

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

CASE NO: 05-2019-DR-014915-XXXX-XX

**AMY JOSLYN TOOLEY
OBO AVERY LUSH (A MINOR),**

Petitioner,

vs.

CHRISTOPHER LUSH,

Respondent.

**STIPULATED ORDER GRANTING CONFIDENTIALITY
OF COURT RECORDS PURSUANT TO FLORIDA RULE OF JUDICIAL
ADMINISTRATION 2.420(C)(9)**

THIS MATTER came to be heard on **5/20/19** with respect to a hearing before the Court as it relates to certain evidentiary issues pertaining to the scheduled injunction hearing on 7/3/19 at 8:30 a.m. Prior to the hearing, the parties and counsel amicably resolved all outstanding issues in the captioned case such that the evidentiary hearing did not move forward and the Court entered a separate Final Judgment of Injunction. The parties were sworn in and freely and voluntarily accepted the resolution and represented that same was in their minor child, **A.L.**'s best interest.

Pursuant to rule 2.420(c)(9), Florida Rule of Judicial Administration, the Respondent seeks an order sealing the entire Court file; the progress docket, case information, and party information pages; and the official records in the above-styled case.

As part of the parties resolution, they agreed to the entrance of the instant Stipulated Order and represented that same was a material component of their resolution. Based upon same as well as a review of the official Court file and review of the authorities cited, the Court makes the following findings of fact:

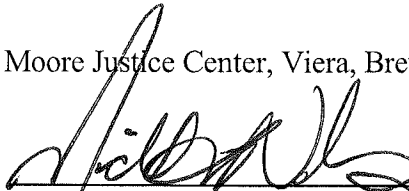
- A) Confidentiality of the entire court file and progress docket in the above-styled case is required under Rule 2.420(C)(9)(A)(vi) to avoid substantial injury to a party by the disclosure of matters protected by a common law or privacy right not generally inherent in this type of proceeding.
- B) No less restrictive measure is available to protect the Respondent's interest (such as using his initials on the file and progress docket), and that the degree, duration and manner of confidentiality ordered herein are no broader than necessary to protect the interest. As such, it is hereby,

ORDERED & ADJUDGED as follows:

1. The Clerk of the Circuit Court is hereby directed to immediately seal the following materials related to this matter and to keep such materials from public access:
 - a) 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.
 - b) All public records case menu screens that reflect either party's name or initials shall be converted to say "RESTRICTED NAME OR PARTY TYPE" including but not limited to the party information and case information screens.
 - c) All official records (and search screens) that reflect either party's name shall be converted to say "RESTRICTED NAME OR PARTY TYPE".
2. Any materials sealed pursuant to this Stipulated Order shall be conditionally disclosed upon the entry of a further order by this Court finding that such opening is necessary for purposes of judicial or governmental accountability or First Amendment rights.
3. Any materials sealed pursuant to this Stipulated Order may otherwise be disclosed only as follows:
 - a) to any judge of this Circuit for case-related reasons;
 - b) to the Chief Judge or his or her designee;
 - c) to law enforcement;
 - d) to the parties or their attorneys of record or;
 - e) by further order of the Court.
4. Within 10 days of the date of this Stipulated Order, the Clerk shall post a copy of this Order on the Clerk's website and on the Clerk's bulletin board in the public hallways at the Moore Justice Center for a period of 30 days to provide public notice.
5. It is further ORDERED that the Clerk is hereby authorized to unseal any materials sealed pursuant to this Stipulated 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 this filing.
6. The Court reserves jurisdiction over the parties, the applicable minor child, **A.L.**, and the subject matter for all lawful purposes.

DONE AND ORDERED in Chambers at the Moore Justice Center, Viera, Brevard County, Florida this 28th day of May, 2019.

cc: Alan H. Landman, Esq.
Charles L. Dorfman, Esq.


MICHELLE NABERHAUS
Acting Circuit Judge