

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

RICHARD K. INGLIS, as Special
Trustee to the trust under the will of
Rosa B. Schweiker, dated February 2,
1961, the Frederick W. Berlinger
Revocable Deed of Trust, dated
10/17/1991, as amended and restated.

Plaintiff,

v.

Case No: 2:14-cv-677-FtM-29CM

WELLS FARGO BANK N.A.,

Defendant.

ORDER

This matter comes before the Court upon review of the Emergency Motion of Witness Janice Evans and Defendant for Protective Order to Stay September 19, 2016 Deposition of Janice Evans, with Incorporated Memorandum of Law (Doc. 106) and Witness Janice Evans and Defendant's Unopposed Motion to Seal Filing of its Emergency Motion for Protective Order to Stay September 19, 2016 Deposition of Janice Evans and Incorporated Memorandum of Law (Doc. 107) filed on September 8, 2016. Defendant states that Plaintiff opposes the motion to stay the deposition (Doc. 106), but does not oppose Defendant's motion to seal (Doc. 107). Docs. 106, 107.

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 Defendant 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. Witness Janice Evans and Defendant's Unopposed Motion to Seal Filing of its Emergency Motion for Protective Order to Stay September 19, 2016 Deposition of Janice Evans and Incorporated Memorandum of Law (Doc. 107) is **GRANTED**.

2. The Clerk is directed to place the Emergency Motion of Witness Janice Evans and Defendant for Protective Order to Stay September 19, 2016 Deposition of Janice Evans, with Incorporated Memorandum of Law (Doc. 106) under seal.

3. Defendant is permitted to file any additional document that contains Witness Janice Evan's personal medical information under seal.

4. Plaintiff is directed to file an expedited response to the Emergency Motion of Witness Janice Evans and Defendant for Protective Order to Stay September 19, 2016 Deposition of Janice Evans, with Incorporated Memorandum of Law (Doc. 106). Plaintiff shall have up to and including **September 12, 2016** to file

a response. Plaintiff is directed to file a response under seal if the response contains
Witness Janice Evan's personal medical information.

DONE and **ORDERED** in Fort Myers, Florida on this 9th day of September,
2016.


CAROL MIRANDO
United States Magistrate Judge

Copies:
Counsel of record