

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT OF IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

CASE NO: 10-3996 CA 31

PREMIER AMERICAN BANK,
a state chartered bank
with its main office located in
Miami, Miami-Dade County, Florida /

*Posted on
Bulletin
1-26-10 (ekb)*

VIVIAN H. ROGERS

2010 JAN 25 AM 11:41
RECEIVED
CLERK OF THE COURT
MIAMI-DADE COUNTY, FLORIDA

NOTE: INCLUDE CASE STYLE ONLY IN CASES WHERE A DOCUMENT OR DOCUMENTS ALONE HAVE BEEN SEALED. IN CASES WHERE A FILE, FILE AND DOCKET, OR A PARTY'S IDENTITY HAS BEEN SEALED REDACT THE CASE STYLE.

NOTICE OF ENTRY OF ORDER AUTHORIZING SEALING

BE ADVISED that on the 22nd day of **January 2010**, the Court entered an Order in the above-referenced matter authorizing the sealing of court documents pursuant to Florida Rule of Judicial Administration 2.051(c)(9). Any person wishing to contest this Order shall file a motion with the Clerk of the Circuit Court within fifteen (15) days of the date of this notice accordance with Administrative Order No. 06-36.

Dated: 1-26-10

HARVEY RUVIN, CLERK

HARVEY RUVIN, Clerk of the Courts

By: *Vivian H. Rogers*
Deputy Clerk

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

IN RE:

PREMIER AMERICAN BANK
FLORIDA, a state-chartered bank
located in Miami, Miami-Dade, Florida.

Civil Division: 10-03996 CA 31
Case No:

OFR Admin. File No. 0704-FI-12/09

WYMAN M. ROGERS
2010 JAN 22 AM 11:59
COURT REPORTER
CIVIL # 111

ORDER GRANTING EMERGENCY MOTION TO MAKE
COURT HEARING AND COURT RECORDS CONFIDENTIAL

This matter came to be heard by this Court upon an Emergency Motion by the Office of Financial Regulation ("Office") to Make Court Hearing and Court Records Confidential. The Court having reviewed the file, heard arguments of counsel, and being otherwise fully advised in the premises does hereby find:

1. The relief the Office is requesting pursuant to Rule 2.420(c)(9), Florida Rules of Judicial Administration, is appropriate and proper per subdivision (9)(B) in that the degree, duration, and manner of confidentiality requested by the Office is no broader than necessary to protect the interests set forth in subdivision (9)(A).
2. The relief the Office is requesting pursuant to Rule 2.420(c)(9), Florida Rules of Judicial Administration, is appropriate and proper per subdivision (9)(C) in that there are no less restrictive measures available to protect the interests set forth in subdivision (9)(A).
3. With regard to the relief the Office is requesting pursuant to Rule 2.420(c)(9), Florida Rules of Judicial Administration, the particular grounds for making the court records confidential are to protect a compelling governmental interest, to avoid substantial injury to innocent third parties, and to comply with established public policy set forth in Florida statutes, rules, and case law.

4. The relief the Office is requesting pursuant to Rules 2.420(c)(7) and (8), Florida Rules of Judicial Administration, is appropriate and proper for information and records that are confidential pursuant to Section 655.057, Florida Statutes, and 12 C.F.R. Part 309.

It is therefore ORDERED AND ADJUDGED:

A. The Office's Motion is hereby GRANTED and all proceedings in this matter shall be closed to all persons except representatives of the Office, the Federal Deposit Insurance Corporation ("FDIC"), and Premier American Bank ("Bank"), in accordance with Rule 2.420, Florida Rules of Judicial Administration, until 6:00 p.m. EST on January 22, 2010, or until further Order of this Court.

B. 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 6:00 p.m. EST on January 22, 2010, or until further Order of this Court.

C. 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 Clerk of the Court shall keep the name of the financial institution in this matter, Premier American Bank, confidential and shall instead use the pseudonym of "Anonymous Financial Institution" for that party's name until 6:00 p.m. EST on January 22, 2010, or until further Order of this Court.

D. 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 6:00 p.m. EST on January 22, 2010, or until further Order of this Court.

E. Pursuant to Section 655.057(2)(g), Florida Statutes, and in accordance with Rules 2.420(c)(7) and (8), Florida Rules of Judicial Administration, to the extent that any court records involve examination, operation, or condition reports of Premier American Bank, Charter # 1099, 5301 Blue Lagoon Drive, Miami, Miami-Dade County, Florida 33126, that were prepared by the Office, the subject court records shall remain sealed and be treated as confidential for a period of one year after the date of an Order Confirming the Appointment of the Federal Deposit Insurance Corporation as Receiver of Premier American Bank, or until further Order of this Court.

F. Pursuant to Section 655.057(2)(g), Florida Statutes, and in accordance with Rules 2.420(c)(7) and (8), Florida Rules of Judicial Administration, to the extent that any court records would disclose the identities of depositors, bondholders, members, borrowers, or stockholders, other than directors, officers, or controlling stockholders of the Bank, the Office is authorized to redact any confidential information set forth in those records and those records shall remain sealed perpetually or until further Order of this Court.

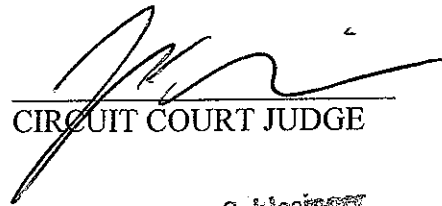
G. In accordance with Rules 2.420(c)(7) and (8), Florida Rules of Judicial Administration, pursuant to applicable federal law, to the extent that any court records involve FDIC supervisory information or exempt records, or the information contained therein, those records shall remain sealed perpetually until further Order of this Court.

H. The Clerk of the Court is directed to publish this Order in accordance with Rule 2.420(d)(4), Florida Rules of Judicial Administration, within ten days following the entry of this Order, but not before 8:00 a.m. EST on January 23, 2010.

I. The Clerk of Court is directed to promptly notify the Office and the FDIC upon receipt of any court filing requesting access to any court records in this proceeding that have been sealed by Order of the Court.

JAN 22 2010

DONE AND ORDERED in Miami, Miami-Dade County, Florida this 22nd day of January, 2010.



CIRCUIT COURT JUDGE

John Schlesinger
Circuit Court Judge

Copies furnished:

- Premier American Bank
- Office of Financial Regulation
- Federal Deposit Insurance Corporation