

**IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT, 110 SOUTH TAMARIND AVENUE, WEST PALM BEACH, FL 33401**

January 08, 2019

**CASE NO.: 4D18-2986**

L.T. No.: 502018CA012307XXXXMB,  
ZXXXX9938

JOHNSON COBB

v. FLORIDA ATLANTIC UNIVERSITY

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Appellant / Petitioner(s)

Appellee / Respondent(s)

**BY ORDER OF THE COURT:**

ORDERED that appellant's December 27, 2018 agreed motion to determine confidentiality of court records is granted. The parties are in agreement as to the entry of this order resolving the confidentiality issues raised by appellant's motion. The information required by Florida Rule of Judicial Administration 2.420(e)(3) follows:

(A) This case is a challenge of the denial of in-state residency for tuition purposes to appellant by appellee;

(B) The confidential records at issue relate to private medical information pertaining to appellant. Based on Florida Rule of Judicial Administration 2.240(c)(7) and (c)(9)(vi), it is appropriate that confidential medical information pertaining to appellant which is contained in the record of this case be sealed from public view;

(C) There is no request to use a pseudonym for appellant;

(D) There is no request to prevent public access to the docket;

(E) The information determined to be confidential is medical records contained in the record (Appendix) and references to such information in briefing;

(F) The public would have full access to the docket, the majority of the record, and briefing in this case. The particular portions redacted by the parties (which are a small percent of the total record in this case, and which relate to the details of the confidential medical information of appellant) would still be viewable by the court and its personnel;

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

(H) The Clerk of the Court is directed to publish the order in accordance with subdivision (e)(4) by posting a copy of this order, within ten (10) days following its entry, 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.

It is further ORDERED that:

(1)The record, which has already been filed by appellee in this case, contains redactions pursuant to the order in the first appeal between the parties, 4D17-3490. The redacted record shall be used in this appeal, while an unredacted record will be provided by appellee to the court for its use. The pagination will be the same. Appellee shall file the unredacted record within ten (10) days of this order.

(2) Except as stated in this paragraph, any references to the above information in the briefs of the parties shall similarly be redacted. Similarly, any reference to such information confidential in the Initial, Answer, and any Reply Briefs in this matter will be handled in the same manner, with the publicly-filed brief redacting such references, and the sealing of an unredacted version. When filing the unredacted version of the briefs, the parties shall indicate in the eDCA notes field that the brief is unredacted and confidential.

Notwithstanding the foregoing, general references by either party in the unredacted portions of the Initial, Answer, or Reply briefs to appellant's medical treatment, inpatient or outpatient care or similar items, or to the dates of such medical treatment, shall not be a violation of this order.

(3) The original and unredacted briefs shall be SEALED from public view while being served upon, and available for citation by, counsel for the parties, and available for review and use by the court or its personnel and staff as the court may deem fit in connection with the adjudication and administration of the pending appeal. Members of the public will otherwise have no access to the unredacted briefs and appendix filed by the parties. The redacted versions of the documents shall remain sealed for twenty (20) years from the date of this order.

Served:

cc: Jeffrey B. Crockett  
Florida Atlantic University

Daniel A Jones  
Clerk Palm Beach

Johnson Cobb

ct



**LONN WEISSBLUM, Clerk**  
Fourth District Court of Appeal

