

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

OMNI HEALTHCARE, INC.;
INTERVENTIONAL SPINE INSTITUTE
OF FLORIDA; CRAIG DELIGDISH;
C. HAMILTON BOONE, PA; BRIAN
DOWELL; RICHARD GAYLES; STAN
GOLOVAC; LANCE GRENEVICKI;
ALEKSANDER KOMAR; SCOTT
SEMINER; INSTITUTE OF FACIAL
SURGERY INC.; THE PAIN INSTITUTE
INC.; and PHYSICIAN ASSISTANT
SERVICES OF FLORIDA, LLC;

Plaintiffs,

v.

Case No. 6:13-cv-1509-Orl-37DAB

HEALTH FIRST, INC.; HOLMES
REGIONAL MEDICAL CENTER, INC.;
HEALTH FIRST PHYSICIANS, INC.;
HEALTH FIRST HEALTH PLANS, INC;
MICHAEL D. MEANS; and JERRY
SENNE,

Defendants.

ORDER

This cause is before the Court on “Defendants’ Motion to Seal Motion for Summary Judgment and *Daubert* Motions Pursuant to Court Order (Doc. 185)” (Doc. 196), filed January 22, 2016.

Pursuant to Local Rule 1.09(b) and the Court’s Order dated January 19, 2016 (Doc. 185 (“**January 19 Order**”), Defendants Health First Health Plans, Inc., Health First Physicians, Inc., Health First, Inc., and Holmes Regional Medical Center, Inc. (collectively, “**Corporate Defendants**”) move to seal the following documents:

(1) Corporate Defendants' Motion to Exclude the Testimony of Dr. H.E. French III, and Incorporated Memorandum of Law ((Doc. 194 ("**Daubert Motion I**")), (2) Exhibits to *Daubert Motion I* (Docs. 194-1 to 194-13); (3) Corporate Defendants' Motion to Exclude the Testimony of Dr. Hal J. Singer and Incorporated Memorandum of Law ("**Daubert Motion II**"); (4) Exhibits to *Daubert Motion II*; (5) Corporate Defendants' Joint Motion for Summary Judgment and Incorporated Memorandum of Law ("**Corporate Defendants' MSJ**"); and (6) Exhibits to Corporate Defendants' MSJ (collectively, the "**Seal Documents**"). (Doc. 196.) Corporate Defendants represent that they have already submitted the Seal Documents to the Clerk. (*Id.* ¶ 2). The docket reflects that the Clerk filed *Daubert Motion I* and the exhibits thereto under seal on January 22, 2016. (See Doc. 194; *see also* Docs. 194-1 to 194-13.)

Local Rule 1.09(b) requires that "[e]very order sealing any item pursuant to this section shall state the particular reason the seal is required and shall identify the statute, rule, or order authorizing the seal."


In light of the confidential nature of the Seal Documents and the Corporate Defendants' compliance with Local Rule 1.09(a), the Court previously authorized the Corporate Defendants to file the Seal Documents under seal in its January 19 Order. (Doc. 185.) Additionally, the Court noted that the Corporate Defendants' request to file redacted versions of the Seal Documents on the public docket sufficiently balanced the public's interest in access to the specified materials and the Corporate Defendants' interests in maintaining the confidentiality of such materials. (*Id.*) Therefore, in accordance with Local Rule 1.09(b), the Court finds that the instant Motion is due to be granted.

Accordingly, it is hereby **ORDERED AND ADJUDGED**:

1. Defendants' Motion to Seal Motion for Summary Judgment and *Daubert* Motions Pursuant to Court Order [Doc. 185] (Doc. 196) is **GRANTED**.
2. In accordance with Local Rule 1.09(b) and the Court's Order dated January 19, 2016 (Doc. 185), the Clerk is **DIRECTED** to file and maintain the following documents under seal pending further Order—(1) Corporate Defendants' Motion to Exclude the Testimony of Dr. H.E. French III, and Incorporated Memorandum of Law ((Doc. 194 ("**Daubert Motion I**")), (2) Exhibits to *Daubert* Motion I (Docs. 194-1 to 194-13); (3) Corporate Defendants' Motion to Exclude the Testimony of Dr. Hal J. Singer and Incorporated Memorandum of Law ("**Daubert Motion II**"); (4) Exhibits to *Daubert* Motion II; (5) Corporate Defendants' Joint Motion for Summary Judgment and Incorporated Memorandum of Law ("**Corporate Defendants' MSJ**"); and (6) Exhibits to Corporate Defendants' MSJ.

DONE AND ORDERED in Chambers in Orlando, Florida, on January 25, 2016.




ROY B. DALTON JR.
United States District Judge

Copies:

Counsel of Record