

IN THE CIRCUIT COURT OF THE
SEVENTH JUDICIAL CIRCUIT, IN AND
FOR ST. JOHNS COUNTY, FLORIDA

CASE NO.: CA 08-1362, DIV. 55

BLUE HOLE EXPEDITION, LLC,

Plaintiff,

vs.

EUGENE LYON, As Trustee of the
NORTH-BHE TRUST DATED
February 28, 2007, as amended
January 31, 2008; EUGENE LYON,
individually; as amended January 31, 2008,
and NORTHERN OCEANIC RESEARCH
& TECHNOLOGY HOLDINGS, LTD.,

Defendants.

FILED
2008 SEP 15 PM 3:23
CIRCUIT COURT
ST. JOHNS COUNTY FL

ORDER GRANTING MOTIONS TO MAKE COURT RECORDS CONFIDENTIAL

THIS CAUSE, having come before the Court on Plaintiff, BLUE HOLE EXPEDITION, LLC's Motion to Make Court Records Confidential and Defendant ("Plaintiff's Motion"), NORTHERN OCEANIC RESEARCH & TECHNOLOGY HOLDINGS, LTD.'s Motion to Make Court Records Confidential ("Defendant's Motion"), pursuant to Rule 2.420 of the Florida Rules of Judicial Administration, and the Court having considered the Motion, having heard the comments and stipulations of counsel, and being otherwise fully advised of the premises, hereby

ORDERS and ADJUDGES as follows:

1. Plaintiff's Motion and Defendant's Motion are hereby **GRANTED**. The exhibits to Plaintiff's Complaint for Declaratory Judgment, Plaintiff Blue Hole Expedition, LLC's Emergency Motion to Protect Trust Property and Defendant, Northern Oceanic Research & Technology Holdings, Ltd.'s Memorandum of Law in Opposition to Blue Hole Expedition,

✓
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LLC's Emergency Motion to Protect Trust Property ("Exhibits") are deemed confidential and shall be filed under seal.

2. The particular grounds for making the Joint Venture Agreement between Northern Oceanic Research & Technology Holdings, Ltd. ("North") and Blue Hole Expedition, LLC ("BHE") confidential in this civil action is to protect, pursuant to Rule 2.420(c)(9)(A)(ii) of the Florida Rules of Judicial Administration, valuable trade secret and other confidential information with respect to a sunken vessel contained in the Exhibits.

3. No party's name is to be made confidential pursuant to this Order.

4. The progress docket or similar records generated to document activity in this case are not to be made confidential under this Order.

5. The only parties who may view the Exhibits are NORTH and BHE.

6. The degree, duration, and manner of confidentiality ordered by the Court in this Order is no broader than necessary to protect the interests set forth in subdivision (c)(9)(A)(ii) of Rule 2.420 of the Florida Rules of Judicial Administration.

7. There are no less restrictive measures available to protect the interests set forth in subdivision (c)(9)(A)(ii) of Rule 2.420 of the Florida Rules of Judicial Administration.

8. The Clerk of Court is directed to publish this Order for thirty (30) days in accordance with subdivision (d)(4) of Rule 2.420 of the Florida Rules of Judicial Administration.

9. The Court, in its discretion, has not required prior public notice of the hearing on the Motion, as the Court has determined that such notice is unnecessary.

DONE AND ORDERED in St. Augustine, St. John's County, Florida, on this 15th day of September, 2008.


J. Michael Traynor
Circuit Judge

CERTIFICATE OF SERVICE

copy
I HEREBY CERTIFY that a true and accurate copy of the foregoing Order was sent via U.S. Mail, postage pre-paid, on this ___ day of July, 2008 to: Thomas P. Wert, Esq., 420 South Orange Avenue, 7th Floor, Orlando, Florida 32801; Richard G. Rumrell, Esq., Lindsey C. Brock, Esq. and Alicia S. Curran, Esq., 9995 Gate Parkway, North, Suite 190, Jacksonville, FL 32246; William E. Sublette, Esquire, 250 North Orange Avenue, Suite 1220, Orlando, Florida 32801 and Fred L. Kretschmer, Jr., Esquire, 1443 20th St., Suite A, Vero Beach, Florida 32960.

Judicial Assistant/Attorney