

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

SEASCAPE OF LITTLE HICKORY
ISLAND, INC.,
Plaintiff,

v.

HARTFORD INSURANCE COMPANY
OF THE MIDWEST,
Defendant.

CASE NO. 2:26-cv-01330-KCD-KRH

STATE OF NEW YORK)
)ss.:
COUNTY OF ONONDAGA)

DECLARATION OF DENNIS NILAND

Pursuant to 28 U.S.C. 1746, I, Dennis Niland, declare, under the penalty of perjury that the following are true and correct:

1. I am over the age of eighteen; I am competent to testify to the matters contained herein, which I offer as testimony based upon my personal knowledge and upon review of my file associated with the Hurricane Ian claim presented by Seascape of Little Hickory ("Seascape").

2. I am a licensed public adjuster in the State of Florida. In 2022, in conjunction with Swerling Milton Winnick, we were retained to represent Seascape in connection with its insurance claims arising out of Hurricane Ian.

3. I provide this declaration for the limited purpose of responding to the Motion to Dismiss filed by Hartford Insurance Company of the Midwest in the above action, and it does not contain all information I may have regarding the Hurricane, the damage, or the insurance claim.

4. Counsel for Seascope has provided me three letters, each addressed to “SEASCAPE OF LITTLE HICKORY” and dated June 11, 2023, June 17, 2023, and June 18, 2023. Copies of these letters are attached here as Exhibits A, B, and C.

5. Prior to counsel showing me these letters in July 2026, I had never seen them.

6. In June 2023, I was actively working on this claim on behalf of Seascope. I was in regular, almost daily contact with the adjuster retained on behalf of Hartford Insurance Company of the Midwest, Brian Naquin.

7. I have reviewed my email correspondence in this period and found many emails from and to Mr. Naquin. In none of them did he provide the letters attached as Exhibits A, B, and C.

8. I note that I am not copied on the letters, and did not receive a copy directly, despite the carrier knowing that I was the authorized representative of Seascope at the time.

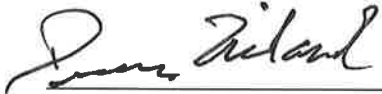
9. Throughout the time period I represented Seascope, they would as a matter of course scan and email to me any written correspondence they received relating to the claim.

10. I have reviewed my email correspondence and found that these letters were never sent to me, as they would have been had Seascope received them.

11. During the period following Hurricane Ian, it was well known that mail delivery was severely disrupted.

12. In fact, on this specific claim, at one point I agreed with Mr. Naquin to receive a check at my personal residence in Naples to avoid the confusion and uncertainty caused by the mail.

Under penalty of perjury, I declare that I have read the foregoing Declaration and all referenced documents therein and that the facts stated in them are true.


Dennis Niland

