

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

**CASE NO. 10-22236-CIV-GOLD/GOODMAN**

HOWARD ADELMAN and  
JUDITY SCLAWY, as  
Co-Personal Representatives of THE  
ESTATE OF MICHAEL SCLAWY-ADELMEN,

Plaintiffs,

vs.

BOY SCOUTS OF AMERICA, et al

Defendants.

---

**ORDER CONCERNING TEXT MESSAGES ON  
MICHAEL SCLAWY-ADELMAN'S CELLULAR TELEPHONE**

This Cause is before the Court in connection with Defendants' Motion to Compel Production of Text Messages (DE# 177).

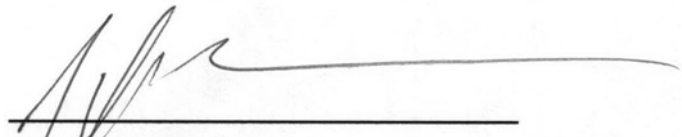
In an earlier Order (DE# 189), the Court directed Carter Conrad, Jr., the individual who analyzed the cell phone, to download and print out the 188 text messages at issue and to file them under seal with the Clerk of the Court. The Court directed Mr. Conrad to do this in order for the Court to conduct an *in camera* review of the text messages and to determine whether any of the text messages are relevant and discoverable.

Mr. Conrad submitted the printout of the text messages, but did not do so under seal. Instead, he mailed a cover letter and the text messages to the Court in a "sealed" envelope entitled "Alert Security Bag," with the following description of the "Evidence": "Honorable Jonathon [sic] Goodman, Adelman v BSA, Chain of Custody ... Received from Delivered Data LLC."

The Court has reviewed the text messages submitted by Delivered Data and concludes that the text messages are neither relevant nor discoverable.

The cover letter is attached to this order as an exhibit and the Clerk of the Court and will also arrange for the printout of the text messages to be filed under seal.

DONE AND ORDERED in Chambers, at Miami, Florida, this 2<sup>nd</sup> day of May, 2011.



---

Jonathan Goodman  
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:  
Hon. Alan S. Gold  
Counsel of Record