

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

IN RE:

Civil Division: 55
Case No: CA-10-2613

HAVEN TRUST BANK FLORIDA
a state-chartered bank
with its main office located in
Ponte Vedra Beach, St. Johns County, Florida

OFR Admin. Case No.: 0769-FI-08/10

ORDER GRANTING EMERGENCY MOTION TO CLOSE COURT
HEARING AND DETERMINING CONFIDENTIALITY OF COURT RECORDS

This matter came to be heard by this Court upon an Emergency Motion by the Office of Financial Regulation ("Office") to Close Court Hearing and Determine Confidentiality of Court Records. The Court having reviewed the file, heard arguments of counsel, and being otherwise fully advised, hereby finds:

1. Rule 2.420(c)(9), Florida Rules of Judicial Administration, states that court records shall be confidential when the Court determines that:

(A) confidentiality is required to

- (i) prevent a serious and imminent threat to the fair, impartial, and orderly administration of justice;
- (ii) protect trade secrets;
- (iii) protect a compelling governmental interest;
- (iv) obtain evidence to determine legal issues in a case;
- (v) avoid substantial injury to innocent third parties;
- (vi) avoid substantial injury to a party by disclosure of matters protected by a common law or privacy right not generally inherent in the specific type of proceeding sought to be closed;
- (vii) comply with established public policy set forth in the Florida or United States Constitution or statutes or Florida rules or case law;

2. The Office has requested relief pursuant to subdivisions (iii) – (vii) of Rule 2.420(c)(9)(A), Florida Rules of Judicial Administration, and the Court agrees that the requested relief is appropriate and proper.

3. The Court further finds that the degree, duration, and manner of confidentiality requested is no broader than necessary, and there are no less restrictive measures available, to protect the interests set forth above.

It is therefore ORDERED AND ADJUDGED:

A. The Office's Emergency Motion is hereby GRANTED and all proceedings in this matter shall be closed to all persons except necessary Court and Clerk of the Court personnel, representatives of the Office, the Federal Deposit Insurance Corporation ("FDIC"), and Haven Trust Bank Florida ("Bank"), in accordance with Rule 2.420, Florida Rules of Judicial Administration, until 5:00 p.m. EDT on September 24, 2010, or until further Order of this Court.

B. In accordance with Rule 2.420, Florida Rules of Judicial Administration, the case number, docket number, or other number used by the Clerk's office to identify this case shall not be confidential, but the identity of Haven Trust Bank Florida and all other information relating to the Office's application for an Order confirming the appointment of the FDIC as Receiver of the Bank is confidential and the Clerk of the Court shall keep the name of the financial institution in this matter, Haven Trust Bank Florida, confidential and shall instead use the pseudonym of "Anonymous Financial Institution" for the Bank's name until 5:00 p.m. EDT on September 24, 2010, or until further Order of this Court.

C. In accordance with Rule 2.420, Florida Rules of Judicial Administration, the progress docket and similar records generated to document activity in this case shall be confidential until 5:00 p.m. EDT on September 24, 2010, or until further Order of this Court.

D. In accordance with Rule 2.420, Florida Rules of Judicial Administration, the Court file in this cause shall be sealed and shall be subject to inspection only by representatives of the Office, the FDIC, and the Bank until 5:00 p.m. EDT on September 24, 2010, or until further Order of this Court.

E. The Clerk of the Court is directed to publish this Order in accordance with Rule 2.420(e)(4), Florida Rules of Judicial Administration, within ten days following the entry of this Order, but not before 5:00 p.m. EDT on September 24, 2010.

DONE AND ORDERED in St. Augustine, St. Johns County, Florida this 24 day of

September, 2010.



CIRCUIT COURT JUDGE

Copies furnished:

- Haven Trust Bank Florida
- Office of Financial Regulation
- Federal Deposit Insurance Corporation