

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

J.L.,

CASE NO: 2024-CA-010854-O

Plaintiff,

v.

C.R.



Defendant.

ORDER GRANTING AMENDED MOTION
TO DETERMINE CONFIDENTIALITY AND DETERMINE PARTIES' NAMES
CONFIDENTIAL

This matter came before the Court for a hearing on May 12, 2025 on the Joint Amended Motion to Determine Confidentiality and Determine Parties' Names Confidential filed on March 13, 2025 (the "Motion"), and the court, reviewed the Motion and the court file, heard the argument of counsel, and being otherwise duly advised, hereby FINDS as follows:

1. This case involves Plaintiff's allegations that Defendant is infected with a sexually transmitted disease, that Defendant had sexual relations with Plaintiff, and that Defendant transmitted the sexually transmittable disease to Plaintiff.

2. Plaintiff identified herself only by initials while fully naming Defendant in the style and body of the Complaint. Throughout the litigation, despite knowing her identity, Defendant's filings tracked Plaintiff's filing, listing her only by initials so as not to expose her identity.

3. The filings in this matter contain allegations against the Defendant which by their nature of being made publicly with his full name is the disclosure of matters protected by common law and privacy right. Specifically, the connection of the Defendant's full name to the allegations of being infected with and transmitting a sexually transmissible disease to another person. This

privacy right is recognized under the personal right to privacy granted by Section 23 of the Florida Constitution and the 14th Amendment of the United States Constitution. See *Weaver v. Myers*, 229 So. 3d 1118, 1126 (Fla. 2017), citing *State v. Johnson*, 814 So. 2d 390, 393 (Fla. 2002); *Whalen v. Roe*, 429 U.S. 589, 599 -600 (1977). The connection of the full name to the allegations is not generally inherent in the specific type of proceedings. If Defendant's full name were to continue to be connected to the allegations in the Complaint, he would suffer substantial injury. As such, Defendant's name is determined to be confidential under Rule 2.420(c)(9)(A)(vi).

4. The filings in this matter contain allegations against the Defendant which by the nature of being made publicly with his full name is a violation of established public policy set forth in the Florida Constitution and United States Constitution, as interpreted and applied by case law. Specifically, the connection of the Defendant's full name to the allegations of being infected with and transmitting a sexually transmissible disease to another person. Keeping this information confidential complies with established public policy set forth in Section 23 of the Florida Constitution, the 14th Amendment of the United States Constitution, and caselaw. Under Florida law, Defendant has a right to privacy of his medical condition. See *Weaver v. Myers*, 229 So. 3d 1118, 1126 (Fla. 2017); See generally Fla. Stat. 456.057. Under Federal law, Defendant has a right to privacy and a right to confidentiality regarding his medical condition. See *Whalen v. Roe*, 429 U.S. 589, 599-600 (1977); *James v. Douglas*, 941 F.2d 1539 (11th Cir. 1991). The Federal public policy of keeping an individual's medical status confidential is also reflected in the Health Insurance Portability and Accountability Act as well as HITECH. As such, Defendant's name is determined to be confidential under Rule 2.420(c)(9)(A)(vii).

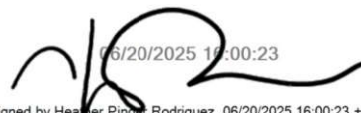
5. The Court finds that the least restrictive measure to protect this interest in confidentiality is to redact Defendant's name and replace it with a pseudonym. This measure is

no broader than is necessary to protect the interests set forth in Rule 2.420(c) and no less restrictive measure is available to properly protect the interests set forth in Rule 2.420(c).

Based on the foregoing, it is ORDERED and ADJUDGED as follows:


1. The Clerk is directed to redact Defendant's name from all filings and the docket and replace it with the pseudonym C.R.
2. The only persons who are permitted to view the confidential information without a court order are the parties to this action and the Court.
3. The Clerk is directed to publish this order in accordance with Rule 2.420(e)(4).

DONE and ORDERED in Orange County, Florida on the date set forth in the electronic signature below.


eSigned by Heather Pinder Rodriguez 06/20/2025 16:00:23 +SesflBx
Heather Pinder Rodriguez
CIRCUIT COURT JUDGE

CERTIFICATE OF SERVICE

The foregoing was filed with the Clerk of Court by using the Florida Courts eFiling Portal System. Accordingly, a copy of the foregoing is being served to all attorneys/interested parties identified on the ePortal Electronic Service List, via transmission of Notices of Electronic Filing generated by the ePortal System.


eSigned by Diana Rico 06/23/2025 09:39:52 5B3kmZcO
Judicial Assistant