

IN THE CIRCUIT COURT, IN AND  
FOR THE FIFTH JUDICIAL CIRCUIT,  
MARION COUNTY, FLORIDA

CASE NUMBER: 2020-CA-001777

RONALD EWERS,  
As Co-Trustee and as beneficiary  
Of the Phyllis E. Ewers Revocable Trust,

Plaintiff/Counter-Defendant and  
Third-Party Defendant,

v.

GARY EWERS, individually and as Co-Trustee,  
of the Phyllis E. Ewers Revocable Trust and  
BRADLEY EWERS, individually and as named  
Trust Protector of the Phyllis E. Ewers  
Revocable Trust,

Defendants/Counter-Plaintiffs and  
Third-Party Plaintiffs.

**ORDER ON NON-PARTY ELIZABETH WHITACRE-EWERS' NOTICE OF  
CONFIDENTIAL AND SENSITIVE INFORMATION IN A COURT FILING and MOTION  
TO DETERMINE CONFIDENTIALITY OF COURT RECORDS AND FOR SANCTIONS**

This Cause having come before the Court on the Non-Party, Elizabeth Whitacre-Ewers' Notice of Confidential and Sensitive Information in a Court Filing and Motion to Determine Confidentiality of Court Records and For Sanctions on February 9, 2024, and the Defendants/Counter-Plaintiffs and Third-Party Plaintiffs agreement as to confidential nature of the court records, it is therefore,

ORDERED AND ADJUDGED that the Non-Party, Elizabeth Whitacre-Ewers' Notice of Confidential and Sensitive Information in a Court Filing and Motion to Determine Confidentiality of Court Records, filed on January 26, 2024, is **GRANTED IN PART**, as follows:

1. This case, currently pending before the Court, is a trust dispute wherein confidential

and sensitive personal information of a non-party was filed within the Court record.

2. The particular grounds under Rule 2.420(c) for determining the confidentiality of the court record specified in this Order is that: (i) records contained within the filings are confidential under Florida law; and (ii) confidentiality is required to avoid substantial injury to innocent third parties, Non-Party Elizabeth Whitacre-Ewers. *Fla. R. Jud. Admin.* 2.420(c)(7) and 2.420(c)(9)(A) (v).

3. This Order does not determine to be confidential any party or non-party's name, the progress docket, or similar records generated to document activity in the case.

4. The specific documents and information listed in **Exhibit 1** to this Order are deemed confidential.

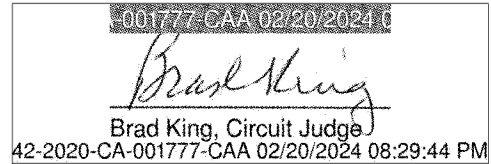
5. The deposition transcripts and accompanying exhibits from the depositions of Elizabeth Whitacre-Ewers', taken on July 26, 2023, and August 22, 2023, shall be deemed confidential and both deposition transcripts and their accompanying exhibits shall be sealed in their entirety by the Clerk of Court. Only counsel for the parties to this action, the parties themselves, counsel for Non-Party Elizabeth Whitacre-Ewers, and Non-Party Elizabeth Whitacre-Ewers herself are permitted to view the confidential court records identified in this paragraph and the attached Exhibit 1.

6. The Court finds that: (i) the degree, duration, and manner of confidentiality ordered by the Court are no broader than necessary to protect the interest set forth in Rule 2.420(c); and (ii) no less restrictive measures are available to protect the interests set forth in Rule 2.420(c).

7. The Clerk of Court is directed to publish this Order in accordance with Rule 2.420(e) (5).

8. The Court reserves jurisdiction on Non-Party Elizabeth Whitacre-Ewers' Motion for Sanctions.

**DONE AND ORDERED** in Ocala, Marion County, Florida this Tuesday, February 20, 2024.



**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and accurate copy of the foregoing has been furnished using the Florida Court's E-Filing E-Portal, via U.S. Mail and/or in accordance with the corresponding addresses listed therein on Wednesday, February 21, 2024.

JENNIFER CATES LESTER

jlester@avera.com  
ewhisler@avera.com  
sdewey@avera.com

Joseph T Eagleton  
jeagleton@bbsappeals.com  
eservice@bbsappeals.com

Bradford Thomas Willard  
bwillard@avera.com  
ewhisler@avera.com  
sdewey@avera.com

Jeffrey L Sauey  
jsauey@saueylaw.com

Jennifer Cates Lester  
jlester.avera@gmail.com

Withers Harvey - support  
skye@withersharvey.com

Nicolas B Harvey  
nick@withersharvey.com  
rebecca@withersharvey.com  
assistant@withersharvey.com

Nicole Carrero  
nicole.carrero@akerman.com  
ruth.bryant@akerman.com

Patrick Gerald Gilligan

pgilligan@ocalalaw.com  
scrandall@ocalalaw.com  
kpeterson@ocalalaw.com

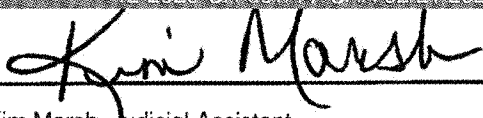
Gwendolyn Pasteur Williams  
gpasteur@ocalalaw.com

Sydney M. Simmons, Esquire  
ssimmons@ocalalaw.com

Riya Resheidat  
riya.resheidat@akerman.com  
melissa.tejada@akerman.com

Sara A. Brubaker  
sara.brubaker@akerman.com  
barbara.morrison@akerman.com

Kathy M. Klock  
kathy.klock@akerman.com  
lynn.cox@akerman.com

42-2020-CA-001777-CAA 02/21/2024 08:46:08 AM  
  
Kim Marsh, Judicial Assistant  
42-2020-CA-001777-CAA 02/21/2024 08:46:08 AM

/var/www/icmsdata/workflow/documents/125496.docx