

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

IN RE: FIDDLER'S CREEK, LLC

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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.

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**ORDER**

This matter comes before the Court upon review of Plaintiff's Unopposed Motions to Seal Pursuant to Order (Docs. 413, 414, 415) filed on September 12, 2016. Defendants do not oppose the requested relief. Docs. 413, 414, 415. Plaintiff seeks to file under seal certain un-redacted exhibits to Plaintiff's Reply to Defendant Carter's Opposition to Plaintiff's Motion for Partial Summary Judgment (Doc. 410), to Plaintiff's Reply to Naples Lending's Response in Opposition to Plaintiff's Motion for Partial Summary Judgment (Doc. 411), and to Plaintiff's Reply in Support of Motion for Summary Judgment on Counterclaim and Third Party Claims (Doc. 412).

*Id.*

As grounds for the motions, Plaintiff states that the exhibits consist of and/or relate to documents that were produced in United States Bankruptcy Court adversary proceedings. Docs. 413 at 2; 414 at 2; 415 at 2. During the adversary proceedings, these exhibits were produced pursuant to Judge May's order and under the protections of the Agreed Order and Stipulation Regarding Confidential and Privileged Information. *Id.* Accordingly, Plaintiff has filed redacted exhibits, but seeks to file under seal the un-redacted exhibits. *Id.*

Pursuant to Local Rule 1.09(a),

[u]nless filing under seal is authorized by statute, rule, or order, a party seeking to file under seal any paper or other matter in any civil case shall file and serve a motion, the title of which includes the words "Motion to Seal" and which includes (i) an identification and description of each proposed for sealing; (ii) the reason that filing each item is necessary; (iii) the reason that sealing each item is necessary; (iv) the reason that a means other than sealing is unavailable or unsatisfactory to preserve the interest advanced by the movant in support of the seal; (v) a statement of the proposed duration of the seal; and (vi) a memorandum of legal authority supporting the seal. The movant shall not file or otherwise tender to the Clerk any item proposed for sealing unless the Court has granted the motion required by this section.

M.D. Fla. Rule 1.09(a).

Upon review, the Court finds that Plaintiff has sufficiently identified and described the document proposed for sealing and sufficiently explained that filing the document under seal is necessary.

ACCORDINGLY, it is hereby

**ORDERED:**

1. Plaintiff's Unopposed Motion to Seal Pursuant to Order (Doc. 413), Plaintiff's Unopposed Motion to Seal Pursuant to Order (Doc. 414), and Plaintiff's Unopposed Motion to Seal Pursuant to Order (Doc. 415) are **GRANTED**.

2. Plaintiff is permitted to file under seal un-redacted exhibits to Plaintiff's Reply to Defendant Carter's Opposition to Plaintiff's Motion for Partial Summary Judgment (Doc. 410), to Plaintiff's Reply to Naples Lending's Response in Opposition to Plaintiff's Motion for Partial Summary Judgment (Doc. 411), and to Plaintiff's Reply in Support of Motion for Summary Judgment on Counterclaim and Third Party Claims (Doc. 412).

**DONE** and **ORDERED** in Fort Myers, Florida on this 13th day of September, 2016.

  
CAROL MIRANDO  
United States Magistrate Judge

Copies:  
Counsel of record