

IN THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR MANATEE COUNTY, FLORIDA

MARY LOU SMITH, an individual,
and SHARON DENSON, an individual,

Plaintiffs,

v.

CASE NO. 08 CA 11315

TRAILER ESTATES PARK AND
RECREATION DISTRICT,
an independent special taxing district,
JANET JONES, an individual,
JOHN VANDER MOLEN, an individual,
JOSEPH SALERNO, an individual, and
MARY LOU McNULTY, an individual,

Defendants.

FILED FOR RECORD
R.B. SHORE
2009 AUG 17 PM 4:45
CLERK OF CIRCUIT COURT
MANATEE CO., FLORIDA

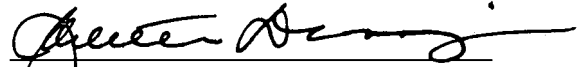
ORDER ON PLAINTIFFS' MOTION TO QUASH JULY 31, 2009
NOTICE TO PRODUCE AT HEARING

THIS CAUSE having come before the Court on the above-referenced Motion, the Court having conducted a hearing on the Motion and being otherwise fully advised in the premises, it is hereby ORDERED:

1. The Motion is denied as to paragraph 2 of the Notice to Produce, except for communications that are attorney/client privileged.
2. The Court grants the Motion as to paragraph 3 without prejudice. The request can be re-propounded to seek materials in Smith's possession which disclose mediation communications occurring during the mediation in this matter and which materials, be they e-mail, letters, internet posts or the like, were conveyed to third parties who were not otherwise authorized under Chapter

44 to receive such materials.

DONE and ORDERED this 14 day of August, 2009.



The Hon. Janette Dunnigan
Circuit Court Judge

cc: Thomas D. Shults, Esquire
Kevin S. Hennessy, Esquire
Robert E. Turffs, Esquire
Daniel E. Scott, Esquire
James D. Dye, Esquire
Hunter W. Carroll, Esquire