

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

CASE NO. 10-CV-22236-ASG

**HOWARD ADELMAN AND JUDITH SCLAWY**  
as Co-Personal Representatives of the  
**ESTATE OF MICHAEL SCLAWY-ADELMAN,**

Plaintiffs,

vs.

**BOY SCOUTS OF AMERICA;**  
**THE SOUTH FLORIDA COUNCIL INC., BOY SCOUTS OF AMERICA;**  
**PLANTATION UNITED METHODIST CHURCH;**  
**HOWARD K. CROMPTON, Individually, and**  
**ANDREW L. SCHMIDT, Individually,**

Defendants.

---

**PLAINTIFFS' MOTION FOR PRESERVATION OF EVIDENCE  
AND/OR INJUNCTIVE RELIEF**

**EXHIBIT "B"**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

CASE NO. 10-CV-22236-ASG

**HOWARD ADELMAN AND JUDITH SCLAWY**  
as Co-Personal Representatives of the  
**ESTATE OF MICHAEL SCLAWY-ADELMAN,**

Plaintiffs,

vs.

**BOY SCOUTS OF AMERICA;**  
**THE SOUTH FLORIDA COUNCIL INC., BOY SCOUTS OF AMERICA;**  
**PLANTATION UNITED METHODIST CHURCH;**  
**HOWARD K. CROMPTON, Individually, and**  
**ANDREW L. SCHMIDT, Individually,**

Defendants.

---

**PLAINTIFFS' PROPOSED ORDER**

**THIS CAUSE** having come before the Court on Plaintiffs' Motion to Preserve Evidence and/or for Injunctive Relief, and the Court having reviewed the Motion and being otherwise fully advised in the premises, it is hereby **ORDERED** and **ADJUDGED** that Plaintiffs' Motion is **GRANTED**, as follows:

1. The Garmin eTrex handheld personal navigation device (hereinafter "subject GPS device") is not to be modified, altered, destroyed, compromised, or used in any way by any party to this case, or any individual who has access to the device without the written mutual consent of all parties to this action and/or court order.

2. The subject GPS device ordered to be turned over to a mutually agreeable neutral third party for safe keeping during the pendency of this litigation.

3. At the conclusion of this litigation and upon the the written mutual consent of all parties to this action, and/or court order, the subject GPS device will be returned to Howard K. Crompton.

4. For purposes of this Order, "conclusion" is understood to include the time for any record retention requirement and statute of limitation applicable to a party or a party's counsel. "Litigation" is understood to include all appellate proceedings or the expiration time to commence such appellate proceedings without appeal.

5. Violation of any paragraph of this Order may subject the non-complaint party, or that party's counsel, to sanctions, including but not limited to the costs and attorney's fees attributable to such non-compliance.

6. Unless a motion for enforcement of this Order has been filed in this case and remains pending, this Order shall expire upon the conclusion of the litigation as defined in paragraph 4.

7. This Order is self-executing and effective upon entry.

8. A copy of this Order shall be valid as an original.

DONE AND ORDERED in Miami-Dade County, Florida this \_\_\_\_ day of \_\_\_\_\_, 2010.

---

Honorable Alan S. Gold  
United States District Judge