorney work product doctrine, and/or any other applicable privilege or protection from disclosure.

Category 42⁸

Request No. 297: Communications with any governmental agency (meaning a state or federal regulatory or law enforcement agency or self-regulatory body) or any other governmental or investigative entity, including but not limited to subpoenas or requests for information, related to the PLCs, the PLCs' Deposit Accounts, SHPC, SHPC's Deposit Accounts, the Centurion Companies, the Centurion Companies' Deposit Accounts, NSI, NSI's Deposit Accounts, the Scheme Operators, and the Scheme Operators' Deposit Accounts.

Request No. 298: Communications between or among Wells Fargo employees related to any inquiry, subpoena, or request for information issued by any governmental agency (meaning a state or federal regulatory or law enforcement agency or self-regulatory body) or any other governmental or investigative entity, related to the PLCs, the PLCs' Deposit Accounts, SHPC, SHPC's Deposit Accounts, the Centurion Companies, the Centurion Companies' Deposit Accounts, NSI, NSI's Deposit Accounts, the Scheme Operators, and the Scheme Operators' Deposit Accounts.

Request No. 299: Communications between or among Wells Fargo employees and any Person related to any inquiry, subpoena, or request for information issued by any governmental agency (meaning a state or federal regulatory or law enforcement agency or self-regulatory body) or any other governmental or investigative entity, related to the PLCs, the PLCs' Deposit Accounts, SHPC, SHPC's Deposit Accounts, the Centurion Companies, the Centurion Companies' Deposit Accounts, NSI, NSI's Deposit Accounts, the Scheme Operators, and the Scheme Operators' Deposit Accounts.

Request No. 300: Documents produced by Wells Fargo to any governmental entity (meaning state or federal regulatory or law enforcement agency or self-regulatory body) or receiver related to the PLCs, the PLCs' Deposit Accounts, SHPC, SHPC's Deposit Accounts, the Centurion Companies, the Centurion Companies' Deposit Accounts, NSI, NSI's Deposit Accounts, the Scheme Operators, and the Scheme Operators' Deposit Accounts.

Objections and Response:

Wells Fargo objects to this Category broadly seeking communications between unidentified individuals at Wells Fargo and an unidentified governmental agency or investigative entity over a 15-year period as overly broad, unduly burdensome, vague, ambiguous, and disproportionate to the needs of the case. Wells Fargo also objects to this Category to the extent it seeks information or documents protected by the attorney-client privilege, the attorney work product doctrine, the SAR privilege, and/or any other applicable privilege or protection from disclosure. Wells Fargo objects to this Category to the extent it seeks confidential supervisory information, which Wells Fargo is prohibited by law from disclosing. Wells Fargo further objects

⁸ Covers Requests 297, 298, 299, 300.

to this Category to the extent it seeks documents that have been marked as Confidential in another matter, and to which Wells Fargo would be violating its confidentiality obligations if it were to disclose or produce such documents. Wells Fargo also objects to this Category as seeking improper cloned discovery. Finally, Wells Fargo objects to this Category to the extent it seeks any production made in response to a grand jury subpoena (to the extent any such subpoena exists), which Wells Fargo is prohibited from disclosing pursuant to 12 USC 3420(b).

Subject to and without waiving the foregoing objections, Wells Fargo is in the process of determining if any potentially responsive documents exist for this Category. If no such documents exist, Wells Fargo will inform Plaintiffs of the same to avoid any unnecessary discovery dispute over non-existent documents. To the extent any such potentially responsive documents are located, Wells Fargo would agree to meet and confer further with Plaintiffs regarding this Category.

Dated: November 22, 2024

Respectfully submitted,

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CERTIFICATE OF SERVICE

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