

**IN THE CIRCUIT COURT OF THE TWELTH JUDICIAL CIRCUIT
IN AND FOR SARASOTA COUNTY, FLORIDA
CIVIL DIVISION**

Michael T. Flynn,
Plaintiff,

v.

Case No.: 2023 CA 004264 NC

Jim Stewartson,
Defendant.

**DEFENDANT'S RESPONSE TO PLAINTIFF'S DEPOSITION TRANSCRIPT
CONFIDENTIALITY DESIGNATIONS**

Defendant, JIM STEWARTSON, by and through undersigned counsel, hereby responds to Plaintiff's Deposition Transcript Confidentiality Designations [DIN # 235, filed October 21, 2025], which was filed pursuant to this Court's Orders on Plaintiff's Amended Motion for Protective Order [DIN # 208, signed September 15, 2025, and DIN # 234, filed October 21, 2025]. Pursuant to the Court's Orders, Defendant responds as follows:

43:16–45:3- This section discusses how the private details of how Plaintiff's security operates, functions, and plans.

The Defendant does not agree that this portion of the transcript should be kept confidential within the confines of the Court's Orders. It is unclear on what grounds these materials should be deemed confidential under Fla. R. Gen. Prac. & Jud. Admin. 2.420, which the Court deemed to not be altered by its September 15, 2025 Order [DIN #208].

Only a portion of this testimony (Tr. 44:2-44:9 and 45:1-45:3) actually relates to the potentially private manner in which the Plaintiff's security operates, functions, and plans. Accordingly, even if this Court determines that testimony concerning the private details of how Plaintiff's security operates, functions, and plans, a protective order should only be applied to Tr. 44:2-44:9 and 45:1-45:3.

Without disclosing the exact testimony or line of questioning, the information concerning how Plaintiff's security operates, functions, and plans was voluntarily offered by the Plaintiff in a very general manner in response to a question which did not directly ask for such information.

The fact that the Plaintiff freely conveyed this information, which was of limited relevance to the question asked, suggests that it is not deeply sensitive or confidential. Plaintiff's testimony at Tr. 44:2-44:9 and 45:1-45:3 is very generalized and not deeply specific.

81:20–83:24- This section discusses Plaintiff's private business dealings, including the parties to those business dealings and the date ranges of those business dealings.

The Defendant does not agree that this portion of the transcript should be kept confidential within the confines of the Court's Orders. The general confines of Fla. R. Gen. Prac. & Jud. Admin. 2.420, which the Court deemed to not be altered by its September 15, 2025 Order [DIN #208], apply here. While this portion of the testimony deals with Plaintiff's business dealings, it does not involve trade secrets nor would Plaintiff's testimony cause substantial injury to third parties named during this portion of the deposition. Accordingly, it is unclear why this portion should be kept confidential.

While there could be highly specific information along these lines that should be kept confidential, Plaintiff's deposition testimony in this section is very generalized, and does not contain specific information such as compensation or job responsibilities/projects. Rather, it identifies a few businesses that Plaintiff worked with or sought to work with and the dates of that work.

As Plaintiff alleges in his pleadings that Mr. Stewartson has caused him a loss of employment/economic opportunities, it is critical to his case that Mr. Stewartson, through counsel, have an opportunity to explore such information at a deposition including what those opportunities were and dates they took places (versus the dates of Mr. Stewartson's purportedly defamatory conduct).

136:23–138:17- This section discusses Plaintiff's private business dealings, including the parties to those business dealings and the date ranges of those business dealings.

The Defendant does not agree that this information should be kept confidential. Plaintiff's position on this section is identical to Tr. 81:20–83:24 as it was follow-up questions on the same information.

Additionally, the excerpt from Tr. 137:8 through Tr. 137:13 **does not** pertain to Plaintiff's business dealings in any way, shape, or form.

WHEREFORE, Defendant, JIM STEWARTSON, respectfully requests that the Court adjudicate that the portions of the Plaintiff's deposition at Tr. 43:16–45:3, 81:20-83:24, and 136:23-138:17 not be deemed confidential and that the protective order concerning Plaintiff's deposition be lifted.

Dated: October 24, 2025

/s/ George A.D. Thurlow
George A.D. Thurlow, Esquire
FBN 1019960

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing document was served upon Stephen French, Esquire and Jared Roberts, Esquire via email to Stephen@binnall.com, Jared@Binnall.com, and Shawnay@binnall.com on this 24th day of October, 2025.

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Cc: The Honorable Judge Hunter Carroll (via email to sscibak@jud12.flcourts.org)