

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

Case No.: 16-2018-CA-001159
Division: CV-E

JANE DOE, as Personal)
Representative of the Estate of)
JOHN DOE, deceased,)

Plaintiff,)

v.)

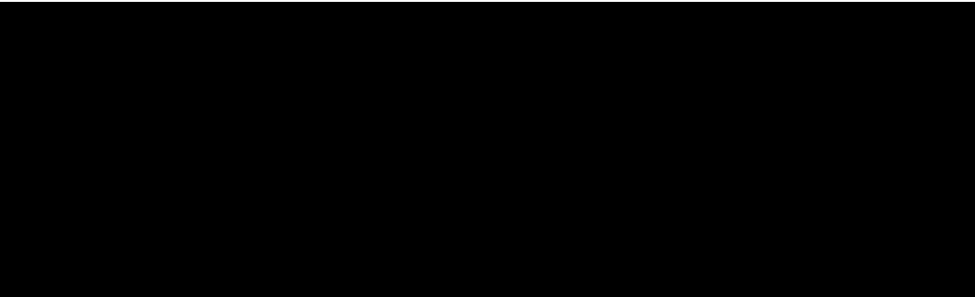
SOUTHERN BAPTIST HOSPITAL OF)
FLORIDA, INC., d/b/a BAPTIST)
MEDICAL CENTER SOUTH,)
REUBEN MAGGARD, M.D.,)
BAPTIST PRIMARY CARE, INC.,)
SAFEER ASHRAF, M.D., CANCER)
SPECIALISTS, L.L.C., JOSE VINDAS-)
CORDERO, M.D., FLORIDA CENTER)
FOR INFECTIOUS DISEASE, P.A.,)
WILLIAM GILL, M.D., KIM PAIK,)
A.R.N.P., and RESPIRATORY CRITICAL)
CARE & SLEEP MEDICINE)
ASSOCIATES, INC.,)

Defendants.)

_____)

**ORDER GRANTING IN PART AND DENYING IN PART MOTION TO
DETERMINE CONFIDENTIALITY OF COURT DOCUMENTS**

This matter came before the Court initially on Plaintiff's Motion to Determine Confidentiality of Court records and subsequently on Defendants' Motion to Vacate Confidentiality order both filed pursuant to Rule 2.420 (e), Florida Rules of Judicial Administration. The Court, having reviewed the Motions, hearing argument of all counsel and being otherwise fully advised in the premises, pursuant to Rule 2.420, Fla. R. Jud. Admin., it is hereby **ORDERED**:

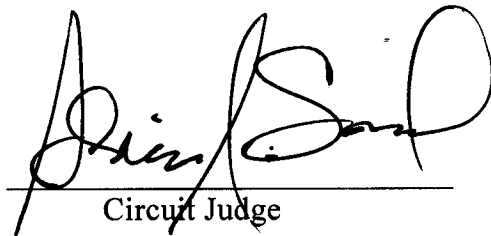
1. Plaintiff's Motion to Determine Confidentiality of Court Records is **GRANTED IN PART AND DENIED IN PART** as set forth herein;
2. From the entry of this Order and moving forward in all pleadings and Orders entered hereafter, the Personal Representative and the Deceased shall be identified in documents filed in this case only as Jane Doe and John Doe respectively and as set forth in the style of this Order. The caption of this case is hereby amended for such purpose (see also ¶ 3(e), *infra*);
3. Pursuant to Rule 2.420(e)(3), the Court finds the following:
 - a. This is a medical malpractice wrongful death case alleging that the Deceased was not timely diagnosed and treated for his medical condition. This makes his medical condition a matter integral to and inherent in the case. Excluding any reference to his medical condition from records filed with the Court would not be appropriate;
 - b. 
 - c. Confidentiality is necessary in this case in order to avoid substantial injury to the Personal Representative through the disclosure of matters, protected by a common law or privacy right, incidental to and not generally inherent in the specific type of proceeding sought to be disclosed;

- d. The confidentiality and privacy interests of the personal representative can be fully protected through the use of the pseudonyms (John Doe and Jane Doe, respectively) in place of the name of the Deceased and the Personal Representative;
- e. All documents and records filed in the Court's files prior to the entry of this Order should have the names and/or initials of the Deceased and the Personal Representative redacted, and future filings by the parties should substitute their names and/or initials with the pseudonym John Doe or Jane Doe prior to filing;
- f. Because the Court finds that the substitution of these pseudonyms for the Deceased and for the Personal Representative fully protect the privacy interests of the Personal Representative, any further duty of the parties to comply with the filing of a "Notice of Confidential Information" directing the redaction of information concerning the Deceased's medical condition from any document filed in the record addressed by Rule 2.420(d), Fla. R. Jud. Admin. is hereby excused;
- g. The Court further 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 this paragraph (3); and
 - ii. No less restrictive measures are available to protect the interests set forth in this paragraph (3);

order complicating discovery or the presentation of evidence at trial or any hearing.

7. Nothing in this order shall limit or in any manner restrict the sharing of information or documentation by counsel for the parties with their clients (the parties and their agents), their respective experts, consultants, office staff or other agents.
8. To the extent Plaintiff requested at the hearing of this matter an order from the Court further finding confidential all references to the subject illness, pertinent tests and/or procedures, said request is **DENIED** as unnecessary in light of the terms of this Order.

DONE AND ORDERED in Chambers at Jacksonville, Duval County, Florida
this 20th day of April 2018.



Circuit Judge

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