

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

CHARLEY D. PRICE,  
Plaintiff,

v.

Case No. 08CA-12631  
Division 33

HAROLD R. BARKER.  
Defendant

FILED IN OFFICE  
CIVIL DIVISION  
2008 AUG 28 AM 10:28  
LYDIA GARDNER  
CLERK OF COURT  
ORANGE CO FL

ORDER MAKING COURT RECORDS CONFIDENTIAL

This matter having come before the Court on the request of Plaintiff to seal and make confidential certain documents contained in the Court file as more fully set forth herein, and Defendant's opposition to that request, and the Court having examined the Court file and having heard argument of counsel for Plaintiff and the pro se Defendant, and being otherwise fully advised in the premises, the Court finds as follows:

1. Plaintiff has filed a verified Complaint alleging, inter alia, that Defendant Barker has invaded his privacy and exposed him to the danger of identity theft by posting private and personal information about Plaintiff on a website available to any person having Internet access. Plaintiff has also sought, and been granted, a Temporary Restraining Order requiring Defendant to remove certain items, as listed below, from that website. In

order to obtain that Temporary Restraining Order, Plaintiff filed an application for such relief which contained, as Exhibit B thereto, the contents of that website, including the pages at issue. Thereafter, upon hearing, this Court made that injunctive relief permanent until otherwise ordered by the Court.

2. The specific pages of Exhibit B to the Application for Temporary Restraining Order Without Notice which the Court has enjoined Defendant Barker from posting on any website or otherwise communicating to any person by e-mail or otherwise are: (1) a copy of Plaintiff's DD214 form, which gives his full name, date and place of birth, blood type, and a summary of his military service, (2) a State of Florida employment application listing his drivers' license number and a summary of his education and employment history, (3) an employee information update listing his address and phone number and that of his daughter, (4) a Department of Justice Employee Eligibility Verification form listing his address, date of birth, Social Security number and drivers' license number, (5) a Department of Veterans Affairs Salary Increase Notification listing his 2003 and 2004 salary, (6) several Florida Retirement System Information Requests listing his annual pay rate, (7) a Florida Retirement System Pension Plan Salary Certification listing his salaries for 2006, (8) a copy of

his birth certificate, (9) an application for mediator certification listing his private investigator license numbers, and (10) another application for mediator certification listing his Social Security number and private investigator license number.

3. Having this information contained in the public records of this Court available to any person who sought to view them would likewise expose Plaintiff to the danger of identity theft.

4. Pursuant to Florida Rule of Judicial Administration 2.420, the Court specifically finds that this is a civil case seeking monetary damages for defamation, invasion of privacy, and violation of the Health Insurance Portability and Accountability Act, as well as injunctive relief. The grounds for making the court records in question confidential are to avoid substantial injury to a party by disclosure or matters protected by a common law or privacy right not generally inherent in the specific type of proceeding sought to be closed and to comply with established public policy set forth in the Florida or United States Constitution or statutes. No party's name is to be made confidential pursuant to this Order. Neither the progress docket nor similar records generated to document activity in the case are to be made confidential by this order.

5. The particular records to be made confidential by this order are those pages of Exhibit B to the Application for Temporary Restraining Order Without Notice identified as follows: (1) Plaintiff's DD214 form, which gives his full name, date and place of birth, blood type, and a summary of his military service, (2) a State of Florida employment application listing his drivers' license number and a summary of his education and employment history, (3) an employee information update listing his address and phone number and that of his daughter, (4) a Department of Justice Employee Eligibility Verification form listing his address, date of birth, Social Security number and drivers' license number, (5) a Department of Veterans Affairs Salary Increase Notification listing his 2003 and 2004 salary, (6) several Florida Retirement System Information Requests listing his annual pay rate, (7) a Florida Retirement System Pension Plan Salary Certification listing his salaries for 2006, (8) a copy of his birth certificate, (9) an application for mediator certification listing his private investigator license numbers, and (10) another application for mediator certification listing his Social Security number and private investigator license number.

6. The following persons, in addition to the undersigned and his assistant, are the only persons who shall be permitted to view these records: Harold R. Barker, 9191 Garland Road, Apt. 1126, Dallas, TX 75218-3988,

and any counsel of record who shall hereafter file a Notice of Appearance on behalf of Defendant Barker, and Jack W. Shaw, Jr., 1555 Howell Branch Road, Ste. C210, Winter Park, FL 32789, counsel for Plaintiff.

7. The Court finds that the degree, duration, and manner of confidentiality ordered herein is no broader than necessary to protect the interests set forth above and that no less restrictive measures are available to protect those interests.

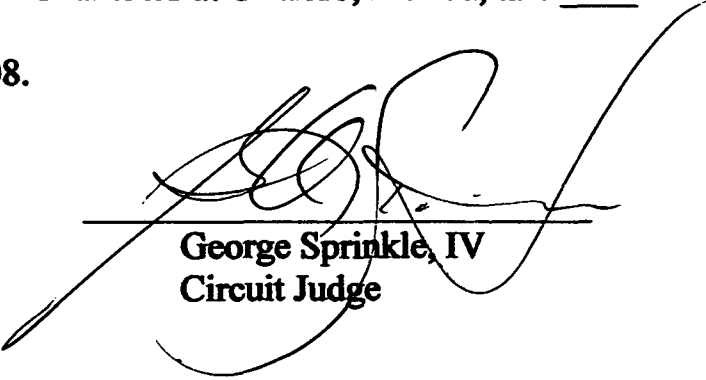
8. The Clerk is hereby directed to publish this Order on the Court's website and in a prominent public location in the courthouse. This order must remain posted in both places for no less than 30 days.

Accordingly it is hereby ORDERED AND ADJUDGED, that the following portions of Exhibit B to the Application for Temporary Restraining Order Without Notice are hereby sealed and made confidential:

(1) Plaintiff's DD214 form, which gives his full name, date and place of birth, blood type, and a summary of his military service, (2) a State of Florida employment application listing his drivers' license number and a summary of his education and employment history, (3) an employee information update listing his address and phone number and that of his daughter, (4) a Department of Justice Employee Eligibility Verification form listing his address, date of birth, Social Security number and drivers' license

number, (5) a Department of Veterans Affairs Salary Increase Notification listing his 2003 and 2004 salary, (6) several Florida Retirement System Information Requests listing his annual pay rate, (7) a Florida Retirement System Pension Plan Salary Certification listing his salaries for 2006, (8) a copy of his birth certificate, (9) an application for mediator certification listing his private investigator license numbers, and (10) another application for mediator certification listing his Social Security number and private investigator license number.

DONE AND ORDERED in Chambers at Orlando, Florida, this 28  
day of Aug, 2008.

  
George Sprinkle, IV  
Circuit Judge

Copies furnished to:  
Aaronson, Austin, P.A.  
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