

IN THE CIRCUIT COURT OF THE 4TH
JUDICIAL CIRCUIT, IN AND FOR DUVAL
COUNTY, FLORIDA

AMIT K. GUPTA, M.D.,

Plaintiff,

v.

MEMORIAL HEALTHCARE GROUP, INC.,
a Florida corporation d/b/a/ MEMORIAL
HOSPITAL JACKSONVILLE,

Defendant.

CASE NO. 16-2021-CA-000079-XXXX-MA
DIV. CV-E

CONSOLIDATED WITH:
CASE NO. 16-2022-CA-002458-XXXX-MA

**AGREED ORDER GRANTING JOINT MOTION
TO DETERMINE CONFIDENTIALITY OF COURT RECORDS**

THIS CAUSE came before the Court pursuant to Rule 2.420(e) of the Florida Rules of General Practice and Judicial Administration on the Parties' Joint Motion to Determine Confidentiality of Court Records, seeking a determination that certain of the Joint Exhibits, as well as Plaintiff's and Defendant's Exhibits marked for identification only (together the "Exhibits"), utilized at the evidentiary hearing on Defendant's Motion for Attorney's Fees and Costs held on December 18, 2024 (and continued on July 31, 2025), contain confidential information and directing the Clerk of Court to maintain the Exhibits under seal. Having reviewed the Joint Motion and being otherwise informed in the premises, the Court hereby ORDERS AND ADJUDGES:

(A) Portions of **Plaintiff's Exhibits S and T**, and **Defendant's Exhibit EE** contain information regarding peer review/credentialing processes that is considered confidential pursuant to sections 395.0191, 395.0193, and 766.101, Florida Statutes, and the Health Care Quality Improvement Act of 1986, 42 U.S.C. § 11101, et seq. ("HCQIA"). Thus, the grounds for determining the information to be confidential are Rule 2.420(c)(9) of the Florida Rules of Judicial

Administration subsections (vii): comply with established public policy set forth in state and federal statutes and case law.

(B) No party's name is determined to be confidential.

(C) The docket is not determined to contain confidential information.

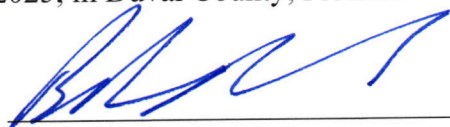
(D) The persons permitted to view the confidential information are the Parties, the Parties' counsel, court personnel necessary to carry out their job responsibilities, potential witnesses, and other individuals involved in the prosecution or defense of the litigation.

(E) The Court finds that (i) the degree, duration, and manner of confidentiality ordered by the court are no broader than necessary to protect the interests set forth in subdivision (c) of Rule 2.420 of the Florida Rules of General Practice and Judicial Administration; and (ii) no less restrictive measures are available to protect the interests set forth in subdivision (c).

(F) The Clerk of the Court is directed to publish the order in accordance with subdivision (e)(4).

Based on the foregoing, the Court **GRANTS** the Joint Motion, deems to be confidential **Plaintiff's Exhibits S and T**, and **Defendant's Exhibit EE**, and instructs the Clerk of Court to maintain them under seal.

DONE AND ORDERED this 18th day of August 2025, in Duval County, Florida.


BRUCE R. ANDERSON, JR.
CIRCUIT COURT JUDGE

cc: Abby M. Spears, Esq.
Richard H. Levenstein, Esq.
**NASON, YEAGER, GERSON,
HARRIS & FUMERO, P.A.**
3001 PGA Boulevard, Suite 305
Palm Beach Gardens, Florida 33410
Telephone: (561) 686-3307
Facsimile: (561) 686-5442
Email: ASpears@nasonyeager.com
E-mail: RLevenstein@nasonyeager.com
E-mail: PTreadway@nasonyeager.com

Counsel for Plaintiff

Martin B. Goldberg, Esq.
Jennifer Christianson, Esq.
Clark S. Splichal, Esq.
LASHGOLDBERG
Lash Goldberg Fineberg LLP
Miami Tower, Suite 1200
100 Southeast Second Street
Miami, Florida 33131-2100
Tel: (305) 347-4040
Fax: (305) 347-4050
Email: mgoldberg@lashgoldberg.com
Email: csplichal@lashgoldberg.com
Email: jchristianson@lashgoldberg.com
Email: rdiaz@lashgoldberg.com
Email: cdiaz@lashgoldberg.com
Email: mwallace@lashgoldberg.com

Counsel for Defendant