

UNITED STATES DISTRICT COURT FOR
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO. 24-22142-CIV-GAYLES/ SHAW-WILDER

FANNY B. MILLSTEIN and
MARTIN KLEINBART,

Plaintiffs,

v.

WELLS FARGO BANK, N.A.,

Defendant.

**PLAINTIFF’S EXPEDITED UNOPPOSED MOTION TO FILE TWO EXHIBITS
TO PLAINTIFF’S DISCOVERY MEMORANDUM REGARDING REQUEST FOR
SCREENSHOTS TRACKING LIFE INSURANCE POLICIES UNDER SEAL AND TO
PERMIT CONVENTIONAL FILING OF THUMB DRIVE UNDER SEAL**

Plaintiff, Fanny B. Millstein, pursuant to S.D. Fla. Local Rule 5.4(b), the Confidentiality Order entered by the Court [D.E. 97], and the Parties’ Confidentiality Stipulation [D.E. 37], respectfully requests that the Court enter an order allowing Plaintiff to file two exhibits to her Discovery Memoranda Regarding Plaintiff’s Request for Screenshots Tracking Life Insurance Policies (“Discovery Memoranda”) under seal and to permit conventional filing of thumb drive under seal. And expedited ruling is needed by **October 17, 2025** because Plaintiff’s Discovery Memoranda is due to be filed on October 20, 2025.

BACKGROUND

This is a complex, putative nationwide class action. At the inception of this case, the Parties entered into a Confidentiality Stipulation which the Court approved in a Confidentiality Order (together, the “Stipulation and Order”). [D.E. 37, 97]. Pursuant to the Stipulation and Order, material designated as confidential shall be made subject to a request to seal, and all requests to

seal shall comply with the Local Civil Rules for the United States District Court for the Southern District of Florida. [D.E. 37 at ¶9.a.; D.E. 97 at ¶9].

Pursuant to this Court's Paperless Order Granting Joint Expedited Motion for Leave to File Discovery Memoranda for Zoom Discovery Hearing Regarding Plaintiff's Request for Screenshots Tracking Life Insurance Policies [D.E. 152], Plaintiff's Discovery Memoranda for the upcoming Zoom discovery hearing is due no later than October 20, 2025. Plaintiff's Discovery Memoranda will attach various materials designated confidential by Wells Fargo pursuant to the Stipulation and Order. The Parties have conferred with regard to two exhibits Plaintiff intends to file in support of its Discovery Memoranda, and agree those documents should be sealed. Further, one of those documents is in Native format and may be contained on a thumb drive.

MEMORANDUM OF LAW

A district court may seal documents upon a showing of good cause. *See Romero v. Drummond Co., Inc.*, 480 F.3d 1234, 1246 (11th Cir. 2007) (quoting *Chicago Tribune Co. v. Bridgestone/Firestone, Inc.*, 263 F.3d 1304, 1309 (11th Cir. 2001)). When determining whether good cause to seal exists, a district court must first look to "the nature and the character of the information in question." *Id.* (quoting *Chicago Tribune*, 263 F.3d at 1315). When a party seeks leave to file records under seal that are subject to a protective order in a civil case, the motion is resolved under the Rule 26 good-cause balancing test. *See id.* at 1313. "Courts have discretion to determine which portions of the record should be placed under seal." *CRubin, LLC v. Escoriaza*, 19-CV-22261, 2020 WL 2542629, at *1 (S.D. Fla. May 19, 2020) (quotation omitted). Here, the documents at issue implicate legitimate privacy interests and should be restricted from public view consistent with applicable legal standards governing sealed filings.

CONCLUSION

Accordingly, Plaintiff respectfully requests that the Court grant this Unopposed Motion to File Two Exhibits to Plaintiff's Discovery Memoranda Regarding Request for Screenshots Tracking Life Insurance Policies Under Seal and to Permit Conventional Filing of Thumb Drive Under Seal.

CERTIFICATE OF GOOD FAITH CONFERENCE

Pursuant to Local Rule 7.1(a)(3)(A), I hereby certify that counsel for the movant has conferred with all parties or non-parties who may be affected by the relief sought in this motion and Defendants do not oppose the relief sought in the motion.

Dated: October 15, 2025.

Respectfully submitted,

BUCKNER + MILES
2020 Salzedo Street, Ste. 302
Coral Gables, Florida 33134
Tel.: (305) 964-8003
Fax: (786) 523-0585

/s/Seth Miles

Seth Miles, Esq.

Fla. Bar No. 385530

seth@bucknermiles.com

David M. Buckner, Esq.

Fla. Bar No. 60550

david@bucknermiles.com

Brett E. von Borke, Esq.

Fla. Bar No. 0044802

vonborke@bucknermiles.com

SALLAH ASTARITA & COX, LLC
One Boca Place
2255 Glades Rd., Ste. 300E
Boca Raton, FL 33431
Tel.: (561) 989-9080
Fax: (561) 989-9020

James D. Sallah, Esq.

Fla. Bar No. 0092584

jds@sallahlaw.com

Joshua A Katz, Esq.

Fla. Bar No. 0848301

jak@sallahlaw.com

SILVER LAW GROUP

11780 W. Sample Road

Coral Springs, FL 33065

Tel.: (954) 755-4799

Fax: (954) 755-4684

Scott L. Silver, Esq.

Fla. bar No. 095631

ssilver@silverlaw.com

Ryan A. Schwamm, Esq.

Fla. Bar No. 1019116

rschwamm@silverlaw.com

Peter M. Spett, Esq., Of Counsel

Fla. Bar No. 0088840

pspett@silverlaw.com

Counsel for Plaintiffs and the Class

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by CM/ECF on October 15, 2025, on all counsel or parties of record on the Service List below.

/s/ Seth Miles

Seth Miles, Esq., FBN 385530

seth@bucknermiles.com

SERVICE LIST

Nellie E. Hestin, Esq.
Mark W. Kinghorn, Esq.
Jarrod D. Shaw, Esq.
Eric G. Olshan, Esq.
McGuire Woods, LLP
260 Forbes Avenue, Suite 1800
Tower Two-Sixty
Pittsburgh, Pennsylvania 15222
nhestin@mcguirewoods.com
mkinghorn@mcguirewoods.com
jshaw@mcguirewoods.com
eolshan@mcguirewoods.com

William O. L. Hutchinson
Zachary L. McCamey
McGuire Woods, LLP
201 North Tryon Street, Suite 3000
Charlotte, North Carolina 28202
whutchinson@mcguirewoods.com
zmccamey@mcguirewoods.com

Emily Yandle Rottmann, Esq.
E. Paul Cuffe, Esq.
McGuireWoods LLP
50 N. Laura Street, Suite 3300
Jacksonville, Florida 32202
erottmann@mcguirewoods.com
pcuffe@mcguirewoods.com

Counsel for Wells Fargo Bank, N.A.

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**[PROPOSED] ORDER GRANTING PLAINTIFF'S EXPEDITED UNOPPOSED
MOTION TO FILE TWO EXHIBITS TO PLAINTIFF'S DISCOVERY
MEMORANDUM REGARDING REQUEST FOR SCREENSHOTS TRACKING LIFE
INSURANCE POLICIES UNDER SEAL AND TO PERMIT CONVENTIONAL
FILING OF THUMB DRIVE UNDER SEAL**

THIS CAUSE having come before the Court on Plaintiff's Expedited Unopposed Motion to File Two Exhibits to Plaintiff's Discovery Memoranda Regarding Request for Screenshots Tracking Life Insurance Policies Under Seal and to Permit Conventional Filing of Thumb Drive Under Seal. D.E. ____, it is hereby

ORDERED AND ADJUDGED as follows:

1. The Motion is GRANTED.
2. Plaintiff shall file the two exhibits under seal in the manner provided by the

Local Civil Rules for the United States District Court for the Southern District of Florida.

3. Plaintiff may deliver the thumb drive to the Clerk's Office, for conventional filing under seal.

DONE AND ORDERED in Chambers at Miami, Florida, this ____ day of October, 2025.

Honorable Detra Shaw-Wilder

Copies furnished to: All Counsel of Record