

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

CASE NUMBER: 2004-DR-012624-O

DIVISION: 38

EMILY KISH

Plaintiff(s),

vs.

WILLIAM KISH, JR.

Defendant(s).

FILED IN OPEN COURT
THIS 2nd DAY OF March, 2010
Lydia Gardner, Clerk 11:17am
BY [Signature] D.C.

**ORDER GRANTING MOTION TO MAKE COURT RECORDS CONFIDENTIAL PURSUANT TO FLORIDA
RULE OF JUDICIAL ADMINISTRATION 2.420(d)**

THIS MATTER came before the Court on the Motion to Seal pursuant to Florida Rule of Judicial Administration 2.420(d), for an order sealing the following information relative to this case:

the party's name on the progress docket.

particular documents within the court file, specifically Dr. Tressler's
psychological evaluations.

the entire court file, but not the progress docket.

the entire court file and progress docket.

Having considered the arguments of the parties, legal authority, and otherwise being fully advised, the Court **GRANTS** the motion and finds that:

1. Confidentiality of the information sought to be sealed is required to protect the following interest(s):

a. Preventing a serious and imminent threat to the fair, impartial, and orderly administration of justice, specifically: _____

b. Trade secrets.

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, specifically:

confidential psychological evaluations

2. 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).

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

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

___ 1. The party's name 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: Dr. Tressler's

psychological evaluations,

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 as set forth above.

___ 4. The entire court file and the progress docket. The progress docket shall not be available on any public information system.

Further, those persons who are permitted to view the confidential court records are: The Court, and if necessitated for work purposes, court staff, the Clerk of Court and Clerk's staff, and _____.

It is further **ORDERED** that the Clerk is hereby directed to publish this Order in accordance with rule 2.420(d)(4) of the Rules of Judicial Administration and to affix a copy of this Order on the outside of the court record.

DONE AND ORDERED in Chambers at Orlando, Orange County, Florida, this

5 day of March, 2010.



Maura T Smith
Circuit Court Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy was delivered to the below parties on this ____ day of _____, 20____.

J. Cheney Mason, Esquire
William A Greenberg, Esquire

390 N. Orange Ave., Suite 2100, Orlando, FL 32801
PO Box 300310 Fern Park FL 32730

Julie Andrade, Judicial Assistant to Judge Maura T Smith