

Supreme Court of Florida

THURSDAY, SEPTEMBER 9, 2004

CASE NOS.: SC04-9, SC04-10, SC04-946

Lower Tribunal Nos.: 030867-TL,
030868-TL,
030869-TL,
030961-TI

CHARLES J. CRIST, JR., ETC. vs. LILA A. JABER, ETC.,
ET AL.

HAROLD MCLEAN, ETC. vs. LILA A. JABER, ETC.,
ET AL.

AARP vs. LILA A. JABER, ETC.,
ET AL.

Appellant(s)

Appellee(s)

The motion of the Attorney General (AG) “For Determination Regarding Public Disclosure of Brief and Court Record,” which seeks among other things that the briefs filed in this case be temporarily sealed is granted in part. The briefs filed by the AG and by the Office of Public Counsel (OPC) are hereby temporarily sealed pending further order of the court. A ruling on all other aspects of the motion filed by the AG and the motion of the OPC to “Maintain Confidentiality Pending Determination” of confidentiality is deferred but will be ruled upon on an expedited basis.

The briefs filed by the Attorney General and the Office of Public Counsel are hereby stricken because the brief of the Attorney General fails to even designate which part of the brief contains allegedly confidential information and the brief of the OPC contains scattered highlighted references to allegedly confidential information while the substantial majority of the brief discloses no confidential information. The AG and OPC shall file amended briefs within five (5) days from the date of this order.

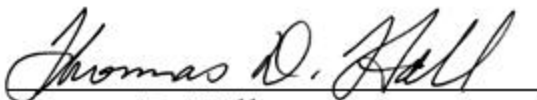
Although the references to sealed evidence in the brief filed by OPC appear limited solely to monetary impact or the percentage of monetary impact, the amended briefs shall contain no reference to any evidence admitted under seal by the Public Service Commission (PSC). All references to any

evidence admitted under seal by the PSC shall be contained in a separate appendix filed with the amended briefs. The brief may make reference to the appendix as necessary. When filed, the Clerk of Court shall keep the appendices under seal pending further order of the court.

The respondents shall file their response, if any, to the motions of the AG and the OPC within 5 days from the date of this order.

A True Copy

Test:



Thomas D. Hall
Clerk, Supreme Court



kd

Served:

LYNN C. HEARN
JACK SHREVE
ELIZABETH BIEMER SANCHEZ
FLOYD R. SELF
DONNA C. MCNULTY
GARY EARLY
C. LEE FORDHAM
FELICIA R. BANKS
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