

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION**

**PEPPERWOOD OF NAPLES  
CONDOMINIUM ASSOCIATION, INC.,**

**Plaintiff,**

**V.**

**Case No: 2:10-CV-753-FtM-UASPC**

**NATIONWIDE MUTUAL FIRE  
INSURANCE COMPANY,**

**Defendant.**

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**ORDER**

This matter comes before the Court on the Plaintiff Pepperwood of Naples Condominium Association, Inc.'s Unopposed Motion for Leave to File Documents Under Seal Pursuant to Mutual Protective Order Regarding Confidentiality Dated October 24, 2011 (Doc. #66) filed on May 25, 2012. On October 7, 2011, the Parties filed a Joint Notice of Filing Proposed Mutual Protective Order (Doc. #48). On October 24, 2012, the Court entered a Protective Order as filed by the Parties in the Joint Notice (Doc. #49). Plaintiff moves this Court to allow it to file the Second Supplemental Expert Report of Charles M. Miller and Supplemental Report of Plaintiff's Trial Expert, Peter M. Occhialini under seal in support of its Motion for Leave to File Amended Complaint.

As grounds, Plaintiff states that it intends on filing the Second Supplemental Expert Report of Charles M. Miller and the Supplemental Report of Plaintiff's Trial Expert, Peter M.

Occhialini which contain information derived from the review of confidential documentation produced by Defendant and protected pursuant to the Court's Order issued on October 24, 2011 (Doc. #49).

The Court's Mutual Protective Order Regarding Confidentiality (Doc. #49) states under Confidentiality Provisions in paragraph 8 that:

A party that intends to file with the Court pleadings or other papers containing or referring to Confidential Information shall take all reasonable steps to have such matter filed under seal. The parties shall take such steps as are reasonably necessary to ensure that the papers or relevant portions, as the Court may order, shall be filed in sealed envelopes or other appropriate sealed enclosures on which shall be endorsed the title to the action, the words "Confidential".

The Court finds that Plaintiff has taken reasonable steps to have its supplemental reports filed under seal. Thus, the Court will allow Plaintiff to file its supplemental reports under seal pursuant to the Court's Mutual Protective Order Regarding Confidentiality (Doc. #49).

Accordingly, it is now

**ORDERED:**

1. Plaintiff Pepperwood of Naples Condominium Association, Inc.'s Motion for Leave to File Under Seal is **GRANTED**.
2. Plaintiff Pepperwood of Naples Condominium Association, Inc.'s request to file the Second Supplemental Expert Report of Charles M. Miller and Supplement Report of Plaintiff's Trial Expert, Peter M. Occhialini under seal in support of its Motion for Leave to File Amended Complaint is **GRANTED**.
3. The supplemental reports must be filed in sealed envelopes or other appropriate sealed enclosures on which shall be endorsed the title to the action, the words "Confidential" pursuant to the Court's Mutual Protective Order Regarding Confidentiality (Doc. #49).

**DONE** and **ORDERED** in Fort Myers, Florida this 14th day of June, 2012.

  
SHERI POLSTER CHAPPELL  
UNITED STATES MAGISTRATE JUDGE

Copies: All Parties of Record