

**IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT, 1525 PALM BEACH LAKES BLVD., WEST PALM BEACH, FL 33401**

August 31, 2017

CASE NO.: 4D17-1951

L.T. No.: CACE 15 009991

CACE 15 012992

RANGER CONSTRUCTION
INDUSTRIES

v. JENNIFER A. ASTAPHAN, et al

Appellant / Petitioner(s)

Appellee / Respondent(s)

BY ORDER OF THE COURT:

ORDERED that Respondents' August 10, 2017 Motion to Determine Confidentiality of Court Records is granted. The information required by Florida Rule of Judicial Administration 2.420(e)(3) follows:

(A) These actions arise from motor vehicle collisions that occurred in May 2015;

(B) The trial court entered orders determining that certain information alleged to be confidential financial information and/or trade secrets, which was referenced in the Respondents' Joint Response to Petition for Writ of Certiorari, shall be deemed confidential if so designated by Petitioner, RANGER CONSTRUCTION INDUSTRIES, INC. ("RANGER"). RANGER's confidentiality designations have not been challenged to date, rendering that information confidential under the trial court's November 21, 2016 Agreed Confidentiality Order. The designated information shall be confidential in this proceeding because RANGER alleges that "confidentiality is required to . . . protect trade secrets." Fla. R. Jud. Admin. 2.420(c)(9)(A)(ii). In addition, the information shall be confidential because RANGER alleges that "confidentiality is required to . . . avoid substantial injury to a party by disclosure of matters protected by a common law or privacy right not generally inherent in the specific type of proceeding sought to be closed." Fla. R. Jud. Admin. 2.420(c)(9)(A)(vi);

(C) The names of the parties are not confidential;

(D) The progress docket is not confidential;

(E) Respondents' original (unredacted) Joint Response to Petition for Writ of Certiorari filed on August 10, 2017 as an attachment to the subject Motion and filed separately on August 11, 2017 shall be held as confidential by the Clerk of this Court;

(F) Counsel of record in this proceeding may view the confidential, unredacted response;

(G) This Court finds that: (i) the degree, duration, and manner of confidentiality ordered by the Court are no broader than necessary to protect the interests set forth in subdivision (c) of rule 2.420; and (ii) no less restrictive measures are available to protect the interests set forth in subdivision (c);

(H) The Clerk of this Court is directed to publish this order in accordance with rule 2.420(e)(4) by posting a copy on the Clerk's website and in a prominent public location in the courthouse, to remain posted in both locations for no less than thirty (30) days; further,

ORDERED that within five (5) days of this order, Respondents shall file a redacted copy of their Joint Response to Petition for Writ of Certiorari labeled "REDACTED BY ORDER OF COURT," which shall be redacted of information designated as confidential. This order does not preclude the parties from challenging in the trial court any information designated as confidential pursuant to the November 21, 2016 Agreed Confidentiality Order.

Served:

cc: Paul Jon Layne	Jeffrey Alan Cohen	Jane Kreuzler-Walsh
Philip M. Burlington	David C. Dunham	Bard D. Rockenbach
John Hudson Richards	Rebecca Mercier Vargas	Lincoln J. Connolly
Carlos E. Silva	James L. White	Edwin E. Mortell
Stuart Nathan Ratzan	J. Luis Quintana	David Lanier Luck
Stephanie L. Serafin	Edward M. Baird	Amy E. Furness
Eduardo Gomez	Clerk Broward	Hon. William W. Haury

dl

Lonnn Weissblum

LONN WEISSBLUM, Clerk
Fourth District Court of Appeal

