

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.

**EXPEDITED JOINT MOTION FOR LEAVE TO FILE DISCOVERY MEMORANDA
FOR ZOOM DISCOVERY HEARING REGARDING PLAINTIFF'S REQUEST FOR
COMPLETE POLICY FILES, TO FILE CERTAIN EXHIBITS UNDER SEAL, AND TO
PERMIT CONVENTIONAL FILING OF THUMB DRIVE UNDER SEAL**

The parties hereby move for leave to file discovery memoranda for the hearing via Zoom set by the Court and duly noticed for **December 5, 2025, at 1:00 p.m.**, to file certain exhibits to the parties' memoranda under seal, and to permit conventional filing of thumb drive under seal. An expedited ruling is needed by **November 14, 2025**, because there is limited time remaining in advance of the hearing for the parties to brief the issues. The parties propose the following schedule: Plaintiff's initial filing, not to exceed four (4) pages in length, due no later than November 18, 2025; Defendant's response, not to exceed seven (7) pages in length, due no later than November 21, 2025; and Plaintiff's reply to Defendant's response, not to exceed three (3) page in length, due no later than November 24, 2025.

As stated in the Notice of Hearing, one of the issues the parties dispute is whether Wells Fargo must produce the life settlement policy files for all policies associated with the Centurion relationship, along with all attendant documents, as complete files.

Specifically, Plaintiff is seeking complete files for the life settlement policy files associated with the Centurion relationship, including policies and attendant documents that came into Wells Fargo's possession at any time whether during the Centurion relationship or not, that Plaintiff claims relevant to the litigation. Defendant takes the position that only the policies and attendant documents that came into its possession while the policies were associated with Centurion are relevant, and that producing complete policy files is burdensome, to the extent the documents are available at all. The parties believe that limited briefing will aid the Court in understanding the dispute and the systems at issue. Accordingly, the parties request leave to brief the Court to aid its analysis of this issue prior to the Court's December 5, 2025, scheduled hearing.

In addition, pursuant to the Confidentiality Order entered by the Court [D.E. 97] and the Parties' Confidentiality Stipulation [D.E. 37], 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]. The parties anticipate they will attach exhibits to their respective submissions designated confidential pursuant to the Stipulation and Order, and that some of those materials may be in Native format contained on a thumb drive.

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) (quotation omitted). "Courts have discretion to determine which portions of the record should be placed under seal." *CRubin, LLC v. Escoriaza*, 2020 WL 2542629, at *1 (S.D. Fla. May 19, 2020) (quotation omitted). Here, the parties anticipate various exhibits to their submissions will implicate legitimate privacy interests and should be restricted from public view consistent with applicable legal standards governing

sealed filings. Therefore, the parties seek leave to file them under seal after conferring regarding the need to seal specific exhibits, to avoid burdening the Court with multiple expedited filings.

CONCLUSION

WHEREFORE, based on the foregoing, the parties respectfully request the Court permit them to file discovery memoranda in advance of the hearing on this matter in accordance with the schedule proposed herein, to file certain exhibits to the parties' memoranda under seal, and to permit conventional filing of thumb drive under seal.

Dated: November 11, 2025.

Respectfully submitted:

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was served by CM/ECF on November 11, 2025 on all counsel or parties of record on the Service List below.

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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
MIAMI AND WEST PALM BEACH DIVISIONS

CASE NOS.: 1:24-cv-22142-DPG

FANNY B. MILLSTEIN and
MARTIN KLEINBART,

Plaintiffs,

v.

WELLS FARGO BANK, N.A.,

Defendant.

**[PROPOSED] ORDER GRANTING JOINT MOTION FOR LEAVE TO FILE
DISCOVERY MEMORANDA FOR ZOOM DISCOVERY HEARING REGARDING
PLAINTIFF'S REQUEST FOR COMPLETE POLICY FILES, TO FILE CERTAIN
EXHIBITS UNDER SEAL, AND TO PERMIT CONVENTIONAL FILING OF
THUMB DRIVE UNDER SEAL**

THIS CAUSE having come before the Court on the parties' Joint Motion for Leave to File Discovery Memoranda for Zoom Discovery Hearing Regarding Plaintiff's Request for Complete Policy Files, to File Certain Exhibits Under Seal, and to Permit Conventional Filing of Thumb Drive Under Seal, D.E. __, it is hereby

ORDERED AND ADJUDGED that:

The Motion is GRANTED.

1. Plaintiff's initial filing, not to exceed four (4) pages in length, is due no later than November 18, 2025; Defendant's response, not to exceed three (7) pages in length,

is due no later than November 21, 2025; and Plaintiff's reply to Defendant's response, not to exceed three (3) pages in length, is due no later than November 24, 2025.

2. The parties shall file any exhibits containing confidential information under seal in the manner provided by the Local Civil Rules for the United States District Court for the Southern District of Florida.
3. The parties may deliver thumb drives to the Clerk's Office, for conventional filing under seal.

DONE AND ORDERED in Chambers at Miami, Florida, this _____ day of November, 2025.

Honorable Detra Shaw-Wilder

Copies furnished to: All Counsel of Record