

IN THE COUNTY COURT OF THE SIXTH
JUDICIAL CIRCUIT, IN AND FOR
PASCO COUNTY, FLORIDA

SUPERIOR AUTO GLASS OF TAMPA
BAY, INC. A/A/O JEB SHAFFER,

Plaintiff,

CASE NO. 2010-SC-2045-W-W

v.

GEICO GENERAL INSURANCE
COMPANY,

Defendant.

**ORDER GRANTING DEFENDANT'S UNOPPOSED MOTION TO DETERMINE
CONFIDENTIALITY OF TRIAL COURT RECORDS**

This matter having come before the Court on Defendant's Unopposed Motion to Determine Confidentiality of Trial Court Records, and the Court having reviewed the motion and otherwise being advised of the premises, it is hereby:

ORDERED AND ADJUDGED as follows:

This is a breach of contract action wherein summary judgment was granted for the Defendant. Defendant moved for entitlement to attorneys' fees and costs based on a proposal for settlement it had served on Plaintiff. On January 15, 2015, this Court granted GEICO's motion for trial fees and trial costs and on November 30, 2015, the Sixth Judicial Circuit, sitting in its appellate capacity, affirmed entry of final summary judgment for Defendant and granted entitlement to attorneys' fees for the appeal.

On October 3, 2017, the parties agreed that Shutts & Bowen LLP's billing time records kept in this action would remain confidential and be produced under confidentiality pursuant to the parties' agreement. On February 23, 2018, the Court heard Defendant's Amended Motion to Determine Amount of Reasonable Trial Fees, Trial Costs and Reasonable Appellate Fees. At the hearing, without objection from Plaintiff, Defendant sought to introduce the confidential Shutts

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Paula S. O'Neil
Clerk & Deputy Clerk
Pasco County, Florida

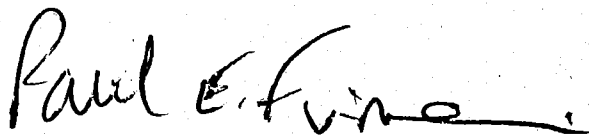
& Bowen, LLP's billing time records into evidence. The billing time records were marked as Exhibit B for identification.

Shutts & Bowen, LLP's billing time records consisting of 45 pages state at the bottom of each page that the document is "Confidential Not to be Disclosed". The records contain proprietary information on Shutts & Bowen, LLP's and GEICO's business agreement including the applicable billing rates and the agreed upon compensable work in this action. Shutts & Bowen, LLP and GEICO contend that this information if disclosed into the marketplace and accessible to competitors will cause immediate and significant harm to them.

The information sought to be kept confidential is contained within the 45 pages and is to be visible only to the Court, the parties, attorneys for the parties, and Defendant's expert. It should be kept confidential until such time that the Court accepts Exhibit B for identification into evidence and the Court issues its ruling on Defendant's Amended Motion to Determine Amount of Reasonable Trial Fees, Trial Costs, and Reasonable Appellate Fees, at which time the document will be returned to Defendant's counsel.

The degree, duration, and manner of confidentiality is no broader than necessary to protect the interests of the parties and their counsel. There is no less restrictive measure available to protect the interests of the parties and their counsel. The clerk of court is directed to publish this order on the clerk's website and in a prominent public location in the courthouse for no less than 30 days.

DONE AND ORDERED IN Pasco County, Florida this 16th day of March,
2018.


Honorable Judge Paul Firmani

Copies to:
Mark Dobo, Esq. for the Plaintiff
Frank Zacherl, Esq. and Vanessa S. Septien, Esq. for the Defendant