

IN THE CIRCUIT COURT OF THE THIRD JUDICIAL
CIRCUIT IN AND FOR MADISON COUNTY, FLORIDA JAN 22 PM 1:40

IN RE: THE ESTATE OF

CASE NO.: 2012-42-01 SANDERS, CLERK

DAVID GILBERT,
Deceased.

BY April Henning

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

This matter is before the Court on the Petitioner's Motion to Determine Confidentiality of Court Records pursuant to Rule 2.420(c)(9)(A)(v), Fla.R.Jud.Admin. Petitioner seeks an Order sealing the following information relative to this probate case:

1. Particular documents within the Court file, specifically the:
 - a. The Petition for Approval of Wrongful Death Settlement;
 - b. The Report of the Guardian ad Litem; and,
 - c. Magistrate's Report and Order on the Petition for Approval of Minors' Settlement.

2. This Motion was not contested and a hearing was conducted by the Court on January 22, 2013.

Motion and file
Having reviewed the ~~Report and Recommendation of the General Magistrate~~ and otherwise being fully advised, the Court GRANTS the motion as follows:

1. Confidentiality of the Petition for Approval of Wrongful Death Settlement, Report of the Guardian ad Litem, and Order on the Petition for Approval of Minors' Settlement is required to protect the following interests:

a. Avoiding substantial injury to innocent third parties, the minor children of the Decedent.

2. The Court further finds that no less restrictive means are available to protect these interests, and that the degree, duration and manner of confidentiality ordered herein are no broader than necessary to protect the interests.

WHEREFORE, 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:

The following documents within the court file: Petition for Approval of Wrongful Death Settlement, Report of the Guardian ad Litem, and Order on the Petition for Approval of Minors' Settlement. 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.

It is further ORDERED that any materials sealed pursuant to this 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.

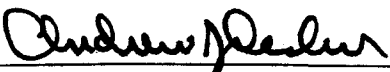
It is further ORDERED that any materials sealed pursuant to this Order may otherwise be disclosed only as follows:

1. to any judge of this Circuit for case-related reasons;
2. to the Chief Judge or his or her designee;
3. to adult parties or their attorneys of record; or
4. by further order of the Court.

It is further ORDERED that, within 10 days of the date of this Order, the Clerk shall post a copy of this Order on the bulletin board of the Madison County Courthouse and the Clerk's website for a period of 30 days to provide public notice.

It is further ORDERED that the Clerk is hereby authorized to unseal any materials sealed pursuant to this 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 the filing.

DONE AND ORDERED in Chambers, in Madison County, this 22nd day of January, 2013.



HONORABLE JUDGE ~~GREGORY PARKER~~
Andrew J. Decker

Copies furnished to:

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