

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.

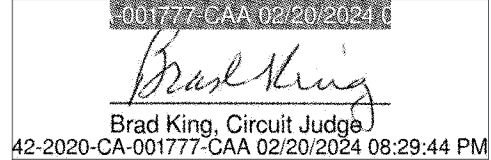
5. The deposition transcripts and accompanying exhibits from the depositions of Elizabeth Whitacre-Ewers', taken on July 26, 2023, and August 22, 2023, shall be deemed confidential and both deposition transcripts and their accompanying exhibits shall be sealed in their entirety by the Clerk of Court. 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.

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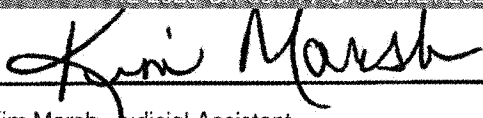
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