

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT  
IN AND FOR ORANGE COUNTY, FLORIDA

KNIGHT NEWS, INC.,

Petitioner,

CASE NO.: 2016-CA-004460-O

vs.

THE UNIVERSITY OF CENTRAL  
FLORIDA BOARD OF TRUSTEES  
("UCF"),

Respondent.

UCF'S EMERGENCY MOTION FOR TEMPORARY STAY OF COURT'S ORDER  
GRANTING WRIT OF MANDAMUS AND PARTIAL FINAL JUDGMENT

UCF respectfully requests this Honorable Court to render an Order temporarily staying for seven days the Court's August 11, 2016 Order (the "Order"), and in support states:

1. The Order grants KNI's request for unredacted copies of Budget Request forms and Activity Service Fee ("A&S Fee") Database records, which UCF contends are exempted from Chapter 119, *Fla. Stat.*, pursuant to the Family Educational Rights and Privacy Act ("FERPA").
2. UCF administers thirteen (13) colleges across ten (10) regional campuses and has a current enrollment of more than 60,000 students.
3. While the Order specifically addresses the records at issue here - the Budget Request forms and A&S Fee Database Records - the Order's language regarding how a record must be stored to be FERPA-protected could be problematic in responding to future public records requests given UCF's broad and important legal duty to comply with federal and state student privacy rights.

4. UCF respectfully seeks this short enlargement of time to consider and weigh its options in light of the University's broad and important legal duty to comply with federal and state student privacy rights.
5. The current deadline to comply with the Order is Monday, August 15, 2016 at 9:59 a.m. See Fla R. Jud. Admin. 2.514(2)(C).
6. The Court has the inherent authority to stay its Order and is permitted to grant an enlargement of time to comply pursuant to Fla. R. Civ. P. 1.090(b).
7. Moreover, the Court may issue an order temporarily staying the opening of the subject records upon the determination that "there is a substantial probability that opening the records for inspection will result in significant damage." §§ 119.11(2) and (3), Fla. Stat.

**WHEREFORE**, UCF respectfully requests the Court to render an Order temporarily staying the Court's August 11, 2016 Order and granting a seven (7) day enlargement of time of UCF's current deadline under Fla. Stat. § 119.11(2) until August 22, 2016.

Respectfully submitted this 11th day of August, 2016,

**/s/ RICHARD E. MITCHELL**  
RICHARD E. MITCHELL, ESQ.  
Florida Bar No.: 0168092  
rick.mitchell@gray-robinson.com  
debi.robins@gray-robinson.com  
JASON A. ZIMMERMAN, ESQ.  
Florida Bar No.: 104392  
jason.zimmerman@gray-robinson.com  
darlene.dallas@gray-robinson.com  
GRAYROBINSON, P.A.  
301 East Pine Street, Suite 1400  
Post Office Box 3068 (32802-3068)  
Orlando, Florida 32801  
(407) 843-8880 Telephone  
(407) 244-5690 Facsimile  
*Lead Counsel for UCF*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY on this 11th day of August, 2016, I electronically filed the foregoing with the Orange County Clerk of the Court by using the Florida Courts eFiling Portal. I further certify that a true and correct copy of the forgoing has been served pursuant to Fla. R. Jud. Admin. 2.516 to: **JUSTIN S. HEMLEPP, ESQ.**, 12157 West Linebaugh Ave., #388, Tampa, Florida 33626 (jhemlepp@hemlepplaw.com).

**/s/ Richard E. Mitchell, Esq.**

Richard E. Mitchell, Esq.  
GrayRobinson, P.A.