

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,

CIRCUIT CIVIL DIVISION

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.

**ORDER GRANTING DEFENDANTS', HOWARD K. CROMPTON AND
ANDREW L. SCHMIDT, MOTION TO PRESERVE MATERIAL EVIDENCE AS
TO MICHAEL ADELMAN'S CELL PHONE, HIS FAMILY'S CELL PHONES,
AND CELL PHONE DOCUMENTS AND INFORMATION**

Doc. 85 Att. 1
THIS CAUSE is before the Court on Defendants', HOWARD K. CROMPTON and ANDREW L. SCHMIDT, Motion to Preserve Material Evidence as to Michael Adelman's Cell Phone, his Family's Cell Phones, and Cell Phone Documents and Information, and the Court having reviewed the Motion and being otherwise fully advised in the premises, it is hereby **ORDERED** and **ADJUDGED** that Defendants' Motion is **GRANTED**, as follows:

1. Plaintiffs shall disclose to the Defendants Michael Adelman's cellular telephone number. Plaintiffs shall disclose the name of the provider, the address of the

provider, and produce copies of any bills, ledgers, logs and/or correspondence, in Plaintiffs' possession, custody or control, relating to Michael Adelman's cellular telephone number.

2. Plaintiffs shall disclose to the Defendants all cellular telephone numbers of Howard Adelman (Michael's father), Judith Sclawy-Adelman (Michael's mother), and Elisabeth Sclawy-Adelman (Michael's sister). For each, number, Plaintiffs shall disclose the name(s) of the provider(s), the address of the provider(s), and produce copies of any bills, ledgers, logs and/or correspondence in their possession, custody or control, relating to these telephone numbers.

3. Plaintiffs shall disclose to the Defendants all home/office/land-line telephone numbers of Howard Adelman (Michael's father), Judith Sclawy-Adelman (Michael's mother), and Elisabeth Sclawy-Adelman (Michael's sister). For each, Plaintiffs shall disclose the name(s) of the provider(s), and produce copies of any bills, ledgers, logs and correspondence in their possession, custody or control, relating to these telephone numbers.

4. For each electronic device currently or formerly used to communicate on each telephone number described above, Plaintiffs shall identify the device with specificity and state its current location, dates of existence and all persons who have had custody and/or use of it.

5. Plaintiffs shall preserve each device disclosed in #4 above in its original condition and shall not alter, repair, modify and/or change the condition of each device.

6. Plaintiffs shall state whether Michael Adelman's cellular telephone has at any time been removed from the evidence bag it was received in from the Collier County

Sheriff's Department, and if it has, shall provide a detailed description of what occurred as well as the names, addresses and telephone numbers of any and all individuals who have interacted with it.

7. No destructive or non-destructive testing for Michael Adelman's cell phone shall be permitted unless written protocol for testing is agreed upon by all counsel.

8. Plaintiffs shall disclose whether any consultant has evaluated the cellphone.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida,
this _____ day of _____, 20_____.

THE HONORABLE ALAN S. GOLD
UNITED STATES DISTRICT COURT JUDGE

COPIES FURNISHED TO:

(SEE ATTACHED SERVICE LIST)

Service List

Ira H. Leesfield, Esquire
Leesfield & Partners, P.A.
2350 South Dixie Highway
Miami, FL 33133

William S. Reese, Esquire
Lane, Reese, Summers, Ennis & Perdomo
Douglas Centre, Suite 304
2600 Douglas Road
Coral Gables, FL 33134

Greg M. Gaebe, Esquire
Gaebe, Mullen, Antonelli, Esco & DiMatteo
420 South Dixie Highway, 3rd Floor
Coral Gables, FL 33146

Frederick E. Hasty III, Esquire
Wicker, Smith, O'Hara, McCoy & Ford, P.A.
Grove Plaza, 5th Floor
2900 S.W. 28th Terrace
Miami, FL 33133