

IN THE COUNTY COURT OF THE NINTH JUDICIAL CIRCUIT
IN AND FOR ORANGE COUNTY, FLORIDA

PIERCE AND ASSOCIATES, P.L.,)	
)	
Plaintiff,)	
)	Civil Case No. 09-CC-007709-O
vs.)	
)	[PROPOSED] ORDER
MARTIN GREENE,)	
)	
Defendant.)	

**[PROPOSED] ORDER GRANTING
DEFENDANT'S MOTION TO FILE EXHIBITS UNDER SEAL**

THIS MATTER is before the Court on the motion of Defendant Martin Greene pursuant to Florida Rule of Judicial Administration 2.420(c)(9) for an order sealing the following information relative to this case: (Select all that apply)

- The party's name on the progress docket.
- Particular documents within the court file, specifically,**
 - 1) Exhibit A attached to the Complaint
 - 2) Exhibit C attached to the First Amended Complaint
 - 3) Exhibit D attached to the First Amended Complaint
- The entire court file, but not the progress docket.
- The entire court file and the progress docket.

Having considered the legal authority, and otherwise being fully advised in the premises, the Motion to File Exhibits Under Seal is hereby **GRANTED** as follows:

1. Confidentiality of the information sought to be sealed is required to protect the following interest(s): (Select all that apply)
 - a. Preventing a serious and imminent threat to the fair, impartial, and orderly administration of justice, specifically: _____
 - b. A trade secret.

- c. _____ A compelling government interest, specifically: _____.
- d. _____ Obtaining evidence to determine the legal issues in a case.
- e. _____ Avoiding substantial injury to innocent third parties, specifically: _____.
- f. X Avoiding substantial injury to a party by the disclosure of matters protected by a common law or privacy right not generally inherent in this type of proceeding, specifically the attorney-client and/or work-product privileged information contained in Exhibit A attached to the Complaint; and Exhibits C and D attached to the First Amended Complaint.
- g. X Complying with the established public policy set forth in the Florida or United States Constitution or statutes or Florida rules or case law, specifically, Fla. Stat. 90.502 et seq. (Lawyer-Client Privilege) and Rule Regulating Florida Bar (Confidentiality of Information).

2. The Court further finds that no less restrictive measure is available to protect this/these interests, and that the degree, duration and manner of confidentiality ordered herein are no broader than necessary to protect the interest(s).

Wherefore, it is hereby **ORDERED** that:

The Clerk of the ~~Circuit~~ Circuit Court is hereby directed to seal immediately the following materials related to this matter and to keep such materials from public access:

The following documents within the Court File:

- (1) Exhibit A attached to the Complaint filed May 11, 2009;
- (2) Exhibit C attached to the First Amended Complaint filed July 8, 2009; and
- (3) Exhibit D attached to the First Amended Complaint filed July 8, 2009.

The file and progress docket shall otherwise remain available to the public.

It is further **ORDERED** that any materials sealed pursuant to this Order shall be conditionally disclosed upon the entry of a further order by this Court finding that such opening is necessary for the purposes of judicial or governmental accountability or First Amended rights.

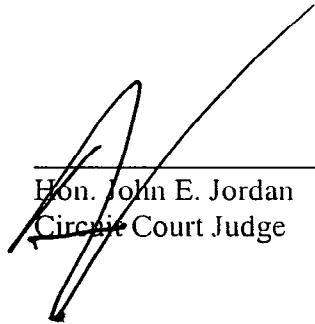
It is further **ORDERED** that any materials sealed pursuant to this Order may otherwise be disclosed only as follows:

1. to any judge of this Circuit for case-related reasons;
2. to the Chief Judge or his/her designee;
3. to adult parties or their attorneys of record; or
4. by further order of this Court.

It is further **ORDERED** that the Clerk is hereby directed to post a copy of the attached *Notice of Entry of Order Authorizing Sealing* on the bulletin board of Orange County Courthouse and to post this Order on the Clerk's website for a period of fifteen (15) days to provide public notice.

It is further **ORDERED** that the Clerk is hereby authorized to unseal any materials sealed pursuant to this Order for the purpose of filing, microfilming or imaging files, or transmitting a record to an appellate tribunal. The materials shall be resealed immediately upon completion of the filing.

DONE AND ORDERED at Orange County, Florida this 20 day of July, 2009.



Hon. John E. Jordan
Circuit Court Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the **ORDER ON | ORDER GRANTING DEFENDANT'S MOTION TO FILE EXHIBITS UNDER SEAL** was served via first class mail to: John G. Pierce, Esq., Pierce and Associates, P.L., 800 North Ferncreek Avenue, Orlando, FL 32803; and Jean C. Zabin, Esq., Jean C. Zabin LLC, 6500 N. Atlantic Ave., Suite C, Cape Canaveral, FL 32920.

Dated: July _____, 2009 _____