

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

IN RE: FIDDLER'S CREEK, LLC

FIDDLER'S CREEK, LLC,

Plaintiff,

v.

Case No: 2:14-cv-379-FtM-29CM

NAPLES LENDING GROUP LC
and DANIEL CARTER,

Defendants/Third
Party Plaintiff

AUBREY FERRAO, ANTHONY
DINARDO and WILLIAM
REAGAN,

Third Party Defendants.

ORDER

Before the Court are Plaintiff's Unopposed Motions to Seal Pursuant to Order (Docs. 347, 348), filed on July 29, 2016. Defendants have no objection to the requested relief. Docs. 347 at 3; 348 at 3. Also before the Court is Third Party Defendant William Reagan's Unopposed Motion to Seal Pursuant to Order (Doc. 354), filed on August 1, 2016. For the reasons set forth below, the motions are granted.

Plaintiff seeks leave to file under seal an un-redacted copy of Plaintiff's Motion for Partial Summary Judgment of Liability on Counts I, II, III and IV of the Second Amended Complaint (Doc. 345). Doc. 347 at 1-2. Plaintiff also seeks leave to file under seal an un-redacted copy of Counter-Defendant's and Third-Party Defendants'

Motion for Summary Judgment on Counterclaims and Third Party Claims (Doc. 346). Doc. 348 at 1-2. Third Party Defendant Reagan seeks leave to file under seal an unredacted copy of his Motion for Summary Judgment on Naples Lending Group, LC's Third Party Claims and Memorandum of Law in Support (Doc. 340). Doc. 354 at 2. As grounds for the motions, Plaintiff and Third Party Defendant Reagan state that discussions in the motions for summary judgment consist of and/or relate to documents that were produced in United States Bankruptcy Court adversary proceedings. Docs. 347 at 2; 348 at 2; 354 at 2. During the adversary proceedings, U.S. Bankruptcy Judge K. Rodney May entered an Agreed Order and Stipulation Regarding Confidential and Privileged Information. *Id.*; Agreed Order and Stipulation Regarding Confidential and Privileged Information, *In re: Fiddler's Creek, LLC*, Case. No. 8:11-ap-522-KRM, Doc. No. 141 (Bankr. M.D. Fla. 2013). Plaintiff and Third Party Defendant Reagan state that some of the discussions in the motions for summary judgment fall under the protections of the Agreed Order and Stipulation Regarding Confidential and Privileged Information because the discussions relate to documents produced in the Adversary Proceeding. Docs. 347 at 2; 348 at 2. Accordingly, motion to seal (Docs. 347, 348, 354) are granted.

ACCORDINGLY, it is hereby

ORDERED:

1. Plaintiff's Unopposed Motion to Seal Pursuant to Order (Doc. 348) is **GRANTED**. Plaintiff/Counterclaim-Defendant is permitted to file under seal an un-

redacted copy of Counter-Defendant's and Third-Party Defendants' Motion for Summary Judgment on Counterclaims and Third Party Claims (Doc. 346).

2. Plaintiff's Unopposed Motion to Seal Pursuant to Order (Doc. 347) is **GRANTED**. Plaintiff is permitted to file under seal an un-redacted copy of Plaintiff's Motion for Partial Summary Judgment of Liability on Counts I, II, III and IV of the Second Amended Complaint (Doc. 345).

3. Third Party Defendant William Reagan's Unopposed Motion to Seal Pursuant to Order (Doc. 354) is **GRANTED**. Third Party Defendant William Reagan is permitted to file under seal an un-redacted copy of Third Party Defendant William Reagan's Motion for Summary Judgment on Naples Lending Group, LC's Third Party Claims and Memorandum of Law in Support (Doc. 340).

DONE and **ORDERED** in Fort Myers, Florida on this 2nd day of August, 2016.


CAROL MIRANDO
United States Magistrate Judge

Copies:
Counsel of record