

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.**

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**JOINT MOTION FOR LEAVE TO FILE DISCOVERY MEMORANDA FOR ZOOM  
DISCOVERY HEARING REGARDING PLAINTIFF'S REQUEST FOR DOCUMENTS  
RELATING TO POLICY ACTIONS INVOLVING NON-CENTURION POLICIES, 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 **January 30, 2026, at 1:30 p.m.**, to file certain exhibits to the parties' memoranda under seal, and to permit conventional filing of thumb drive under seal. The parties propose the following schedule: Plaintiff's initial filing, not to exceed two (2) pages in length, due no later than January 15, 2026; Defendant's response, not to exceed three (3) pages in length, due no later than January 22, 2026; and Plaintiff's reply to Defendant's response, not to exceed one (1) page in length, due no later than January 27, 2026.

As stated in the Notice of Hearing, the issue is whether Wells Fargo must produce documents relating to Policy Actions involving policies that were not associated with Centurion at any time in response to Plaintiff's Fourth Request for Production of Documents.

Specifically, Plaintiff is seeking discovery of STOLI-related actions (i.e., actions involving insurers denying coverage or benefits on the basis of no insurable interest, or clawback actions involving beneficiaries on the basis of same), regardless of whether the policy at issue was associated with Centurion or not, that Plaintiff claims relevant to the litigation. Defendant takes the position that only the actions involving policies that were associated with Centurion are relevant, and that producing documents relating to such actions involving non-Centurion policies is burdensome, to the extent the documents are available at all, and seeks irrelevant documents protected in many instances by attorney-client privilege, common interest agreements, and/or litigation work product. The parties believe that limited briefing will aid the Court in understanding the dispute and the issues. Accordingly, the parties request leave to brief the Court to aid its analysis of this issue prior to the Court's January 30, 2026, 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: January 12, 2026.

Respectfully submitted,

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*Attorneys for Defendant Wells Fargo Bank, N.A.*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on January 12, 2026, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF.

/s/ Seth Miles

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

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

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 DOCUMENTS RELATING TO POLICY ACTIONS  
INVOLVING NON-CENTURION POLICIES, 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 Policy Actions Involving Non-Centurion Policies, 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 two (2) pages in length, is due no later than January 15, 2026; Defendant's response, not to exceed three (3) pages in length, is

due no later than January 22, 2026; and Plaintiff's reply to Defendant's response, not to exceed one (1) page in length, is due no later than January 27, 2026.

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 January, 2026.

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The Honorable Detra Shaw-Wilder  
UNITED STATES MAGISTRATE JUDGE

Copies furnished to: All Counsel of Record