

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

CIRCUIT CIVIL DIVISION AE

CASE NO. 50-2021-CA-008718-XXXX-MB

STATE OF FLORIDA OFFICE OF FINANCIAL REGULATION,

Plaintiff/Petitioner

vs.

NATIONAL SENIOR INSURANCE INC DBA SEEMAN HOLTZ,

MARSHAL SEEMAN,

CENTURION INSURANCE SERVICES GROUP LLC,

et al.,

Defendant/Respondents.

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**ORDER SETTING JURY TRIAL AND PRETRIAL SCHEDULE,
REQUIRING MEDIATION AND JURY INSTRUCTION PROCEDURES**

This action is set for jury trial for the period of **September 15, 2025 - October 24, 2025**.

I. PRETRIAL DEADLINES

CALENDAR CALL: E-CALENDAR CALL IS DUE September 5, 2025 by 12:00 p.m.

All counsel and pro se parties are directed to fully complete the E-Calendar Call Information Sheet attached to this Order as Exhibit "A". Only one form per case is required. **The E-Calendar Call information sheet must be uploaded via E-Courtesy no later than the calendar call date and time.** Failure to submit the calendar call form is a failure to attend calendar call and may result in sanctions.

*AMOUNT OF DAYS REQUESTED:

TRIAL CONTINUANCES: *Note: Any party requesting a continuance of trial is to file a motion and set the matter for hearing on the court's UMC calendar online.

	EVENT	COMPLETION DEADLINE
1.	Expert Witnesses and Compulsory Examinations	May 8, 2025
2.	Witness & Exhibit Lists	May 8, 2025
3.	Rebuttal Witness Lists	May 28, 2025
4.	Discovery Cut-Off	June 7, 2025
5.	Filing Summary Judgment & Daubert Motions	June 17, 2025
6.	Pre-Trial Meet & Confer	August 6, 2025
7.	Deposition Designations	August 16, 2025
8.	Jury Instructions and Verdict Form	August 16, 2025
9.	Deadline for Mediation	August 26, 2025
10.	Deadline to hear all Motions	August 31, 2025

11.	Trial Ready Date**	September 5, 2025
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- A. **Exhibits and Witnesses.** On the last business day no later than 120 DAYS PRIOR TO CALENDAR CALL, the parties must exchange lists of all trial exhibits, names and addresses of all trial witnesses.
- B. **Expert Witnesses and Compulsory Medical Examinations.** The Parties must confer and establish a schedule for completing related discovery, including deadlines for disclosures, written discovery, depositions and motions directed at Experts and/or Compulsory Medical Examiners that will result in the completion of Expert/CME Discovery and resolution of Motions directed at them at least 120 DAYS BEFORE CALENDAR CALL.

If agreed, the parties must submit a proposed Expert/CME Scheduling Order for entry by the Court. If not, the parties must appear for a DCM Case Management Conference.

Expert Disclosures: In addition to names and addresses of each expert retained to formulate an expert opinion with regard to this cause, both on the initial listing and on rebuttal, the parties must provide:

1. The subject matter about which the expert will testify;
2. The substance of facts and opinions to which the expert will testify;
3. A summary of the grounds for each opinion;
4. A copy of any written reports issued by the expert; and
5. A copy of the expert's curriculum vitae.

One Expert Per Specialty: The parties will be limited to one expert witness per specialty unless they obtain leave of Court to list and call more than one expert witness per specialty, no later than 60 days prior to calendar call.

- C. **Rebuttal Witnesses and Exhibits.** On the last business day no later than 100 DAYS PRIOR TO CALENDAR CALL, the parties must exchange lists of names and addresses of all rebuttal witnesses and list of any rebuttal exhibits.
- D. **Deposition Designations.** No later than 20 DAYS PRIOR TO CALENDAR CALL, each party must serve designation of depositions, or portions of depositions, each intends to offer as testimony. No later than 10 DAYS PRIOR TO CALENDAR CALL, each opposing party is to serve any counter (or "fairness") designations to portions of depositions designated, together with objections to the depositions, or portions thereof, originally designated. No later than 5 DAYS BEFORE calendar call, each party must serve any objections to counter designations served by an opposing party.
- E. **Discovery Cutoff.** Unless otherwise agreed by the parties, all discovery must be completed no later than 90 DAYS PRIOR TO CALENDAR CALL absent agreement for later discovery.
- F. **Pre-trial Meet and Confer.** On the last business day no later than 30 DAYS PRIOR TO CALENDAR CALL, the parties must confer and:

1. Discuss settlement;

2. Simplify the issues and stipulate, in writing, as to as many facts and issues as possible;
3. Prepare a Pre-Trial Stipulation in accordance with paragraph E; and
4. List all objections to trial exhibits.

G. **Motions:** The Parties must plan for, file and timely set hearings for any motions they expect the Court to address in advance of trial.

Summary Judgment and Dauber Motions: must be filed at least 80 DAYS PRIOR TO CALENDAR CALL. The parties shall confer regarding summary judgment motions to ensure discovery necessary for those motions is completed in advance of their filing.

H. **Filing of Pretrial Stipulation.** It is the duty of counsel for the Plaintiff to see that the Pre-Trial Stipulation is drawn, executed by counsel for all parties, and filed with the Clerk no later than 20 DAYS PRIOR TO CALENDAR CALL. Unilateral pretrial statements are disallowed, unless approved by the Court, after notice and hearing showing good cause. Counsel for all parties are charged with good faith cooperation in this regard. The Pre-Trial Stipulation must contain in separately numbered paragraphs:

Failure to file the Pre-Trial Stipulation or a Court Approved Unilateral Stipulation as above provided may result in the case being stricken from the Court's calendar or other sanctions, including dismissal or default.

1. A list of all pending motions including Motions In Limine and Daubert Motions requiring action by the Court and the dates those motions are set for hearing. Motions not listed are deemed waived.
2. Stipulated facts requiring no proof at trial which may be read to the trier of fact;
3. A statement of all issues of fact for determination at trial;
4. Lists of exhibits itemized as follows:

Note: Reasonably specific description of each exhibit is required. Moreover, Objections should be specific.

- a. Exhibits to be admitted by Plaintiff without objection;
 - b. Exhibits to be admitted by Defendant without objection;
 - c. Objected to Exhibits, with the specific basis for the objection stated.
5. Each party's numbered list of trial witnesses with addresses (including all known rebuttal witnesses); the list of witnesses must be on separate schedules attached to the Stipulation;
 6. A statement of total estimated time for trial, including the time needed per side for (1) jury selection, (2) opening arguments, (3) each case in chief, and (4) closing arguments.
 7. Names of attorneys to try case and their contact information; and
 8. The number of peremptory challenges per party.

- I. **Pre-Trial Conference pursuant to Fla. R. Civ. P. 1.200** If a pre-trial conference is set upon motion of a party or by the Court, counsel must meet and prepare a stipulation pursuant to paragraph K, infra, and file the stipulation no later than 5 DAYS BEFORE THE CONFERENCE. Failure to request a pre-trial conference in a timely fashion constitutes a waiver of the notice of requirement of Rule 1.200. Absent prior approval, Motions for Summary Judgment will not be heard at any pre-trial conference.
- J. **Pre-Marking Exhibits.** Prior to trial, each party is to mark for identification all exhibits, as directed by the clerk. (instructions and templates found at <http://www.mypalmbeachclerk.com/departments/courts/evidence-guidelines/civil-evidence>)
- K. **Enlarged Jury Panels:** Local Rules require advance approval of the Chief Judge and Jury Office for jury panels exceeding 31 jurors. To ensure enough jurors are available, requests for enlarged jury panels must be resolved at least 6 months before calendar call.
- L. **Jury Instructions and Verdict Form:** A joint set of proposed jury instructions and a proposed verdict form must be provided to the court no less than 20 days BEFORE CALENDAR CALL in a printed form appropriate for submission to the jury and in Microsoft Word format. If there is an objection to a proposed instruction, the instruction should be followed by the specific objection, a brief explanation, and a citation to legal authority. If an alternative or modified instruction is proposed, it should follow the instruction it is intended to replace.
- M. **Unique Questions of Law.** Prior to calendar call, counsel for the parties are directed to exchange and simultaneously submit to the Court appropriate memoranda with citations to legal authority in support of any unique legal questions that may reasonably be anticipated to arise during the trial.

II. **MEDIATION**

- A. All parties are required to participate in mediation no later than 10 days prior to calendar call as follows:
 - 1. The attendance of counsel who will try the case and representatives of each party with full authority to enter into a complete compromise and settlement is mandatory. If insurance is involved, an adjuster with authority up to the policy limits must attend.
 - 2. At least one week prior to a scheduled mediation conference, all parties are to file with the mediator a brief, written summary of the case containing a list of issues as to each party.
 - 3. All communications at the mediation conference are privileged consistent with Florida Statutes sections 44.102 and 90.408.
 - 4. The mediator has no power to compel or enforce a settlement agreement. If a settlement is reached, it is a responsibility of the attorneys or parties to reduce the agreement to writing and to comply with Florida Rule of Civil Procedure 1.730(b), unless waived.
- B. The Plaintiff's attorney is responsible for scheduling mediation. The parties should

agree on a mediator. If they are unable to agree, any party may apply to the Court for appointment of a mediator in conformity with Rule 1.720 (f), Fla. R. Civ. P. The lead attorney or party must file and serve on all parties and the mediator a Notice of Mediation giving the time, place, and date of the mediation and the mediator's name.

- C. Completion of mediation prior to calendar call is a prerequisite to trial. If mediation is not conducted, or if a party fails to participate in mediation, the case, at the Court's discretion, may be stricken from the trial calendar, pleadings may be stricken, and other sanctions may be imposed.
- D. Any party opposing mediation may proceed under Florida Rule of Civil Procedure 1.700(b).

III. **MEDIA/EQUIPMENT NOTICE:**

All equipment used during hearings or trials must be approved by Court Technology to determine if it is compatible with the courtroom equipment. Media Request Forms are located on the 15th Circuit Court webpage and must be completed at least five (5) business days prior to the court date. Under Circuit Web Applications, click "View All Web Applications" and select the Media Request Form. All equipment used for trial is set up on the first day of trial. Note: If Court Technology provides equipment in court, there is a rental fee. The judicial assistant does not handle any courtroom issues or requests regarding equipment used for trials.

IV. **SETTLEMENT**

If this case should settle prior to trial, counsel for Plaintiff shall immediately contact the Judge's office and file a notice of settlement with the clerk of court and provide an e-filed/e-stamped courtesy copy to the court via the Divisional e-mail: CAD-DivisionAE@pbcgov.org.

V. **NONCOMPLIANCE**

FAILURE TO COMPLY WITH ANY PORTION OF THIS ORDER MAY RESULT IN THE DISMISSAL OF THE CASE, STRIKING WITNESSES, OR EXHIBITS, OR IMPOSITION OF SUCH OTHER SANCTIONS AS ARE JUST.

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

50-2021-CA-008718-XXXX-MB 06/02/2025

Bradley G. Harper, Circuit Judge
ADMINISTRATIVE OFFICE OF THE COURT

50-2021-CA-008718-XXXX-MB 06/02/2025
Bradley G. Harper
Circuit Judge

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ADA NOTICE

This notice is provided pursuant to Administrative Order No. 2.207

“If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact William Hutchings, Jr., Americans with Disabilities Act Coordinator, Palm Beach County Courthouse, 205 North Dixie Highway West Palm Beach, Florida 33401; telephone number (561) 355-4380 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.”

“Si usted es una persona minusválida que necesita algún acomodamiento para poder participar en este procedimiento, usted tiene derecho, sin tener gastos propios, a que se le provea cierta ayuda. Tenga la amabilidad de ponerse en contacto con William Hutchings, Jr., 205 N. Dixie Highway, West Palm Beach, Florida 33401; teléfono número (561) 355-4380, por lo menos 7 días antes de la cita fijada para su comparecencia en los tribunales, o inmediatamente después de recibir esta notificación si el tiempo antes de la comparecencia que se ha programado es menos de 7 días; si usted tiene discapacidad del oído o de la voz, llame al 711.”

“Si ou se yon moun ki enfim ki bezwen akomodasyon pou w ka patisipe nan pwosedi sa, ou kalifye san ou pa gen okenn lajan pou w peye, gen pwovizyon pou jwen kèk èd. Tanpri kontakte William Hutchings, Jr., kòòdonatè pwogram Lwa pou ameriken ki Enfim yo nan Tribinal Konte Palm Beach la ki nan 205 North Dixie Highway, West Palm Beach, Florida 33401; telefòn li se (561) 355-4380 nan 7 jou anvan dat ou gen randevou pou parèt nan tribinal la, oubyen imedyatman apre ou fin resevwa konvokasyon an si lè ou gen pou w parèt nan tribinal la mwens ke 7 jou; si ou gen pwoblèm pou w tande oubyen pale, rele 711.”

DIVISION AE: E-CALENDAR CALL

FOR THE TRIAL PERIOD OF September 15th, 2025 - October 24th, 2025

AFTER COUNSEL FOR ALL PARTIES HAVE CONFERRED, PLAINTIFF'S COUNSEL SHALL COMPLETE THIS FORM WITH ALL INFORMATION REQUESTED (INCLUDING CONFLICTS FOR ALL COUNSEL OF RECORD). ONCE COMPLETED, IT MUST BE UPLOADED TO E-COURTESY BY 12:00 PM of your previously ordered calendar call date.

CASE NAME: _____

CASE NUMBER: _____

JURY TRIAL OR NON-JURY: _____

PLAINTIFF'S TRIAL COUNSEL CONTACT INFORMATION:

Name: _____

Phone: _____

Email: _____

DEFENDANT'S TRIAL COUNSEL CONTACT INFORMATION:

Name: _____

Phone: _____

Email: _____

NUMBER OF DAYS/HOURS REQUESTED FOR TRIAL/HEARING: _____

DATE PRE-TRIAL STIPULATION WAS FILED: _____

DATE MEDIATION CONFERENCE WAS CONDUCTED: _____

DATES AND SPECIFIC NATURE OF CONFLICTS DURING TRIAL DOCKET*:

**The Court will only recognize the following conflicts: Pre-Paid vacations, Personal Conflicts
All conflicts must indicate the date and reason for the conflict listed.*

PREFERRED TRIAL WEEKS:**

*****The preferred trial weeks are not necessarily the weeks you will be set for trial. The court will try to accommodate those requests but the case may still be set for trial during the other weeks of the docket. The more dates you provide the greater chance of accommodation. The Court will post the trial calendar on the DIVISION AE website.***

******The preferred reset dockets are not necessarily the weeks you will be reset for trial. The Court will try to accommodate to the best of its ability based on availability.***

EXHIBIT "A"