

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

CASE NO: 05-2019-SC-016333

PAUL DAVIS RESTORATION OF THE SPACE COAST,
Plaintiff,

-vs-

ROGER A FARWELL,
Defendant.

**ORDER GRANTING MOTION TO DETERMINE CONFIDENTIALITY
OF COURT RECORDS PURSUANT TO FLA. R. JUD. ADMIN. 2.420(c)(9)**

THIS MATTER is before the Court on the Motion to Determine Confidentiality of Court Records filed by Defendant pursuant to Rule 2.420(c)(9), Florida Rule of Judicial Administration. Defendant seeks an order determining the confidentiality of the following information relative to this civil action case: [*select all that apply*]

- the party's name on the progress docket.
- particular documents within the court file, specifically Defendant's address.
- the entire court file, but not the progress docket.
- the entire court file and the progress docket.

This motion was not contested.

Having considered the arguments of the parties, legal authority, and otherwise being fully advised, the Court GRANTS the motion as follows:

1. Confidentiality of the information 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. 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: ____.
- g. Complying with established public policy set forth in the Florida or United States Constitution or statutes or Florida Rules or case law.

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

IT IS HEREBY ORDERED:

The Clerk of the Circuit Court is hereby directed to treat as confidential immediately the following materials related to this matter and to keep such materials from public access: [*select all that apply*]

1. The party's address on the progress docket. On the public progress docket, the Clerk of the Circuit Court shall substitute the following for the party's name: _____. Further, the Clerk shall ensure that the party's name is **redacted** from all public materials in the file and that the final judgment is recorded in a manner that does not reveal the identity of the party. However, the progress docket and the file shall otherwise remain available to the public.

2. The following documents within the court file: _____. However, the file and progress docket shall otherwise remain available to the public subject to any substitution of a party's name set forth above.

3. The entire court file. However the progress docket shall remain open to the public subject to any substitution of a party's name set forth above.

4. The entire court file and the progress docket. The progress docket shall not be available on any public information system. However, the case number shall remain public.

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

1. to any judge of this Circuit for case-related reasons;
2. to the Chief Judge or his or her designee;
3. to authorized government agencies;
4. to the following specific individuals: ____; or
5. by further order of the Court.

It is further **ORDERED** that, in noncriminal cases, within 10 days of the date of this Order, the

Kimberly Pozgar

Kimberly Pozgar, Judicial Assistant
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