

**IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR LAKE COUNTY, FLORIDA**

TLC ASC, LLC d/b/a TLC OUTPATIENT
SURGERY AND LASER CENTER,

Plaintiff,

CASE NO. 35-2023-CA-003254-AXXX-01

v.

JEFFREY M. KERINA, M.D.,

Defendant.

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

THIS CAUSE came before the Court upon Plaintiff, TLC ASC, LLC's ("TLC") Motion to Determine Confidentiality of Court Records [D.N. 234], electronically filed on May 30, 2025 (the "Motion"). The Motion was noticed on June 10, 2025 [D.N. 235], for a virtual hearing scheduled for August 25, 2025, at 1:45 p.m. Though the hearing was duly noticed, counsel for Defendant (Ahmad S. El-Gendi) failed to appear. Instead, on August 25, 2025, he filed a two-page untimely response (the "Untimely Response") bearing a 1:52:48 p.m. e-filing timestamp [D.N. 246], which was after the hearing on the Motion had already concluded.

Having reviewed the Motion, TLC's May 30, 2025, Notice of Confidential Information Within Court Filing and Request to Keep Documents Sealed [D.N. 233], heard argument of Plaintiff's counsel in open Court on August 25, 2025, reviewed the Untimely Response, and being otherwise fully advised of the premises, the Court hereby **ORDERS AND ADJUDGES** as follows:

Pursuant to Fla. R. Gen. Prac. & Jud. Admin. 2.420(e)(4):

- (A) No party's name is determined to be confidential.
- (B) The docket is not determined to contain confidential information.

(C) The persons permitted to view the confidential information are the parties, counsel of record and court personnel necessary to carry out their job responsibilities.

(D) 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 Fla. R. Gen. Prac. & Jud. Admin. 2.420; and (ii) no less restrictive measures are available to protect the interests set forth in subdivision (c).

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

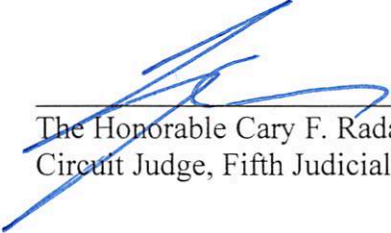
Based on the foregoing, the Court **GRANTS** the Motion as set forth herein and, pursuant to Fla. R. Gen. Prac. & Jud. Admin. 2.420(c)(9)(vii), deems to be confidential the below-described documents which shall be sealed and kept from public access, as follows:

1. The entirety of the unredacted copy of TLC's Corporate Representative Transcript, filed on April 25, 2025, under E-Filing Portal # 221807272 at 11:57:34 AM, filed by Defendant as Exhibit A [D.N. 221] to Defendant's Closing Argument & Proposed Findings [D.N. 220].
2. The entirety of the following confidential documents that were admitted into evidence as exhibits during the non-jury trial that took place in this matter on February 6, 2025, February 7, 2025, and March 21, 2025:
 - a. Membership Interest Purchase Agreement [TLC Ex. 21];
 - b. Directorship Agreement [TLC Ex. 22];
 - c. Learning History [TLC Ex. 23];
 - d. Development Plan [TLC Ex. 24];
 - e. Policy and Procedure guideline [TLC Ex. 25];

- f. Patient Centeredness Job Description [TLC Ex. 26];
- g. Governing Board Meeting Agenda [TLC Ex. 27];
- h. Governing Board Meeting Minutes [TLC Ex. 28];
- i. Radiation Safety-Knowledge [TLC Ex. 29];
- j. Safety Officer Job Description [TLC Ex. 32];
- k. Instrument Technician Job Description [TLC Ex. 33];
- l. Michael Bradham Earnings Statement [TLC Ex. 34];
- m. Gabrielle S. Messer Earning Statement [TLC Ex. 35];
- n. Exercise of Rights to Acquire Units & Response of Dr. Kerina [Kerina Ex. 4];
- o. Composite: USPI High Volume Centers & Service Line Results [Kerina Ex. 8];
- p. Tenet Outpatient Arthroplasty [Kerina Ex. 9];
- q. Health Record Management Training [Kerina Ex. 12];
- r. Instrument Technician Guide [Kerina Ex. 13];
- s. TLC Governing Board Minutes [Kerina Ex. 14];
- t. PACU Punch List – THA [Kerina Ex. 16];
- u. Patient Journey Map [Kerina Ex. 17];
- v. Composite: Post-Acute Care Triage Algorithm Slides & Risk Factor Stratification;
Table for Outpatient [Kerina Ex. 18];
- w. Safety Officer Training Presentation [Kerina Ex. 19];
- x. Surgery Scheduler Guideline [Kerina Ex. 21];
- y. USPI Outpatient [Kerina Ex. 22];
- z. The unredacted copy of TLC's Corporate Representative Deposition Transcript
[Kerina Ex. 24];

- aa. Presentation Slides of Impact of Square Footage Reduction [Kerina Ex. 23];
- bb. Secured Promissory Note [Kerina Ex. 27]; and
- cc. TLC ASC, LLC Management Services Agreement [Joint Ex. 1].

DONE AND ORDERED in Chambers, in Tavares, Lake County, Florida this 28 day of August 2025.



The Honorable Cary F. Rada
Circuit Judge, Fifth Judicial Circuit