

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL  
CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

CASE NO: 2021-015089-CA-01

SECTION: CA43

JUDGE: Michael Hanzman

**In Re: Champlain Towers South Collapse Litigation**

Plaintiff(s)

vs.

N/A

Defendant(s)

\_\_\_\_\_ /

**AGREED ORDER GRANTING MOTION TO SEAL PURSUANT TO FLORIDA RULE  
OF JUDICIAL ADMINISTRATION 2.420(C)(9)**

THIS MATTER is before the Court on Non-Party Rosendo Prieto's Motion to Determine Confidentiality of Court Records (Request to File Under Seal) pursuant to Florida Rule of Judicial Administration 2.420(c)(9) for an Order sealing the following information relative to this case: particular documents within the court file, specifically the affidavit of Dr. Alan Ackermann (treating physician of Rosendo Prieto) the Court **GRANTS** the motion as follows:

1. Confidentiality of the Affidavit of Dr. Alan Ackerman is required to protect the following interest(s):
  - a. Avoiding substantial injury to innocent third parties, specifically: the disclosure of protected health information of a non-party;
  - b. Avoiding substantial injury to a party by the disclosure of matters protected by a common law or privacy right not generally inherent in this type of proceeding, specifically: the disclosure of protected health information of a non-party;
  - c. Complying with established public policy set forth in the Florida or United States Constitution or statutes or Florida rules or case law, specifically: the disclosure of protected health information of a non-party

2. The Court further finds that no less restrictive measure is available to protect this interest, and that the degree, duration and manner of confidentiality ordered herein are no broader than necessary to protect the interest(s).

Wherefore, it is hereby **ORDERED** that:

The Clerk of the Circuit Court is hereby directed to seal immediately the following materials related to this matter and to keep such materials from public access:

1. The following documents within the court file: Affidavit of Dr. Alan Ackermann. However, the file and progress docket shall otherwise remain available to the public subject to any substitution of a party's name set forth above.

It is further **ORDERED** that any materials sealed pursuant to this Order shall be conditionally disclosed upon the entry of a further order by this Court finding that such opening is necessary for purposes of judicial or governmental accountability or First Amendment rights.

It is further **ORDERED** that any materials sealed pursuant to this Order may otherwise be disclosed only as follows:

1. to any judge of this Circuit for case-related reasons;
2. to the Chief Judge or his or her designee;
3. to adult parties or their attorneys of record; or
4. by further order of the Court.

It is further **ORDERED** that the Clerk is hereby directed to post a copy of the attached

Notice of Entry of Order Authorizing Sealing on the Clerk's and Court's websites and in a prominent location in the courthouse for a period *not less than thirty* (30) days and to affix a copy of the Order on the outside of the court record.

It is further **ORDERED** that the Clerk is hereby authorized to unseal any materials sealed pursuant to this Order for the purpose of filing, microfilming or imaging files, or transmitting a record to an appellate tribunal. The materials shall be resealed immediately upon completion of the filing.

**DONE and ORDERED** in Chambers at Miami-Dade County, Florida on this 26th day of January, 2022.



2021-015089-CA-01 01-26-2022 11:21 AM

Hon. Michael Hanzman

**CIRCUIT COURT JUDGE**

Electronically Signed

No Further Judicial Action Required on **THIS MOTION**

CLERK TO **RECLOSE** CASE IF POST JUDGMENT

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