

IN THE CIRCUIT COURT, FOURTH
JUDICIAL CIRCUIT, IN AND FOR
DUVAL COUNTY, FLORIDA.

TERRY D. HOLCOMB,

Plaintiff,

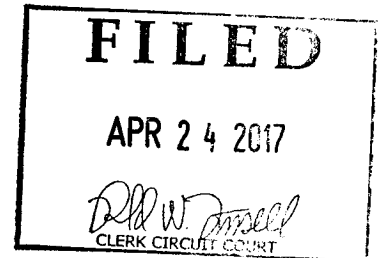
CASE NO.: 16-2012-CA-004880

DIVISION: CV-G

v.

NORFOLK SOUTHERN RAILWAY
COMPANY,

Defendant.



**ORDER DETERMINING CONFIDENTIALITY OF
COURT RECORD PURSUANT TO FLA. R. JUD. ADMIN. 2.420**

THIS MATTER is before the Court on Defendant Norfolk Southern Railway Company's Agreed Motion Pursuant to Fla. R. Jud. Admin. 2.420 to Determine Confidentiality of Court Record. This Court finds as follows:

1. Exhibit B to Defendant Norfolk Southern Railway Company's Motion to Exclude Testimony of Plaintiff's Expert William Hughes, filed with this Court on April 6, 2017 contains information that is sensitive, confidential and exempt from public disclosure, pursuant to Florida Rules of Judicial Administration 2.420(c)(9) and 2.425(a)(9)(A)(i), and for the reasons set forth in Defendant's Agreed Motion Pursuant to Fla. R. Jud. Admin. 2.420 to Determine Confidentiality of Court Record ("Defendant's Rule 2.420 Motion").

2. The documents attached as Exhibit B to Defendant's Motion to Exclude Testimony of Plaintiff's Expert William Hughes, which are records regarding Plaintiff, contain sensitive information regarding Plaintiff, specifically his date of birth, address social security number and employee identification number; the redacted version of

those records, attached as Exhibit 1 to Defendant's Rule 2.420 Motion, removes the confidential portions of said Exhibit.

3. The parties hereto and their counsel of record, all Court personnel, and all personnel of the Clerk, are authorized to view the unredacted version of said Exhibit B.

4. There are no affected non-parties to the motion. The parties agreed to the relief requested in Defendant's Rule 2.420 Motion and a hearing on same was not conducted by this Court.

5. There are no less restrictive measures available to protect the parties' interests and the interests of the State than substitution on the record of a redacted Exhibit B, as requested in Defendant's Rule 2.420 Motion, and this Order is no broader than necessary to protect these interests.

WHEREFORE, having considered Defendant Norfolk Southern Railway Company's Agreed Motion Pursuant to Fla. R. Jud. Admin. 2.420 to Determine Confidentiality of Court Record, and otherwise being fully advised in the premises, the Court hereby **GRANTS** said Motion, and it is hereby

ORDERED that the Clerk of the Circuit Court is hereby directed to remove said Exhibit B to Defendant Norfolk Southern Railway Company's Motion to Exclude Testimony of Plaintiff's Expert William Hughes, filed with this Court on April 6, 2017, from the Court record and to place it under seal in the Clerk's office, and to replace it on the Court record with the redacted version of same attached to this Order (Exhibit 1 to Defendant's Rule 2.420 Motion);

It is further **ORDERED** that, within 10 days of the date of this Order, the Clerk of the Circuit Court shall post a copy of this Order in a prominent place in the Duval

County Courthouse and on the Clerk's website for a period of not less than thirty (30) days, in order to provide public notice of same; and

It is further **ORDERED** that the Clerk of the Circuit Court is directed to retain the original version of said Exhibit B under seal until further Order of this Court; and that the parties hereto, their counsel of record, all Court personnel and all personnel of the Clerk of the Circuit Court, are authorized to view said Exhibit B while under seal.

DONE AND ORDERED in Chambers, at Duval County Courthouse, this 24th day of April, 2017.



Circuit Court Judge