

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR HERNANDO COUNTY, FLORIDA

KRYSTLE BARKLEY,

CIRCUIT CIVIL DIVISION

Plaintiff,

CASE NO. 2021-CA-000020

vs.

PUBLIX SUPER MARKETS, INC.,
a Florida Profit Corporation,

Defendant.

**ORDER ON DEFENDANT, PUBLIX SUPER MARKETS, INC.'S
MOTION TO DETERMINE CONFIDENTIALITY OF COURT RECORDS**

THIS CAUSE having come before the Court for consideration on PUBLIX SUPER MARKETS, INC. Motion to Determine Confidentiality of Court Records, and the Court having heard argument on same and being otherwise fully advised in the premises it is hereby

ORDERED as follows:

GRANTED. The Confidentiality Agreement executed by and between the Parties is approved, and the Court retains jurisdiction for the enforcement thereof. Any Party intending to file any information or materials set forth in Paragraph (E) below which would trigger this Order must provide seven (7) days advance notification to the other Party, as well as the Court, as to such event, and include an appropriate indication on the face of the filing, along with a copy of this Order, to alert the Clerk of Court as to the confidential nature of said filing. Additionally, the Court finds:

(A) This is a personal injury case arising from allegations of simple negligence.

(B) The Parties have requested certain Court confidential and proprietary business records that constitute trade secrets which have been exchanged and/or discovered over the

course of discovery in this litigation and which may subsequently be filed with the Court by the Parties (including but not limited to inclusion in a deposition transcript, notice of filing or as an exhibit to any pleading or motion) be declared confidential for so long as they are maintained pursuant to Rule 2.420(c)(9)(A)(ii) of the Florida Rules of Judicial Administration.

(C) There is no need to hold any Party's name confidential or that any pseudonym or other term be substituted for any Party's name.

(D) The progress docket or similar records generated to document activity in this case are not to be held confidential.

(E) The aforementioned confidential records which are subject to this Order are PUBLIX SUPER MARKETS, INC. policy and procedure guides relating to sales floor care and other subjects, a store floor plan, and other confidential materials, produced in response to Plaintiff's discovery requests.

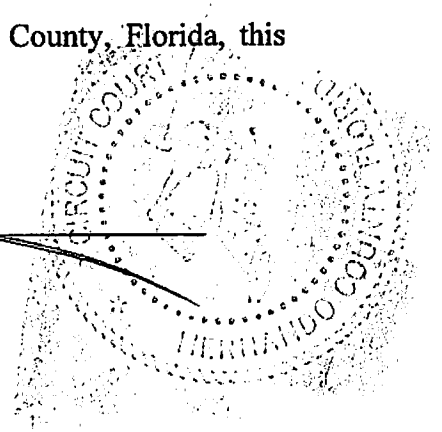
(F) Plaintiff and any duly authorized representative of Defendant, PUBLIX SUPER MARKETS, INC., as well as any counsel of record who has appeared in this action on behalf of either Party are permitted to view the confidential information in the Court file.

(G) Pursuant to Rule 2.420(c)(9)(B), Florida Rules of Judicial Administration, the Court finds that the degree, duration and manner of confidentiality ordered by the Court is no broader than necessary to protect the interests set forth in Rule 2.420(c)(9)(A)(ii) of the Florida Rules of Judicial Administration. Likewise, pursuant to Rule 2.420(c)(9)(C), Florida Rules of Judicial Administration, the Court finds that there no less restrictive measures are available to protect the interests set forth in Rule 2.420(c)(9)(A)(ii) of the Florida Rules of Judicial Administration.

(H) The Clerk of Court is directed to publish this Order in accordance with Rule 2.420(e)(4) of the Florida Rules of Judicial Administration.

DONE AND ORDERED in Chambers in Clearwater, Hernando County, Florida, this 9 day of July, 2023.


Honorable Donald E. Scgalione



CERTIFICATE OF SERVICE

I hereby certify copies of the foregoing were furnished by E-Service delivery on this 9 day of June, 2023

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