

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
THIRD DISTRICT
JULY TERM, A.D. 2011
SEPTEMBER 16, 2011

ARCHDIOCESE OF MIAMI,
INC., ETC., ET AL.,
Appellant(s)/Petitioner(s),

CASE NO.: 3D11-2124

vs.

JOHN DOE NO. 47,

LOWER
TRIBUNAL NO. 08-62457

Appellee(s)/Respondent(s).

Upon review of Petitioner's motion for leave to file documents under seal for in camera inspection, and upon review of Respondent's response, the court finds that, pursuant to Fla. R. Jud. Admin. 2.420(c)(9), a showing has been made that the documents described in the motion should be filed under seal and their confidentiality maintained. Said documents were filed under seal in the trial court, in order for the trial court to determine whether said documents were privileged and therefore not subject to production. Petitioner's assertion that these documents are protected by privilege is the very issue presented by the petition, and continued confidentiality is required to avoid substantial injury which might occur by disclosure of the contents of these documents while this petition is pending before the court.

Petitioner is directed to file the documents under seal in compliance with Fla. R. Jud. Admin. 2.420. The documents shall be maintained under seal by the Clerk and shall be treated as confidential by the parties, their counsel, and this Court during the pendency of these appellate proceedings.

Pursuant to Rule 2.420(g)(3), this order shall operate to make these same documents confidential in the lower tribunal during the pendency of these appellate proceedings.

Within ten days following entry of this order, the Clerk of this Court shall post, as a docket entry on the Court's online docket, a Notice of Entry of Order granting petitioner's motion for leave to file documents under seal for this case.

It is further ordered that Respondent shall file a response to the petition within 20 days.



CC:
Michael A. Mullen
J. Patrick Fitzgerald
ag

Jeffrey M. Herman
Harvey Ruvin