

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 1:10-CIV-22236-GOLD/MCALILEY

Howard Adelman and Judith Sclawy,
as Co-Personal Representatives of
The Estate of Michael Sclawy-Adelman,

Plaintiffs,

vs.

Boy Scouts of America, a Foreign Corporation;
The South Florida Council Inc.,
Boy Scouts of America;
Plantation United Methodist Church;
Howard K. Crompton, individually; and
Andrew L. Schmidt, individually,

Defendants.

**AGREED ORDER ON DEFENDANTS' MOTION
FOR PRESERVATION OF EVIDENCE**

Pending before the Court is Defendants' South Florida Council Inc., Boy Scouts of America, and Boy Scouts of America Motion for Preservation of Evidence [DE 84], and the Court having been advised of agreement reached between counsel for all parties through the Joint Discovery Plan [DE 113, pp. 6-7], it is hereby ORDERED AND ADJUDGED that:

Defendants' Motion [DE 84] is GRANTED. All physical evidence that any party has in its possession, custody, or control, and which that party wishes to conduct non-destructive or destructive testing on, must be preserved. Notification to all parties and proposed protocol for testing must be provided at least ten days prior to testing. The issues surrounding

preservation and testing of GPS, cell phones and personal computers are explicitly excluded from this Order.

DONE AND ORDERED in chambers at Miami, Florida this 28th day of January, 2011.


CHRIS M. McALILEY
UNITED STATES MAGISTRATE JUDGE

cc:
The Honorable Alan S. Gold
All counsel of record