

IN THE CIRCUIT COURT IN AND FOR ESCAMBIA COUNTY, FLORIDA

JOHN W. ERKER,

Plaintiff,

v.

Case No: 2015 CA 001002

Division: J

STEPHEN D. MILLER, et al.,

Defendants.

ORDER DETERMINING THE CONFIDENTIALITY OF COURT RECORDS

THIS CAUSE came before the Court on August 1, 2019, on the parties' joint *ore tenus* motion and joint request to determine certain documents at confidential. The Court, having considered the parties' joint motion and request, and being otherwise fully informed, finds and concludes as follows:

1. This is a civil case in which the Plaintiff is seeking to damages against the Defendants.
2. The particular grounds for determining the information is confidential is to avoid substantial injury to a party by disclosure of matters protected by a common law or privacy right not generally inherent in this specific type of proceeding. Fla.R.Jud.Admin. 2.420(c)(9)(A)(vi).
3. The particular information determined to be confidential is:
 - a. Plaintiff's Memorandum Filed in Conjunction with Defendant's Counsel's Request for Evidentiary Hearing of August 1, 2019
 - b. Transcript of hearing held on May 1, 2019
 - c. Exhibit 4 introduced into evidence at hearing on August 1, 2019 (Agreement)
4. The identification of the persons who are permitted to view the information is: None, other than the parties and attorneys of record in this case.

5. The Court finds that the degree, duration and manner of confidentiality ordered herein are no broader than necessary to protect the interest set forth in paragraph 2, and no less restrictive measures are available to protect these interests.
6. The Clerk of Court is directed to publish this Order in accordance with Fla.R.Jud.Admin. 2.420(e)(4).

Therefore it is **ORDERED AND ADJUDGED** that the items listed in Paragraph 3 of this Order are hereby deemed to be confidential documents and shall be designated as confidential documents by the Clerk of Court until further order of the court.

DONE AND ORDERED in Pensacola, Escambia County, Florida, this 1st day of August, 2019.



eSigned by CIRCUIT COURT JUDGE LACEY POWELL CLARK
on 08/01/2019 17:25:29 LPKoqJ52

CIRCUIT JUDGE

Copies to (via e-service):

Mark Lee Smith, Esq.
Bradford Beilly, Esq.