

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

HOWARD ADELMAN and JUDITH
SCLAWY-ADELMAN, as Co-Personal
Representative of the Estate of MICHAEL
SCLAWY-ADELMAN,

CASE NO. 10-CV-22236-ASG

Plaintiffs,

v.

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.

STATUS REPORT TO THE MAGISTRATE

The parties were ordered following the status conference to advise this Court in a status report whether or not the issues raised by the Plaintiffs' Motion to Preserve Evidence have been resolved or not. Partial agreements have been made by the Parties.

The following stipulations have been agreed to by the Parties as follows:

AGREED STIPULATIONS

1. No examination of potentially destructive testing can be conducted without the consent of all Parties.
2. Experts for all Parties shall be present for the examination and/or initial inspection of the GPS device and any downloading from it.
3. The examination and/or inspection may be videotaped, photographed, or the like with equal access to record the information provided to all Parties at their expense.

MATTERS IN DISPUTE

The Parties have the following unresolved issues:

1. The method by which the examination, testing and data gathering shall be done.
2. The method by which the data from the GPS device is downloaded.
3. The manner and timing of sharing the results of the downloading of information from the GPS device among the parties.
4. What work product privilege shall apply to the data and/or the analysis done by a consultant expert.

WE HEREBY CERTIFY that on December 3, 2010, I electronically filed the foregoing with the Clerk of the Courts by using the ECF system, which will send a notice of electronic filing to the parties on the attached service list. I further certify that I mailed the foregoing document and the notice of electronic filing by first-class mail to the following non-ECF participants:

/s/ Frederick E. Hasty III

Frederick E. Hasty III, Esquire

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