

**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT, IN AND FOR  
BREVARD COUNTY, FLORIDA**

CASE NO: 05-2024-DR-054255

IN RE:

**NOELLE ZIETSMAN,  
Petitioner,**

**and**

**ANDRE PAUL RICHARD ZIETSMAN,  
Respondent.**

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**ORDER GRANTING IN PART AND DENYING IN PART PETITIONER'S VERIFIED  
MOTION TO DETERMINE CONFIDENTIALITY OF COURT RECORDS**

This cause came before the Court on Tuesday, December 09, 2025, for a hearing on Petitioner's Verified Motion to Determine Confidentiality of Court Records (docket #113). The Petitioner appeared with counsel, Diana Figueroa, Esq.; the Respondent appeared through counsel, Kimberly Trader-Jones, Esq. The Court received evidence, heard arguments, and was advised otherwise in the premises. It is hereby **ORDERED** that:

1. The instant motion is filed in a pending original dissolution of marriage action.
2. The Petitioner asks the Court to seal the following court records upon the assertion that such should be found confidential pursuant to court rules:
  - a. Memorandum of Agreement (docket #5)

- b. Motion for Temporary Support (docket #11)
  - c. Financial affidavit (docket #15)
  - d. Certificate of Compliance with Mandatory Disclosure (docket #16)
  - e. Financial affidavit (docket #18)
  - f. Certificate of Compliance with Mandatory Disclosure (docket #19)
  - g. Notice of Social Security Number (docket #43)
  - h. Financial Affidavit (docket #48)
  - i. Joint Stipulation and Order (docket #96).
3. To the extent that paragraph 8 of the motion refers to any other court records, such are not alleged with the specificity required by the rules.
4. Notwithstanding the fact that the motion was brought pursuant to Fla. R. Gen. Pract. and Jud. Admin. 2.420, Fla. Fam. L. R. P. 12.400 provides a more specific manner for sealing records required to be produced as part of mandatory financial disclosure. *Nucci v. Nucci*, 987 So.2d 135 (Fla. 2nd DCA 2008).
5. Rule 12.400 provides in pertinent part that, ". . . [S]ealing of records may be ordered by the court only as provided by Florida Rule of General Practice and Judicial Administration 2.420. The Court has the authority to conditionally seal the financial information required by rule 12.285 if it is likely that access to the information would subject a party to abuse, such as the use of the information by third parties for purposes unrelated to government or judicial accountability or to first amendment rights.
6. As a threshold matter, docket ##15, 16, and 48 are the financial affidavits filed by the Respondent and his certificate of compliance with mandatory disclosure.

7. The Respondent objected to the request to seal all of the records.
8. It is unclear to the Court if the Petitioner has the right to seek the sealing of records filed by someone else.
9. In an abundance of caution, the Court has reviewed docket ##15, 16, and 48 and finds nothing in either document that would likely subject the Petitioner to abuse.
10. At worst, the assertions in the two financial affidavits might be construed as the Petitioner arguing or complaining that he is not being paid alimony.
11. Moreover, these documents contain the identity of assets and liabilities and the Respondent's opinion of their values.
12. There are no account numbers, addresses, or social security numbers listed. No documents were filed with docket #16.
13. The Court does not find that the information contained in docket ##15, 16, and 48 is likely to subject the Petitioner to abuse. As for these documents, the motion is denied.
14. Docket #18 is the Petitioner's financial affidavit. Docket #19 is the Petitioner's certificate of compliance with mandatory disclosure.
15. The Petitioner is a vice president at Boeing.
16. She testified that she has been approached by senior members of management, third parties, who inquired about various issues raised in the instant action.
17. The Petitioner noted that the questions posed, among other things, made reference to her qualification to hold a security clearance.
18. The Petitioner cannot perform her job without her security clearance.
19. The Petitioner has adequately demonstrated that access to the financial information by third

parties is likely to subject her to abuse.

20. The Clerk of Court is hereby directed to conditionally seal docket ##18 and 19 pursuant to Fla.

Fam. L. R. P. 12.400(d)(1). The degree, duration, and manner of confidentiality ordered by

the court are no broader than necessary to protect the interests set forth in subdivision (c) of rule

2.420. There are no less restrictive measures available to protect the information set forth in

subdivision (c) of the rule.

21. The remaining requests are analyzed pursuant to rule 2.420(e).

22. A determination of confidentiality is requested pursuant to 2.420(c)(9)(A)(vi) which provides

for a determination of confidentiality upon a finding that such is, "required to . . . avoid

substantial injury to a party by disclosure of matters protected by a common law or privacy

right not generally inherent in the specific type of proceeding sought to be closed[.]"

23. The Court conducted an independent review of each document listed in the Petitioner's motion.

24. The Petitioner did not provide any particular information as to how the information is being

used by third parties except to note that it may cause her problems with her employer or

security clearance.

25. While the Court has conditionally sealed the financial records, the Court notes that the burden

of proof under rule 2.420 is higher than that imposed by rule 12.400.

26. Docket #5 contains nothing that the Court can construe as even likely to cause substantial

injury. As to that document, the motion is denied.

27. Docket #11 is a motion filed by the Respondent seeking temporary support.

28. At worst, docket #11 contains the following language:

a. Wife has repeatedly refused to aid the Husband financially (par. 6).

- b. The Wife's wrongful refusal . . . has resulted in significant hardship for the Husband (par. 7)
  - c. Wife has abdicated her role as breadwinner for the couple and diminished his financial support . . . thereby leaving the Husband virtually destitute and in dire need of financial support (par. 9).
  - d. Husband was forced out of the marital residence by Wife (par. 10).
  - e. The Wife has consciously and deliberately reduced her financial support in order to gain an unfair advantage over the Husband (par. 13).
  - f. No doubt exists that the Wife has acted in a vindictive and abusive manner toward the Husband (par 14).
  - g. Wife has no qualms about engaging in a course of litigation aimed at "bleeding out" her opponent (par. 37).
29. The statements set forth above, while unfortunately common in family practice, offer no substantive value to the motion or the arguments made therein and tend to cast the Wife in an unfavorable light.
30. Nevertheless, the evidence was insufficient to establish that the Petitioner will suffer substantial injury if the documents, or parts thereof, are not sealed. The Court notes, again, that the Petitioner's testimony only generally established that third parties had confronted the Petitioner with unspecified information and that such might cause her problems with her job or security clearance.
31. As to docket #11, the motion is denied.
32. Docket #43 is the Petitioner's Notice of Social Security Number. The Court need not take any action as to this document, as disclosure of the information contained in the notice is subject to

only limited disclosure by section 61.13(7) and (8), Fla. Stat. (2025) and Fla. R. Gen. Pract. and Jud. Admin. 2.420(d)(d)(1)(B)(iii).

33. Docket #96 is an Agreed Order Disbursement & Payment of Federal Capital Gains Tax for Sale of California Real Property.

34. The agreement discusses the sale of a piece of property, disposition of the funds received, and the responsibility of the Petitioner to satisfy any tax liability to the IRS arising from the transaction.

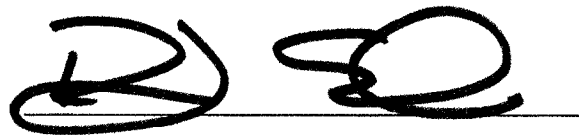
35. The evidence failed to establish how any of the information in the agreement will cause the Petitioner substantial injury if the record is not sealed.

36. As to docket #96, the motion is denied.

37. The Clerk of Court is hereby directed to publish this order in accordance with rule 2.420(e)(5).

DONE AND ORDERED on Wednesday, December 10, 2025, in Brevard County, Florida.

05-2024-DR-054255 12/10/2025 11:30:58 AM

A handwritten signature in black ink, appearing to be 'R. Segal', written over a horizontal line.

Robert Segal, Circuit Judge  
05-2024-DR-054255 12/10/2025 11:30:58 AM

### **CERTIFICATE OF SERVICE**


I HEREBY CERTIFY that a true and correct copy of the foregoing Order was furnished to:

FIGUEROA, DIANA J  
serviceofdocuments@figueroalawgroup.com

TRADER, KIMBERLI LAYNE  
Kim@TraderLegal.com  
Secretary@TraderLegal.com

this Wednesday, December 10, 2025.

05-2024-DR-054255 12/10/2025 03:28:10 PM

  
Debbie Lansing, Judicial Assistant  
05-2024-DR-054255 12/10/2025 03:28:10 PM